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## Information and Notices

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**EUROPEAN PARLIAMENT**

2003-2004 SESSION

Sittings of 17 to 20 November 2003

**Monday 17 November 2003**

(2004/C 87 E/01)

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**Thursday 20 November 2003**

(2004/C 87 E/04)

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*Key to symbols used*

|         |                                       |
|---------|---------------------------------------|
| *       | Consultation procedure                |
| ** I    | Cooperation procedure: first reading  |
| ** II   | Cooperation procedure: second reading |
| ***     | Assent procedure                      |
| *** I   | Codecision procedure: first reading   |
| *** II  | Codecision procedure: second reading  |
| *** III | Codecision procedure: third reading   |

(The type of procedure is determined by the legal basis proposed by the Commission)

*Information relating to voting time*

Unless stated otherwise, the rapporteurs informed the Chair in writing, before the vote, of their position on the amendments.

*Abbreviations used for Parliamentary Committees*

|      |                                                                                |
|------|--------------------------------------------------------------------------------|
| AFET | Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy |
| BUDG | Committee on Budgets                                                           |
| CONT | Committee on Budgetary Control                                                 |
| LIBE | Committee on Citizens' Freedoms and Rights, Justice and Home Affairs           |
| ECON | Committee on Economic and Monetary Affairs                                     |
| JURI | Committee on Legal Affairs and the Internal Market                             |
| ITRE | Committee on Industry, External Trade, Research and Energy                     |
| EMPL | Committee on Employment and Social Affairs                                     |
| ENVI | Committee on the Environment, Public Health and Consumer Policy                |
| AGRI | Committee on Agriculture and Rural Development                                 |
| PECH | Committee on Fisheries                                                         |
| RETT | Committee on Regional Policy, Transport and Tourism                            |
| CULT | Committee on Culture, Youth, Education, the Media and Sport                    |
| DEVE | Committee on Development and Cooperation                                       |
| AFCO | Committee on Constitutional Affairs                                            |
| FEMM | Committee on Women's Rights and Equal Opportunities                            |
| PETI | Committee on Petitions                                                         |

*Abbreviations used for Political Groups*

|           |                                                                                   |
|-----------|-----------------------------------------------------------------------------------|
| PPE-DE    | Group of the European People's Party (Christian Democrats) and European Democrats |
| PSE       | Group of the Party of European Socialists                                         |
| ELDR      | Group of the European Liberal, Democrat and Reform Party                          |
| Verts/ALE | Group of the Greens/European Free Alliance                                        |
| GUE/NGL   | Confederal Group of the European United Left/Nordic Green Left                    |
| UEN       | Union for a Europe of Nations Group                                               |
| EDD       | Group for a Europe of Democracies and Diversities                                 |
| NI        | Non-attached Members                                                              |

Monday 17 November 2003

**I***(Information)***EUROPEAN PARLIAMENT**

2003-2004 SESSION

Sittings of 17 to 20 November 2003

STRASBOURG

(2004/C 87 E/01)

**MINUTES****PROCEEDINGS OF THE SITTING**

IN THE CHAIR: David W. MARTIN

*Vice-President***1. Resumption of session**

The sitting opened at 17.00.

**2. Announcements by the President**

On behalf of Parliament, the President paid tribute to the victims of the shipyard accident which occurred in Saint-Nazaire on 15 November, and to the victims of the two terrorist attacks on synagogues perpetrated that same day in Istanbul. He expressed his sympathy and his condolences to the families of the victims and to the Turkish Government.

Parliament observed a minute's silence.

The President announced that Tuesday's sitting would begin with a tribute to the Italian soldiers killed in Nasiriya.

**3. Approval of Minutes of previous sitting**

Giorgio Napolitano had informed the Presidency that he had been present at the sitting of 5 November 2003 but that his name was not on the attendance register.

The Minutes of the previous sitting were approved.

Monday 17 November 2003

#### 4. Documents received

The following documents had been received:

(1) *from the Council and Commission:*

- Proposal for a directive of the European Parliament and of the Council amending Council Directives 73/239/EEC, 85/611/EEC, 91/675/EEC, 93/6/EEC and 94/19/EC and Directives 2000/12/EC, 2002/83/EC and 2002/87/EC of the European Parliament and of the Council, in order to establish a new financial services committee organisational structure (COM(2003) 659 — C5-0520/2003 — 2003/0263(COD))  
referred to      responsible: ECON  
                         opinion: AFCE  
legal basis:      Article 47(2) EC
- Opinion of the Council on transfer of appropriations 29/2003 between Chapters in Section III — Commission — Part A — of the General Budget for the European Union for the financial year 2003 (C5-0522/2003 — 2003/2185(GBD))  
referred to      responsible: BUDG  
legal basis:      Article 274 EC
- Proposal for transfer of appropriations 34/2003 between Chapters in Section III — Commission — Part B — of the General Budget for the European Union for the financial year 2003 (SEC(2003) 256 — C5-0523/2003 — 2003/2198(GBD))  
referred to      responsible: BUDG  
legal basis:      Article 274 EC
- Proposal for transfer of appropriations 36/2003 between Chapters in Section III — Commission — Part B — of the General Budget for the European Union for the financial year 2003 (SEC(2003) 257 — C5-0524/2003 — 2003/2199(GBD))  
referred to      responsible: BUDG  
legal basis:      Article 274 EC
- Proposal for a Council decision adapting the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia and the adjustments to the Treaties on which the European Union is founded, following the reform of the common agricultural policy (COM(2003) 643 — C5-0525/2003 — 2003/0253(CNS))  
referred to      responsible: AGRI  
                         opinion: BUDG  
legal basis:      Article 2 Accession Treaty, Article 23, Act of Accession
- Proposal for a Council decision on the conclusion, on behalf of the European Community, of the Convention on access to information, public participation in decision making and access to justice regarding environmental matters (COM(2003) 625 — C5-0526/2003 — 2003/0249(CNS))  
referred to      responsible: ENVI  
                         opinion: LIBE, JURI  
legal basis:      Articles 175(1), 300(2), first subparagraph EC
- Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1655/2000 concerning the Financial Instrument for the Environment (LIFE) (COM(2003) 667 — C5-0527/2003 — 2003/0260(COD))  
referred to      responsible: ENVI  
                         opinion: BUDG  
legal basis:      Article 175(1) EC



Monday 17 November 2003

- Opinion of the Commission pursuant to Article 251(2), third subparagraph, point (c) of the EC Treaty, on the European Parliament's amendments to the Council's Common Position regarding the proposal for a Decision of the European Parliament and of the Council adopting a multi-annual programme (2004-2006) for the effective integration of Information and Communication Technologies (ICT) in education and training systems in Europe (eLearning Programme) (COM(2003) 699 – C5-0528/2003 – 2002/0303(COD))  
referred to responsible: CULT  
opinion: BUDG, ITRE, FEMM  
legal basis: Articles 149(4) and 150(4) EC
- Opinion of the Commission pursuant to Article 251(2), third subparagraph, point (c) of the EC Treaty, on the European Parliament's amendments to the Council's Common Position regarding the proposal for a European Parliament and Council decision Establishing a programme for the enhancement of quality in higher education and the promotion of intercultural understanding through co-operation with third countries (Erasmus World) (2004-2008) (COM(2003) 694 – C5-0529/2003 – 2002/0165(COD))  
referred to responsible: CULT  
opinion: AFET, BUDG, EMPL, FEMM  
legal basis: Article 149 EC
- Opinion of the Commission pursuant to Article 251(2), third subparagraph, point (c) of the EC Treaty, on the European Parliament's amendments to the Council's Common Position regarding the proposal for a directive of the European Parliament and of the Council on the safety of third countries aircraft using community airports (COM(2003) 674 – C5-0537/2003 – 2002/0014(COD))  
referred to responsible: RETT  
opinion: BUDG, LIBE, JURI, ENVI  
legal basis: Article 80(2) EC
- Proposal for a Regulation of the European Parliament and of the Council on the addition of vitamins and minerals and of certain other substances to foods (COM(2003) 671 – C5-0538/2003 – 2003/0262(COD))  
referred to responsible: ENVI  
opinion: JURI, ITRE  
legal basis: Article 95 EC
- Proposal for transfer of appropriations 35/2003 between Chapters in Section III – Commission – Part B – of the General Budget for the European Union for the financial year 2003 (SEC(2003) 286 – C5-0539/2003 – 2003/2206(GBD))  
referred to responsible: BUDG  
legal basis: Article 274 EC
- Proposal for transfer of appropriations 40/2003 between Chapters in Section III – Commission – Part B – of the General Budget for the European Union for the financial year 2003 (SEC(2003) 282 – C5-0540/2003 – 2003/2208(GBD))  
referred to responsible: BUDG  
legal basis: Article 274 EC
- Proposal for transfer of appropriations 41/2003 between Chapters in Section III – Commission – Part B – of the General Budget for the European Union for the financial year 2003 (SEC(2003) 285 – C5-0541/2003 – 2003/2209(GBD))  
referred to responsible: BUDG  
legal basis: Article 274 EC
- Proposal for transfer of appropriations 37/2003 between Chapters in Section III – Commission – Part B – of the General Budget for the European Union for the financial year 2003 (SEC(2003) 284 – C5-0542/2003 – 2003/2207(GBD))  
referred to responsible: BUDG  
legal basis: Article 274 EC

**Monday 17 November 2003**

- Opinion of the Council on transfer of appropriations 28/2003 between Chapters in Section III — Commission — Part B — of the General Budget for the European Union for the financial year 2003 (C5-0543/2003 — C5-0543/2003 — 2003/2186(GBD))

referred to      responsible: BUDG

legal basis:     Article 274 EC

- Proposal for a Council regulation amending Regulation (EC) No 2501/2001 applying a scheme of generalised tariff preferences for the period from 1 January 2002 to 31 December 2004 and extending it to 31 December 2005 (COM(2003) 634 — C5-0544/2003 — 2003/0259(ACC))

referred to      responsible: DEVE  
                         opinion: ITRE

legal basis:     Article 133 EC

(2) *from committees:*

(2.1) *reports:*

- \* Report on the Initiative of the Hellenic Republic with a view to adopting a Council Decision determining the minimum indications to be used on signs at external border crossing points (8830/2003 — C5-0253/2003 — 2003/0815(CNS)) — Committee on Citizens' Freedoms and Rights, Justice and Home Affairs.  
Rapporteur: Mr Deprez (A5-0366/2003).
- Report on the communication from the Commission to the Council, the European Parliament and the European Economic and Social Committee — On a Comprehensive EU Policy Against Corruption (COM(2003) 317 — C5-0374/2003 — 2003/2154(INI)) — Committee on Citizens' Freedoms and Rights, Justice and Home Affairs.  
Rapporteur: Mr Rutelli (A5-0367/2003).
- \* Report on the proposal for a Council decision establishing a Community action programme to promote active European citizenship (civic participation) (Enhanced cooperation between committees — Rule 162a) (COM(2003) 276 — C5-0321/2003 — 2003/0116(CNS)) — Committee on Citizens' Freedoms and Rights, Justice and Home Affairs.  
Rapporteur: Mrs Rühle (A5-0368/2003).
- \* Report on the proposal for a Council decision amending decision 2002/834/EC on the specific programme for research, technological development and demonstration: 'Integrating and strengthening the European research area' (2002-2006) (COM(2003) 390 — C5-0349/2003 — 2003/0151(CNS)) — Committee on Industry, External Trade, Research and Energy.  
Rapporteur: Mr Liese (A5-0369/2003).
- Second report on the communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions — European Defence — Industrial and market issues — Towards an EU Defence Equipment Policy — (Enhanced cooperation between committees — Rule 162a) (COM(2003) 113 — C5-0212/2003 — 2003/2096(INI)) — Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy.  
Rapporteur: Mr Queiro (A5-0370/2003).
- \* Report on the proposal for a Council decision concerning the conclusion, on behalf of the European Community, of the Stockholm Convention on Persistent Organic Pollutants (COM(2003) 331 — C5-0315/2003 — 2003/0118(CNS)) — Committee on the Environment, Public Health and Consumer Policy.  
Rapporteur: Mrs Frahm (A5-0371/2003).

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- \* Report on the proposal for a Council decision concerning the conclusion, on behalf of the European Community, of the 1998 Protocol to the 1979 Convention on Long Range Transboundary Air Pollution on Persistent Organic Pollutants (COM(2003) 332 — C5-0318/2003 — 2003/0117(CNS)) — Committee on the Environment, Public Health and Consumer Policy.  
Rapporteur: Mrs Frahm (A5-0372/2003).
- \* Report on the proposal for a Council framework decision to strengthen the criminal law framework for the enforcement of the law against ship-source pollution (COM(2003) 227 — C5-0244/2003 — 2003/0088(CNS)) — Committee on Citizens' Freedoms and Rights, Justice and Home Affairs.  
Rapporteur: Mr Di Lello Finuoli (A5-0373/2003).
- \*\*\* I Report on the proposal for a European Parliament and Council regulation on amending Council Regulation (EC) No 2236/95/EC laying down general rules for the granting of Community financial aid in the field of trans-European networks (COM(2003) 220 — C5-0199/2003 — 2003/0086(COD)) — Committee on Industry, External Trade, Research and Energy.  
Rapporteur: Mrs Read (A5-0374/2003).
- \*\*\* I Report on the proposal for a European Parliament and Council decision on Interoperable Delivery of pan-European eGovernment Services to Public Administrations, Businesses and Citizens (IDABC) (COM(2003) 406 — C5-0310/2003 — 2003/0147(COD)) — Committee on Industry, External Trade, Research and Energy.  
Rapporteur: Mrs Read (A5-0375/2003).
- Report on the Eighth Report from the Commission on the implementation of the Telecommunications Regulatory Package (COM(2002) 695 — C5-0208/2003 — 2003/2090(INI)) — Committee on Industry, External Trade, Research and Energy.  
Rapporteur: Mr Clegg (A5-0376/2003).
- \* Report on the proposal for a Council decision concerning the analysis and cooperation with regard to counterfeit euro coins (13203/2/2003 — C5-0471/2003 — 2003/0158(CNS)) — Committee on Citizens' Freedoms and Rights, Justice and Home Affairs.  
Rapporteur: Mr Schmid (A5-0377/2003).
- Report on 'Wider Europe — Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours' (COM(2003) 104 — C5-0110/2003 — 2003/2018(INI)) — Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy.  
Rapporteur: Mrs Napoletano (A5-0378/2003).
- \* Report on the proposal for a Council decision approving the accession of the European Community to the International Plant Protection Convention, as revised and approved by Resolution 12/97 of the Twenty-ninth Session of the FAO Conference in November 1997 (Simplified procedure — Rule 158(1) of the Rules of Procedures) (COM(2003) 470 — C5-0392/2003 — 2003/0178(CNS)) — Committee on Agriculture and Rural Development.  
Rapporteur: Mr Daul (A5-0379/2003).
- \* Report on the proposal for a Council regulation amending Regulation (EEC) No 1696/71 on the common organisation of the market in hops (Simplified procedure — Rule 158(1) of the Rules of Procedures) (COM(2003) 562 — C5-0460/2003 — 2003/0216(CNS)) — Committee on Agriculture and Rural Development.  
Rapporteur: Mr Daul (A5-0380/2003).
- \* Report on the proposal for a Council recommendation on cancer screening (COM(2003) 230 — C5-0322/2003 — 2003/0093(CNS)) — Committee on the Environment, Public Health and Consumer Policy.  
Rapporteur: Mr Mussa (A5-0381/2003).

**Monday 17 November 2003**

- \* Report on the proposal for a Council regulation introducing, on the occasion of the accession of Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, special temporary measures for recruitment of officials of the European Communities (COM(2003) 351 — C5-0287/2003 — 2003/0123(CNS)) — Committee on Legal Affairs and the Internal Market.  
Rapporteur: Mr Medina Ortega (A5-0382/2003).
- \* Report on the proposal for a Council directive amending Directive 92/81/EEC and Directive 92/82/EEC to introduce special tax arrangements for diesel fuel used for commercial purposes and to align the excise duties on petrol and diesel fuel (COM(2002) 410 — C5-0409/2002 — 2002/0191(CNS)) — Committee on Economic and Monetary Affairs.  
Rapporteur: Mrs Kauppi (A5-0383/2003).
- \* Report on the proposal for a Council decision establishing a Community action programme for bodies promoting reciprocal understanding of relations between the European Union and certain non-industrialised regions in the world (Enhanced cooperation between committees — Rule 162a) (COM(2003) 280 — C5-0350/2003 — 2003/0110(CNS)) — Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy.  
Rapporteur: Mr Sacrédeus (A5-0384/2003).
- \*\*\* I Report on the proposal for a European Parliament and Council regulation on enhancing ship and port facility security (COM(2003) 229 — C5-0218/2003 — 2003/0089(COD)) — Committee on Regional Policy, Transport and Tourism.  
Rapporteur: Mrs Miguélez Ramos (A5-0385/2003).
- \* Report on the proposal for a Council regulation establishing a system for the identification and registration of ovine and caprine animal and amending Regulation (EEC) No 3508/92 (COM(2002) 729 — C5-0027/2003 — 2002/0297(CNS)) — Committee on Agriculture and Rural Development.  
Rapporteur: Mr Adam (A5-0386/2003).
- \*\*\* I Report on the proposal for a European Parliament and Council directive on ship-source pollution and on the introduction of sanctions, including criminal sanctions, for pollution offences (Enhanced cooperation between committees — Rule 162a) (COM(2003) 92 — C5-0076/2003 — 2003/0037(COD)) — Committee on Regional Policy, Transport and Tourism.  
Rapporteur: Mr Pex (A5-0388/2003).
- Report on Investing in research: an action plan for Europe (COM(2003) 226 — C5-0381/2003 — 2003/2148(INI)) — Committee on Industry, External Trade, Research and Energy.  
Rapporteur: Mr Linkohr (A5-0389/2003).
- \* Report on the proposal for a Council regulation on amending Council Regulation (EC) No 1080/2000 of 22 May 2000 on support for the United Nations Interim Mission in Kosovo (UNMIK) and the Office of the High Representative in Bosnia and Herzegovina (OHR) (COM(2003) 389 — C5-0325/2003 — 2003/0143(CNS)) — Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy.  
Rapporteur: Mr Swoboda (A5-0390/2003).
- \*\*\* I Report on the proposal for a European Parliament and Council regulation on shipments of waste (COM(2003) 379 — C5-0365/2003 — 2003/0139(COD)) — Committee on the Environment, Public Health and Consumer Policy.  
Rapporteur: Mr Blokland (A5-0391/2003).

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- \* Report on the proposal for a Council regulation amending Regulation (EEC) No 2092/91 on organic production of agricultural products and indications referring thereto in agricultural products and foodstuffs (COM(2003) 014 — C5-0021/2003 — 2003/0002(CNS)) — Committee on Agriculture and Rural Development.  
Rapporteur: Mrs Auroi (A5-0392/2003).
  
- Report on the Commission report on the evaluation of the activities of the European Anti-Fraud Office (OLAF) — 2002/2237(INI)) — Committee on Budgetary Control.  
Rapporteur: Mr Bösch (A5-0393/2003).
  
- Report on the follow-up report on Council Directive 75/442/EEC (Waste Framework Directive) (COM(2003) 250 — C5-0409/2003 — 2003/2124(INI)) — Committee on the Environment, Public Health and Consumer Policy.  
Rapporteur: Mr Blokland (A5-0394/2003).
  
- \*\*\* I Report on the proposal for a European Parliament and Council regulation amending Council Regulation (EC) No 1734/94 on financial and technical cooperation with the Occupied Territories (Simplified procedure — Rule 158(2) of the Rules of Procedure) (COM(2003) 523 — C5-0403/2003 — 2003/0204(COD)) — Committee on Industry, External Trade, Research and Energy.  
Rapporteur: Mr Berenguer Fuster (A5-0395/2003).
  
- \*\*\* I Report on the proposal for a European Parliament and Council decision establishing a Community action programme to promote organisations active at European level in the field of equality between men and women (Enhanced cooperation between committees — Rule 162a) (COM(2003) 279 — C5-0261/2003 — 2003/0109(COD)) — Committee on Women's Rights and Equal Opportunities.  
Rapporteur: Mrs Kratsa (A5-0396/2003).
  
- Report on The Stabilisation and Association Process for South East Europe: Second Annual Report (COM(2003) 139 — C5-0211/2003 — 2003/2094(INI)) — Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy.  
Rapporteur: Mr J.J. Lagendijk (A5-0397/2003).
  
- Report with a proposal for a European Parliament recommendation to the Council on the second-generation Schengen information system (SIS II) — 2003/2180(INI)) — Committee on Citizen's Freedoms and Rights, Justice and Home Affairs.  
Rapporteur: Mr Coelho (A5-0398/2003).
  
- \*\*\* I Report on the proposal for a European Parliament and Council regulation amending Council Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons and their families moving within the Community, and Council Regulation (EEC) No 574/72 fixing the procedure for implementing Regulation (EEC) No 1408/71, in respect of the alignment of rights and the simplification of procedures (COM(2003) 378 — C5-0290/2003 — 2003/0138(COD)) — Committee on Employment and Social Affairs.  
Rapporteur: Mrs Jensen (A5-0399/2003).

(2.2) *recommendations for second reading:*

- \*\*\* II Recommendation for second reading on the common position adopted by the Council with a view to adopting a European Parliament and Council directive on setting standards of quality and safety for the donation, procurement, testing, processing, preservation, storage and distribution of human tissues and cells (10133/3/2003 — C5-0416/2003 — 2002/0128(COD)) — Committee on the Environment, Public Health and Consumer Policy.  
Rapporteur: Mr Liese (A5-0387/2003).

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(3) *from Members:*

(3.1) *oral questions for Question Time (Rule 43):*

- from María Avilés Perea, on behalf of the PPE-DE Group, to the Commission, on Eurostat (B5-0415/2003).

(3.2) *oral questions for Question Time (Rule 43):*

- Purvis John, Flemming Marialiese, Hedkvist Petersen Ewa, Corbett Richard, Nogueira Román Camilo, Moraes Claude, Cushnahan John Walls, Sandbæk Ulla Margrethe, Morgantini Luisa, Poos Jacques F., Dhaene Jan, Boogerd-Quaak Johanna L.A., Pronk Bartho, McKenna Patricia, Kinnock Glenys, Posselt Bernd, Zacharakis Christos, Kratsa-Tsagaropoulou Rodi, Scallon Dana Rosemary, Crowley Brian, Fitzsimons James (Jim), Harbour Malcolm, Hume John, Schroedter Elisabeth, Newton Dunn Bill, Alavanos Alexandros, Ortuondo Larrea Josu, Doyle Avril, Evans Jillian, Karamanou Anna, Sacrédeus Lennart, Folias Christos, Sornosa Martínez María, Jackson Caroline F., Karas Othmar, Medina Ortega Manuel, Gahrton Per, Lage Carlos, Hatzidakis Konstantinos, Ford Glyn, Izquierdo Rojo María, Sjöstedt Jonas, Thors Astrid, Hyland Liam, Ó Neachtain Seán, Dührkop Dührkop Bárbara, Paasilinna Reino, Laguiller Arlette, Trakatellis Antonios, Frahm Pernille, Andrews Niall, Casaca Paulo, Souladakis Ioannis, Patakis Ioannis, Korakas Efstratios, Zorba Myrsini, Rübig Paul, Riis-Jørgensen Karin- Alavanos Alexandros, Turco Maurizio, Martínez Martínez Miguel Angel, Ludford Sarah, Nogueira Román Camilo, Kratsa-Tsagaropoulou Rodi, Ortuondo Larrea Josu, Wyn Eurig, McKenna Patricia, McAvan Linda, Sacrédeus Lennart, Medina Ortega Manuel, Posselt Bernd, Mayol i Raynal Miquel, Ford Glyn, Zacharakis Christos, Izquierdo Rojo María, Sjöstedt Jonas, Crowley Brian, Hyland Liam, Ó Neachtain Seán, Fitzsimons James (Jim), Thors Astrid, Marset Campos Pedro, Andrews Niall, Casaca Paulo, Souladakis Ioannis, Schroedter Elisabeth, Patakis Ioannis, Korakas Efstratios, Alyssandrakis Konstantinos, Trakatellis Antonios

(3.3) *motions for resolution (Rule 48):*

- Franz Turchi, on behalf of the UEN Group, on converting nuclear weapons into energy resources (B5-0469/2003)  
referred to responsible: ITRE
- Roberto Felice Bigliardo, Cristiana Muscardini, Sebastiano (Nello) Musumeci, Antonio Mussa, Mauro Nobilia and Franz Turchi, on behalf of the UEN Group, on the proposal to set up a 'Border Management Agency' (B5-0470/2003)  
referred to responsible: LIBE
- Mario Borghezio, on compensation from Germany for former Italian military internees (B5-0478/2003)  
referred to responsible: LIBE  
opinion: AFET

(3.4) *proposals for recommendations (Rule 49):*

- Alexandros Baltas, on behalf of the PSE Group, on the application of Croatia for accession to the EU (B5-0476/2003)  
referred to responsible: AFET

(3.5) *written declarations for entry in the Register (Rule 51):*

- Caroline Lucas, Ulla Margrethe Sandbæk and Pernille Frahm on the effects of pesticide exposure on residents and others in agricultural areas — 26/2003
- Marco Cappato and Daniel Marc Cohn-Bendit on the World Summit Information Society (WSIS) in Tunisia — 27/2003;

(4) *from the Parliament Delegation to the Conciliation Committee:*

- \*\*\* III Report on the joint text approved by the Conciliation Committee for a European Parliament and Council directive on market access to port services (PE-CONS 3670/2003 — C5-0461/2003 — 2001/0047(COD))  
Rapporteur: Mr Jarzembowski (A5-0364/2003)

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- \*\*\* III Report on the joint text by the Conciliation Committee for a European Parliament and Council directive on amending Council Directive 96/82/EC on the control of major-accident hazards involving dangerous substances (PE-CONS 3665/2003 — C5-0435/2003 — 2001/0257(COD))  
Rapporteur: Mr Lisi (A5-0365/2003)

## 5. Membership of Parliament

Emilia Franziska Müller had been appointed Member of the Government of Bavaria.

Since, pursuant to Rule 8(4) of its Rules of Procedure and Article 6(2) of the Act concerning the election of representatives of the European Parliament by direct universal suffrage, this office was incompatible with that of Member of the European Parliament, Parliament established, pursuant to Article 12(2), second subparagraph, of the aforementioned Act, that the vacancy would take effect from 6 November 2003.

## 6. Verification of credentials

On a proposal from the JURI Committee, Parliament validated the mandates of Cees Bremmer, João Gouveia and Saïd El Khadraoui.

## 7. Petitions

The following petitions, which had been entered in the register on the dates shown below, had been forwarded to the committee responsible, pursuant to Rule 174(5):

*27 October 2003*

by Mr Jose Cannizzo (No 1071/2003);  
by Mr Cesar Solveira Rodriguez (No 1072/2003);  
by Mr Mahrez Chabbi (No 1073/2003);  
by Mr Gilles Daulphin (No 1074/2003);  
by Mr Guy Maestrucci (No 1075/2003);  
by Mr Mensah Adzessi (No 1076/2003);  
by Mr Marco Petraroia (No 1077/2003);  
by Mrs Laura Fornelli (No 1078/2003);  
by Mr Carlo Oldani (Coordinamento Comitati NOtangenziale Parco del Ticino e Parco Agricolo Sud Milano) (No 1079/2003);  
by Mr Sindicato Nacional dos Trabalhadores do Sector Ferroviário (No 1080/2003);  
by Mrs Ingetraud Müller (Bürgerinitiative Rettet die Marienfelder Feldmark) (and 3 signatories) (No 1081/2003);  
by Mr Uwe Engel (and 6 signatories) (No 1082/2003);  
by Mr Rasim Zukic (No 1083/2003);  
by Herbert and Monika Kollakowski (No 1084/2003);  
by Mrs Nicole Krabbe (No 1085/2003);  
by Mrs Sabine Hancl (No 1086/2003);  
by Mr Fintan McCarthy (Green Party-Comhaontas Glas) (and 2 signatories) (No 1087/2003);  
by Mr William Alexander (No 1088/2003);  
by Mr John Watts (No 1089/2003);  
by Mr Gareth Thomas (No 1090/2003);  
by Mr Angel Ariel Mammana (No 1091/2003);

*5 November 2003*

by Mr Frieder Weinhold (Christlicher Hilfsverein Wismar e.V.) (and 89 signatories) (No 1092/2003);  
by Mrs Marion Swatschek (No 1093/2003);  
by Mr Wolfgang Gerber (No 1094/2003);

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by Mr Karl Heinz Duthel (No 1095/2003);  
by Mr Michael Ostafijcuk (No 1096/2003);  
by Mr Paul Midwig (No 1097/2003);  
by Mr Necip Yilmaz (No 1098/2003);  
by Mrs Hilde Ahrens (BIBA 67) (No 1099/2003);  
by Mr Franz Rex (No 1100/2003);  
by Mr Peter Szutrelly (Simmelweis Gesellschaft) (and 2 signatories) (No 1101/2003);  
by Mrs Rebecca Rhiannon Byrne (Stainton Grove Action Group) (No 1102/2003);  
by Mr Wolfgang Mundstein (No 1103/2003);  
by Mr Terence Alan Davis (No 1104/2003);  
by Mrs Jayne Fisk (No 1105/2003);  
by Mr Guilherme Rodrigues (No 1106/2003);  
by Mr Maurice Jones (No 1107/2003);  
by Mr Christopher Nelson (No 1108/2003);  
by Mr Stuart John Eels (and 6 signatories) (No 1109/2003);  
by Mr Peter Peereboom (No 1110/2003);  
by Mrs Mahsa Fahimnia (No 1111/2003);  
by Mr Özcan Kaldoyo (ACSA-Assyrian-Chaldean-Syriac-Association) (No 1112/2003);  
by Mr Kyriakou Stathis (No 1113/2003);  
by Mr Spyridou Kavvouras Kollias (No 1114/2003);  
by Mr Carlos Rodriguez Huray (No 1115/2003);  
by Mr Miguel Angel Diez Blanco (No 1116/2003);  
by Mr Xan Duro Fernandez (Asociación para a Defensa Ecolóxica de Galiza) (No 1117/2003);  
by Mr Fernando Cantos Vinals (No 1118/2003);  
by Mrs Dolores Campos (Mujeres de Negro de Valencia — Casa de la Dona) (No 1119/2003);  
by Mr Martino Nercellas Mendez (Federación Ecoloxista Galega) (No 1120/2003);  
by Mr Stéphan Belleguy (No 1121/2003);  
by Mr Michele Giordano (No 1122/2003);  
by Mr Vangelis Papachristou (No 1123/2003);  
by Mr Gerard Defort (No 1124/2003);  
by Mr Antoine Penna (No 1125/2003);  
by Mr Michel Marechal (SPESF) (No 1126/2003);  
by Mr Marc Augoy Ard (Collectif d'habitants de la SACVL Plateau Nord) (No 1127/2003);  
by Mr Hubert Devaux (Les Shih du Val D'Eon) (No 1128/2003);  
by Mrs Ulla Britt Perret Lundberg (No 1129/2003);  
by Mrs Yvon Marais (Association de Défense des Riverains de la Zac de Ballan-Miré) (No 1130/2003);  
by Mr Luc Schneekloth (Pro Niños Pobres Colombia) (No 1131/2003);  
by Mrs Elena Magni (No 1132/2003);  
by Mr Paolo Sanviti (Centro Prevenzione Crisi Socioculturali) (No 1133/2003);  
by Mrs Giovanna Della Torre (Perché non possiamo dirci cristiani?) (No 1134/2003);  
by Mr Fabrizio Torsi (No 1135/2003);  
by Mr Antonio Agherbino (No 1136/2003);  
by Mr Luciano Bruno Venusto (No 1137/2003);  
by Mr Cesar Figueiredo (No 1138/2003);  
by Mr Francisco José Veiga Trindade Mendes (No 1139/2003);

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by Mrs Edda Witte (Verein der in der DDR geschiedenen Frauen e.V.) (and 2 355 signatories) (No 1140/2003);  
by Mr Jacob Büns (No 1141/2003);  
by Mr Joachim Adrian von Mitschke-Collande (No 1142/2003);  
by Mr Michael Maurer (No 1143/2003);  
by Mr Peter Alt (No 1144/2003);  
by Mrs Heike Kreutzfeldt (No 1145/2003);  
by Mr Josef Gerats (Interessenverband ehemaliger Teilnehmer am antifaschistischen Widerstand, Verfolgter des Naziregimes und Hinterbliebener (IV VdN) e.V.) (No 1146/2003);  
by Mr Paulo Jacopino (No 1147/2003);  
by Mrs Maria Burgon (and 248 signatories) (No 1148/2003);  
by Mr Robert William Henry (AMP — Against More Pylons) (and 4 signatories) (No 1149/2003);  
by Mr Gilberto Bini (Riceratori SPS) (No 1150/2003);



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by Mrs Jane Ridsdill (Residents Association) (No 1151/2003);  
 by Mr Matthew Downey (No 1152/2003);  
 by Mr Simon Mansell (No 1153/2003);  
 by Mrs Doina Haasdijk-Vasile (No 1154/2003);  
 by Mr Constant Verbraeken (No 1155/2003);  
 by Mr Petros Tatoulis (No 1156/2003);  
 by Mrs Carmen Ruigomez Guerra (Asociación Centro-Sur) (No 1157/2003);  
 by Mr Daniel Silberman (No 1158/2003);  
 by Mr Francisco De Miguel Gimeno (Iniciativa Ciudadana de Solidaridad y Defensa de los Derechos de Palestina) (No 1159/2003);  
 by Mr Luis Mayoral Gazquez (No 1160/2003);  
 by Mr Bernardo Robles Marin (Caralluma — Asociación para la Defensa de la Naturaleza y Alternativa) (No 1161/2003);  
 by Mrs Marine Lamandé (Association de Défense des Actionnaires Salariés et Retraités de la société Air France (Adasraf)) (No 1162/2003);  
 by Mr Joel Philipot (No 1163/2003);  
 by Mr Michel Weiss (No 1164/2003);  
 by Mr Sébastien Petrucci (No 1165/2003);  
 by Mrs Veronique Noni (Syndicat National des Techniciens Supérieurs des Services du Ministère chargé de l'Agriculture) (No 1166/2003);  
 by Mrs Marie Boyer (No 1167/2003);  
 by Mrs Natualie Luthold (No 1168/2003);  
 by Mrs Maria Rosita Barone (No 1169/2003);  
 by Mr Giovanni Panunzio (Telefono Antiplagio) (No 1170/2003);  
 by Mr Roberto Marcoccio (No 1171/2003);  
 by Mr Arcangelo Mazza (No 1172/2003);  
 by Mr Lorenzo Spadon (No 1173/2003);  
 by Mr Gianfranco Araldi (No 1174/2003);  
 by Mr Giuseppe Fontana (No 1175/2003);  
 by Mr Fabio Garuglieri (No 1176/2003);  
 by Mr Virgilio Rodrigues Brandao (Civitate-Hospis — Associação Pro Direitos Humanos e Imigração) (No 1177/2003).

## 8. Transfers of appropriations

The Committee on Budgets had considered proposal for transfer of appropriations No 29/2003 (C5-0475/2003) — SEC(2003) 1132).

It had authorised the transfer, pursuant to Articles 24(3) and 181(1) of the Financial Regulation of 25 June 2002, in accordance with the following breakdown:

FROM:

Chapter A-40 — Management of resources

|                                                            |     |                 |
|------------------------------------------------------------|-----|-----------------|
| — Article A-402 — Concours interinstitutionnels            |     |                 |
| — Item A-4021 — European Personnel Selection Office (EPSO) | NDA | – 1 000 000 EUR |

Chapter A-45 — Administrative offices

|                                                                                        |     |                 |
|----------------------------------------------------------------------------------------|-----|-----------------|
| — Article A-451 — Office for the Administration and Payment of Individual Entitlements | NDA | – 2 000 000 EUR |
| — Article A-452 — Office for Infrastructure and Logistics (Brussels)                   | NDA | – 5 600 000 EUR |
| — Article A-453 — Office for Infrastructure and Logistics (Luxembourg)                 | NDA | – 2 300 000 EUR |

Chapter A-60 — Staff and administrative expenditure of European Community delegations

|                                                                                                      |     |                 |
|------------------------------------------------------------------------------------------------------|-----|-----------------|
| — Article A-600 — Staff expenditure of European Community delegations                                |     |                 |
| — Item A-6000 — Salaries, allowances and reimbursement of expenses for officials and temporary staff | NDA | – 2 800 000 EUR |

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TO:

Chapter A-11 — Staff in active employment

- Article A-110 — Officials and temporary staff holding a post provided for in the establishment plans
    - Item A-1100 — Basic salaries NDA 13 700 000 EUR
- \*  
\*   \*

The Committee on Budgets had considered proposal for transfer of appropriations No 30/2003 (C5-0509/2003) — SEC(2003) 1198).

It had authorised the transfer, pursuant to Articles 24(3) and 181(1) of the Financial Regulation of 25 June 2002, in accordance with the following breakdown:

FROM:

Chapter B0-40 — Provisional appropriations

- Item B7-6600 — External cooperation measures CA - 6 400 000 EUR
- Item B7-8000 — International fisheries agreements CA - 2 535 050 EUR

Chapter B7-30 — Cooperation with Asian developing countries

- Article B7-300A — Financial and technical cooperation with Asian developing countries — Expenditure on administrative management CA - 1 000 000 EUR

Chapter B7-31 — Cooperation with Latin American developing countries

- Article B7-310A — Financial and technical cooperation with Latin American developing countries — Expenditure on administrative management CA - 2 500 000 EUR

Chapter B7-52 — Assistance to partner countries in eastern Europe and central Asia

- Article B7-520 — Assistance to partner countries in eastern Europe and central Asia PA - 12 070 000 EUR
- Article B7-520A — Assistance to partner countries in eastern Europe and central Asia — Expenditure on administrative management CA - 600 000 EUR
- Article B7-528 — Macroeconomic assistance for the partner countries of eastern Europe and central Asia CA - 11 500 000 EUR

Chapter B7-54 — Cooperation with the countries of the western Balkans

- Article B7-541A — Assistance for the countries of the western Balkans — Expenditure on administrative management CA - 1 400 000 EUR

Chapter B7-62 — Multisectoral action

- Article B7-620A — Environment in the developing countries, tropical forests and integrating development issues in development cooperation — Expenditure on administrative management CA - 1 000 000 EUR

Chapter B7-63 — Social infrastructure and services

- Article B7-631 — Social infrastructure and services
  - Item B7-6310A — Social infrastructure and services — Expenditure on administrative management CA - 1 100 000 EUR

Chapter — B7-80 — International fisheries agreements

- Article B7-800 — International fisheries agreements
  - Item B7-8000A — International fisheries agreements — Expenditure on administrative management CA - 500 000 EUR
  - Item B7-8001A — Contributions to international organisations — Expenditure on administrative management CA - 264 950 EUR
  - Item B7-8002 — Preparatory work for new international fisheries organisations and other non-compulsory contributions to international organisations CA - 200 000 EUR

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TO:

Chapter B7-43 — Other operations in favour of Mediterranean third countries and the Middle East

- Article B7-432 — Other operations in favour of Middle East developing countries

|    |                |
|----|----------------|
| CA | 29 000 000 EUR |
| PA | 12 070 000 EUR |

## 9. Order of business

The next item was the order of business.

The final draft agenda for the November II and December I 2003 sittings (PE 337.907/PDOJ) had been distributed and a number of changes had been proposed (Rule 111):

### Sittings of 17 to 20 November 2003

- *Monday*
  - no changes
- *Tuesday*
  - request of the PPE-DE Group to include its oral question to the Commission concerning Eurostat (B5-0414/2003) after the Commission's presentation of its legislative and work programme for 2004 (*Item 10 of the PDOJ*).

The following spoke: James E.M. Elles, on behalf of the PPE-DE Group, who moved the request, and Freddy Blak on his remarks.

Parliament approved the request by EV (93 for, 74 against, 23 abstentions).
- *Wednesday*
  - no changes
- *Thursday*

Debate on cases of breaches of human rights, democracy and the rule of law (Rule 50):

  - request of the ELDR Group to replace the item 'Aceh' by an item 'Georgia'.

Parliament rejected the request.

  - request of the Verts/ALE Group to replace the item 'Vietnam: freedom of religion' by an item 'Georgia'.

Parliament rejected the request.

### Sittings of 3 and 4 December 2003

- no changes

\*  
\*   \*   \*

The order of business was thus established.

## 10. One-minute speeches on matters of political importance

Pursuant to Rule 121a, the following Members who wished to draw the attention of Parliament to matters of political importance spoke for one minute:

Ioannis Patakis, Proinsias De Rossa, Philip Claeys, Jules Maaten, Toine Manders, Roberta Angelilli, Sarah Ludford, Geoffrey Van Orden, Neil McCormick, Pedro Marset Campos, Konstantinos Alyssandrakis, Glenys Kinnock, Jean Lambert, Jean-Charles Marchiani, Astrid Thors, Christos Zacharakis, Giorgos Katiforis, Ioannis Soulidakis, Roy Perry, Charles Tannock, Efstratios Korakas on the last speaker's remarks, Bartho Pronk on the remarks by Konstantinos Alyssandrakis, and Gerard Collins.

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## **11. European Year of People with Disabilities (2003)** (statement followed by debate)

Commission statement: European Year of People with Disabilities (2003)

Anna Diamantopoulou (Member of the Commission) made the statement.

Mario Mantovani, on behalf of the PPE-DE Group, spoke.

IN THE CHAIR: Ingo FRIEDRICH

*Vice-President*

The following spoke: Marie-Hélène Gillig, on behalf of the PSE Group, Elizabeth Lynne, on behalf of the ELDR Group, Ilda Figueiredo, on behalf of the GUE/NGL Group, Uma Aaltonen, on behalf of the Verts/ALE Group, Bartho Pronk, Barbara Weiler, Efstratios Korakas, Theodorus J.J. Bouwman, Jan Andersson, Ioannis Koukiadis, John Bowis, Claude Moraes, Hans Karlsson, Paulo Casaca and Anna Diamantopoulou.

The debate closed.

## **12. Integrating and strengthening the European research area (2002-2006) \*** (debate)

Report on the proposal for a Council decision amending Decision 2002/834/EC on the specific programme for research, technological development and demonstration: 'Integrating and strengthening the European research area' (2002-2006) [COM(2003) 390 – C5-0349/2003 – 2003/0151(CNS)] – Committee on Industry, External Trade, Research and Energy.

Rapporteur: Peter Liese (A5-0369/2003)

Philippe Busquin (Member of the Commission) spoke.

Peter Liese introduced the report.

The following spoke: Giuseppe Gargani (draftsman of the opinion of the JURI Committee), Giuseppe Nisticò, on behalf of the PPE-DE Group, and David Robert Bowie, on behalf of the PSE Group.

IN THE CHAIR: James L.C. PROVAN

*Vice-President*

The following spoke: Elly Plooi-van Gorsel, on behalf of the ELDR Group, Gérard Caudron, on behalf of the GUE/NGL Group, Hiltrud Breyer, on behalf of the Verts/ALE Group, Liam Hyland, on behalf of the UEN Group, Johannes (Hans) Blokland, on behalf of the EDD Group, Marco Cappato, Non-attached Member, John Purvis, Eryl Margaret McNally, Astrid Thors, Geneviève Fraisse, Hiltrud Breyer, José Ribeiro e Castro, Marjo Matikainen-Kallström, Carlos Lage, Arlette Laguiller, Luis Berenguer Fuster, Roger Helmer, Marialiese Flemming, Concepció Ferrer, Dana Rosemary Scallon, Francesco Fiori, Peter Liese, Proinsias De Rossa, who disputed the remarks made during the debate concerning the Irish Constitution, Eryl Margaret McNally on the voting order of the amendments to be voted on Wednesday, Astrid Thors on the last remarks made by the rapporteur and Philippe Busquin.

IN THE CHAIR: Gérard ONESTA

*Vice-President*

The debate closed.

Vote: *Minutes of 19.11.2003, Item 16.*

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### 13. Investment in research (debate)

Report on the communication on investing in research: an action plan for Europe [COM(2003) 226 — C5-0381/2003 — 2003/2148(INI)] — Committee on Industry, External Trade, Research and Energy.  
Rapporteur: Rolf Linkohr (A5-0389/2003)

Rolf Linkohr introduced the report.

Philippe Busquin (Member of the Commission) spoke.

The following spoke: Marjo Matikainen-Kallström, on behalf of the PPE-DE Group, Eryl Margaret McNally, on behalf of the PSE Group, Elly Plooi-j-van Gorsel, on behalf of the ELDR Group, Konstantinos Alyssandrakis, on behalf of the GUE/NGL Group, and Philippe Busquin.

The debate closed.

Vote: *Minutes of 18.11.2003, Item 14.*

### 14. Community financial aid to trans-European networks \*\*\*I — Pan-European e-government services \*\*\*I — Implementation of the Telecommunications Regulatory Package (debate)

Report on the proposal for a European Parliament and Council regulation amending Council Regulation (EC) No 2236/95 laying down general rules for the granting of Community financial aid in the field of trans-European networks [COM(2003) 220 — C5-0199/2003 — 2003/0086(COD)] — Committee on Industry, External Trade, Research and Energy.  
Rapporteur: Imelda Mary Read (A5-0374/2003)

Report on the proposal for a European Parliament and Council decision on Interoperable Delivery of pan-European e-Government Services to Public Administrations, Businesses and Citizens (IDABC) [COM(2003) 406 — C5-0310/2003 — 2003/0147(COD)] — Committee on Industry, External Trade, Research and Energy.  
Rapporteur: Imelda Mary Read (A5-0375/2003)

Report on the Eighth Report from the Commission on the implementation of the Telecommunications Regulatory Package [COM(2002) 695 — 2003/2090(INI)] — Committee on Industry, External Trade, Research and Energy.  
Rapporteur: Nicholas Clegg (A5-0376/2003)

Erkki Liikanen (Member of the Commission) spoke.

Imelda Mary Read introduced the reports A5-0374/2003 and A5-0375/2003.

Nicholas Clegg introduced the report (A5-0376/2003).

The following spoke: Malcolm Harbour (draftsman of the opinion of the JURI Committee), Werner Langen, on behalf of the PPE-DE Group, and Eryl Margaret McNally, on behalf of the PSE Group.

IN THE CHAIR: Charlotte CEDERSCHIÖLD

*Vice-President*

The following spoke: Carles-Alfred Gasòliba i Böhm, on behalf of the ELDR Group, Philippe A.R. Herzog, on behalf of the GUE/NGL Group, Danielle Auroi, on behalf of the Verts/ALE Group, Franz Turchi, on behalf of the UEN Group, Paul Rübig, Neena Gill, Ilda Figueiredo, Josu Ortuondo Larrea, Marjo Matikainen-Kallström and Erkki Liikanen.

The debate closed.

Vote: *Minutes of 18.11.2003, Item 11, 12 and 15.*

**Monday 17 November 2003**

### **15. Excise duties on petrol and commercial diesel fuel \* (debate)**

Report on the proposal for a Council directive amending Directive 92/81/EEC and Directive 92/82/EEC to introduce special tax arrangements for diesel fuel used for commercial purposes and to align the excise duties on petrol and diesel fuel [COM(2002) 410 – C5-0409/2002 – 2002/0191(CNS)] – Committee on Economic and Monetary Affairs.

Rapporteur: Piia-Noora Kauppi (A5-0383/2003)

Frits Bolkestein (Member of the Commission) spoke.

Piia-Noora Kauppi introduced the report.

The following spoke: Eija-Riitta Anneli Korhola (draftsman of the opinion of the ENVI Committee), Hans Karlsson (draftsman of the opinion of the ITRE Committee), Brigitte Wenzel-Perillo (draftsman of the opinion of the RETT Committee), Othmar Karas, on behalf of the PPE-DE Group, Harald Ettl, on behalf of the PSE Group, Olle Schmidt, on behalf of the ELDR Group, Pierre Jonckheer, on behalf of the Verts/ALE Group, Johannes (Hans) Blokland, on behalf of the EDD Group, Wolfgang Ilgenfritz, Non-attached Member, Astrid Lulling, Manuel António dos Santos, Frits Bolkestein, Astrid Lulling and Frits Bolkestein.

The debate closed.

Vote: *Minutes of 18.11.2003, Item 13.*

### **16. Membership of Parliament**

The competent German authorities had given notice of the appointment of Martin Kastler to replace Emilia Franziska Müller, as Member of Parliament, with effect from 14 November 2003.

The President drew attention to the provisions of Rule 7(5).

### **17. Agenda for next sitting**

The President referred Members to the document 'Agenda' PE 337.907/OJMA.

### **18. Closure of sitting**

The sitting closed at 22.30.

Julian Priestley  
*Secretary-General*

Giorgos Dimitrakopoulos  
*Vice-President*

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Monday 17 November 2003

## ATTENDANCE REGISTER

The following signed:

Aaltonen, Abitbol, Adam, Ainardi, Almeida Garrett, Alyssandrakis, Andersen, Andersson, Andreasen, André-Léonard, Andrews, Angelilli, Aparicio Sánchez, Arvidsson, Atkins, Attwooll, Auroi, Avilés Perea, Ayuso González, Bakopoulos, Balfe, Baltas, Banotti, Barón Crespo, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Berenguer Fuster, van den Berg, Bergaz Conesa, Berger, Bernié, Berthu, Beysen, Blak, Blokland, Bodrato, Böge, Bösch, von Boetticher, Bonde, Boogerd-Quaak, Booth, Bordes, Bourlanges, Bouwman, Bowe, Bowis, Bradbourn, Bremmer, Breyer, Buitenweg, van den Burg, Busk, Butel, Callanan, Camisón Asensio, Campos, Camre, Cappato, Cardoso, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Caudron, Caullery, Cauquil, Cederschiöld, Cercas, Cerdeira Morterero, Ceyhun, Chichester, Claëys, Clegg, Coelho, Cohn-Bendit, Collins, Colom i Naval, Corbett, Corbey, Cornillet, Corrie, Raffaele Costa, Coûteaux, Cox, Crowley, Cushnahan, van Dam, Dary, Daul, Davies, De Clercq, Decourrière, Dell'Alba, Della Vedova, Deprez, De Rossa, De Sarnez, Descamps, Deva, De Veyrac, Dhaene, Di Lello Finuoli, Dillen, Doorn, Dover, Doyle, Duff, Duhamel, Dupuis, Dybkjær, Ebner, Echerer, El Khadraoui, Elles, Eriksson, Esclopé, Ettl, Robert J.E. Evans, Färm, Fava, Ferber, Fernández Martín, Ferrer, Fiebigger, Figueiredo, Fiori, Fitzsimons, Flautre, Flemming, Florenz, Folias, Ford, Formentini, Foster, Fourtou, Frahm, Fraisse, Frassoni, Friedrich, Fruteau, Gahler, Gahrton, Galeote Quecedo, Garaud, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garot, Garriga Polledo, Gasòliba i Böhm, de Gaulle, Gawronski, Gemelli, Ghilardotti, Gill, Gillig, Gil-Robles Gil-Delgado, Glase, Gobbo, Goebbels, Goepel, Gomolka, Goodwill, Gorostiaga Atxalandabaso, Gouveia, Graefe zu Baringdorf, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Guy-Quint, Hager, Hannan, Harbour, Hatzidakis, Haug, Heaton-Harris, Hedkvist Petersen, Helmer, Hermange, Herranz García, Herzog, Honeyball, Hortefeux, Hudghton, Hughes, Hyland, Ilgenfritz, Imbeni, Inglewood, Isler Béguin, Izquierdo Collado, Izquierdo Rojo, Jeggler, Jensen, Jonckheer, Jové Peres, Karamanou, Karas, Karlsson, Kastler, Katiforis, Kaufmann, Kauppi, Keppelhoff-Wiechert, Kessler, Khanbhai, Kindermann, Glenys Kinnock, Kirkhope, Klamt, Klab, Knolle, Koch, Konrad, Korakas, Korhola, Koukiadis, Koulourianos, Krarup, Kratsa-Tsagaropoulou, Kreissl-Dörfler, Kronberger, Kuhne, Kuntz, Lage, Lagendijk, Laguiller, Lalumière, Lamassoure, Lambert, Lange, Langen, Langenhagen, Lannoye, de La Perrière, Laschet, Lavarra, Lehne, Liese, Linkohr, Lisi, Ludford, Lulling, Lund, Lynne, Maat, Maaten, McAvan, McCarthy, McCartin, McCormick, McKenna, McNally, Maes, Malliori, Manders, Manisco, Thomas Mann, Mantovani, Marchiani, Marinho, Marinos, Markov, Marques, Maset Campos, Martens, David W. Martin, Hans-Peter Martin, Martínez Martínez, Mastorakis, Mathieu, Matikainen-Kallström, Hans-Peter Mayer, Xaver Mayer, Medina Ortega, Meijer, Méndez de Vigo, Menéndez del Valle, Mennea, Miguélez Ramos, Miller, Miranda de Lage, Mombaur, Monsonís Domingo, Moraes, Morgan, Morgantini, Müller, Mulder, Muscardini, Musotto, Mussa, Musumeci, Myller, Nair, Napoletano, Napolitano, Naranjo Escobar, Nassauer, Newton Dunn, Nicholson of Winterbourne, Nisticò, Nobilia, Nordmann, Ojeda Sanz, Olsson, Onesta, Oomen-Ruijten, Oostlander, Oreja Arburúa, Ortuondo Larrea, Pacheco Pereira, Paciotti, Pack, Pannella, Parish, Pastorelli, Patakis, Patrie, Paulsen, Pérez Álvarez, Perry, Pesälä, Pex, Piétrasanta, Pirkker, Plooi-van Gersel, Podestà, Pohjamo, Poignant, Poos, Posselt, Prets, Procacci, Pronk, Provan, Puerta, Purvis, Queiró, Quisthoudt-Rowohl, Rack, Rapkay, Raymond, Read, Redondo Jiménez, Ribeiro e Castro, Ries, Riis-Jørgensen, Ripoll y Martínez de Bedoya, de Roo, Roth-Behrendt, Roure, Rovsing, Rübig, Rühle, Sacconi, Sacrédeus, Saint-Josse, Salafranca Sánchez-Neyra, Sandberg-Fries, Sandbæk, Santer, Santini, dos Santos, Sauquillo Pérez del Arco, Savary, Scallon, Scarbonchi, Scheele, Schierhuber, Schleicher, Gerhard Schmid, Olle Schmidt, Schmitt, Schnellhardt, Schörling, Ilka Schröder, Jürgen Schröder, Schroedter, Schwaiger, Segni, Seppänen, Sichrovsky, Skinner, Smet, Soares, Sørensen, Sornosa Martínez, Souchet, Souladakakis, Sousa Pinto, Speroni, Staes, Stenmarck, Stenzel, Sterckx, Stevenson, Stihler, Sturdy, Sudre, Suominen, Swiebel, Swoboda, Sørensen, Tajani, Tannock, Terrón i Cusí, Theato, Theorin, Thomas-Mauro, Thorning-Schmidt, Thors, Thyssen, Titford, Titley, Torres Marques, Trakatellis, Trentin, Turchi, Turmes, Uca, Väyrynen, Vairinhos, Valdivielso de Cué, Vallvé, Van Hecke, Van Lancker, Van Orden, Varaut, Varela Suanzes-Carpegna, Vidal-Quadras Roca, Villiers, Vinci, Virrankoski, Volcic, Wachtmeister, Watts, Weiler, Wenzel-Perillo, Whitehead, Wiersma, Wijkman, von Wogau, Wuori, Wurtz, Wyn, Wynn, Zabell, Zacharakis, Zappalà, Zimeray, Zimmerling, Zissener, Zorba, Zrihen.

Observers:

Bagó Zoltán, Bastys Mindaugas, Bekasovs Martijans, Beneš Miroslav, Beňová Monika, Bielan Adam, Bonnici Josef, Christodoulidis Doros, Chronowski Andrzej, Chrzanowski Zbigniew, Cilevičs Boris, Cybulski Zygmunt, Demetriou Panayiotis, Didžiokas Gintaras, Ékes József, Filipek Krzysztof, Gałażewski Andrzej, Gawłowski Andrzej, Giertych Maciej, Grabowska Genowefa, Gruber Attila, Grzebisz-Nowicka Zofia, Grzyb Andrzej, Holán Vilém, Ilves Toomas Hendrik, Jaskiernia Jerzy, Kalisz Ryszard, Kāposts Andis, Klich Bogdan, Kłopotek Eugeniusz, Klukowski Waław, Konečná Kateřina, Kowalska Bronisława, Kreitzberg Peeter, Kriščiūnas Kęstutis, Kroupa Daniel, Kvietauskas Vytautas, Laar Mart, Landsbergis Vytautas, Lepper Andrzej, Lisak Janusz, Litwiniec Bogusław, Lydeka Arminas, Łyżwiński Stanisław, Macierewicz Antoni,

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Maldeikis Eugenijus, Maštálka Jiří, Őry Csaba, Pasternak Agnieszka, Pieniążek Jerzy, Pīks Rihards, Plokšto Artur, Podgórski Bogdan, Protasiewicz Jacek, Pusz Sylwia, Reiljan Janno, Rouček Libor, Sefzig Luděk, Siekierski Czesław, Smoleń Robert, Smorawiński Jerzy, Szczygło Aleksander, Tomczak Witold, Vaculík Josef, Valys Antanas, Vareikis Egidijus, Varnava George, Vella George, Vèsaitė Birutė, Widuch Marek, Wiśniowska Genowefa, Wittbrodt Edmund, Żenkiewicz Marian.

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Tuesday 18 November 2003

(2004/C 87 E/02)

**MINUTES****PROCEEDINGS OF THE SITTING**

IN THE CHAIR: Pat COX

*President***1. Opening of sitting**

The sitting opened at 09.05.

**2. Announcement by the President**

The President made a statement condemning the bomb attack of 12 November 2003 in Nasiriya which had killed 19 Italians and 8 Iraqis, and injured many others.

He indicated that he had already expressed, on behalf of Parliament, his sympathy to the families of the victims, the President of the Italian Republic, Mr Ciampi, the President of the Italian Council, Mr Berlusconi, the Minister of Defence, Mr Martino, the police, the Armed Forces and the people of Italy.

Parliament observed a minute's silence.

**3. Debate on cases of breaches of human rights, democracy and the rule of law  
(announcement of motions for resolutions tabled)**

Pursuant to Rule 50, the following Members or political groups had requested that such a debate be held on the following motions for resolution:

**I. SRI LANKA**

- John Walls Cushman, Thomas Mann, Philip Charles Bradbourn and Bernd Posselt, on behalf of the PPE-DE Group, on Sri Lanka (B5-0490/2003),
- Margrietus J. van den Berg and Maria Carrilho, on behalf of the PSE Group, on the situation in Sri Lanka (B5-0492/2003),
- Gerard Collins, on behalf of the UEN Group, on the threat to the peace process in Sri Lanka (B5-0495/2003),
- Ole Andreasen, on behalf of the ELDR Group, on the political situation in Sri Lanka (B5-0498/2003),
- Reinhold Messner and Jean Lambert, on behalf of the Verts/ALE Group, on the peace process in Sri Lanka (B5-0505/2003),
- Luigi Vinci, on behalf of the GUE/NGL Group, on Sri Lanka (B5-0510/2003);

**II. ACEH**

- Margrietus J. van den Berg and Linda McAvan, on behalf of the PSE Group, on the situation in the Aceh province of Indonesia (B5-0491/2003),
- Ulla Margrethe Sandbæk, on behalf of the EDD Group, on the situation in Aceh (B5-0495/2003),
- Ole Andreasen, on behalf of the ELDR Group, on Indonesia/Aceh (B5-0497/2003),
- John Bowis, Charles Tannock and Bernd Posselt, on behalf of the PPE-DE Group, on the situation in the Aceh province of Indonesia (B5-0501/2003),
- Matti Wuori, Nelly Maes and Patricia McKenna, on behalf of the Verts/ALE Group, on the situation in the Aceh province, Indonesia (B5-0507/2003),
- Giuseppe Di Lello Finuoli, on behalf of the GUE/NGL Group, on Indonesia/Aceh (B5-0508/2003);

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**III. VIETNAM: FREEDOM OF RELIGION**

- Margrietus J. van den Berg, on behalf of the PSE Group, on freedom of religion in Vietnam (B5-0493/2003),
- Bastiaan Belder, on behalf of the EDD Group, on Vietnam, freedom of religion (B5-0494/2003),
- Anne André-Léonard, on behalf of the ELDR Group, on the absence of freedom of religion in Vietnam (B5-0499/2003),
- Hartmut Nassauer, Bernd Posselt and Thomas Mann, on behalf of the PPE-DE Group, on Vietnam: freedom of religion (B5-0502/2003),
- Roberta Angelilli, on behalf of the UEN Group, on Vietnam: freedom of religion (B5-0503/2003),
- Patricia McKenna, Marie Anne Isler Béguin and Monica Frassoni, on behalf of the Verts/ALE Group, on the absence of freedom of religion in Vietnam and the deliberate elimination of the Unified Buddhist Church of Vietnam (UBCV) (B5-0506/2003),
- Jonas Sjöstedt, on behalf of the GUE/NGL Group, on human rights in Vietnam (B5-0509/2003).

Speaking time would be allocated in accordance with Rule 120.

**4. Legislative and work programme for 2004 – Eurostat** (statement followed by debate)

Commission statement: Legislative and work programme for 2004

Oral question by María Antonia Avilés Perea, on behalf of the PPE-DE Group, to the Commission, on Eurostat (B5-0415/2003)

Romano Prodi (President of the Commission), seconded the remarks made by the President, and then made the statement and answered the oral question.

Roberto Antonione (President-in-Office of the Council) spoke.

The following spoke: Hans-Gert Poettering, on behalf of the PPE-DE Group, Enrique Barón Crespo, on behalf of the PSE Group, Nicholas Clegg, on behalf of the ELDR Group, Freddy Blak, on behalf of the GUE/NGL Group, Monica Frassoni, on behalf of the Verts/ALE Group, Mogens N.J. Camre, on behalf of the UEN Group, Jens-Peter Bonde, on behalf of the EDD Group, Marco Pannella, Non-attached Member, and Françoise Grossetête.

IN THE CHAIR: Gerhard SCHMID

*Vice-President*

The following spoke: Johannes (Hannes) Swoboda, Ole B. Sørensen, Theodorus J.J. Bouwman, Roberta Angelilli, Jeffrey William Titford, Francesco Enrico Speroni, James E.M. Elles and Helmut Kuhne.

IN THE CHAIR: José PACHECO PEREIRA

*Vice-President*

The following spoke: Jan Mulder, Nelly Maes, Georges Berthu, José Ignacio Salafranca Sánchez-Neyra, Margrietus J. van den Berg, Giovanni Procacci, María Antonia Avilés Perea, Pervenche Berès, Joseph Daul, Anna Terrón i Cusí, Hartmut Nassauer, Manuel Medina Ortega, Jonathan Evans, Christa Prets, Arie M. Oostlander, Herbert Bösch, Diemut R. Theato, Paulo Casaca, Hubert Pirker, Proinsias De Rossa, Othmar Karas, Konstantinos Hatzidakis, Gabriele Stauner, Christopher Heaton-Harris, Generoso Andria, Juan José Bayona de Perogordo and Romano Prodi.

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IN THE CHAIR: Pat COX

*President*

The following spoke: Hans-Gert Poettering on the statement by Romano Prodi, Enrique Barón Crespo, Daniel Marc Cohn-Bendit, on behalf of the Verts/ALE Group, Graham R. Watson, on behalf of the ELDR Group, Francis Wurtz, on behalf of the GUE/NGL Group, and Cristiana Muscardini, on behalf of the UEN Group on the remarks by Hans-Gert Poettering.

The debate closed.

Vote: *Minutes of 17.11.2003, Item 17.*

## VOTING TIME

*Details of voting (amendments, separate and split votes, etc.) appear in Annex I to the Minutes.*

### 5. COM for hops \* (Rule 110a) (vote)

Report on the proposal for a Council regulation amending Regulation (EEC) No 1696/71 on the common organisation of the market in hops [COM(2003) 0562 – C5-0460/2003 – 2003/0216(CNS)] – Committee on Agriculture and Rural Development.

Rapporteur: Joseph Daul (A5-0380/2003)

*(Simple majority)*

*(Voting record: Annex I, Item 1)*

DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5\_TA(2003)0487).

### 6. EC accession to the International Plant Protection Convention \* (Rule 110a) (vote)

Report on the proposal for a Council decision approving the accession of the European Community to the International Plant Protection Convention, as revised and approved by Resolution 12/97 of the Twenty-ninth Session of the FAO Conference in November 1997. [COM(2003) 0470 – C5-0392/2003 – 2003/0178(CNS)] – Committee on Agriculture and Rural Development.

Rapporteur: Joseph Daul (A5-0379/2003)

*(Simple majority)*

*(Voting record: Annex I, Item 2)*

DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5\_TA(2003)0488).

### 7. High activity sealed radioactive sources \* (Rule 110a) (vote)

Report on the proposal for a Council directive on the control of high activity sealed radioactive sources [COM(2003) 18 – C5-0019/2003 – 2003/0005(CNS)] – Committee on the Environment, Public Health and Consumer Policy.

Rapporteur: Françoise Grossetête (A5-0363/2003)

*(Simple majority)*

*(Voting record: Annex I, Item 3)*

COMMISSION PROPOSAL, AMENDMENTS and DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5\_TA(2003)0489).

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## **8. Signs at external border crossing points \* (Rule 110a) (vote)**

Report on the initiative of the Hellenic Republic with a view to adopting a Council decision determining the minimum indications to be used on signs at external border crossing points [8830/2003 – C5-0253/2003 – 2003/0815(CNS)] – Committee on Citizens' Freedoms and Rights, Justice and Home Affairs.

Rapporteur: Gérard M.J. Deprez (A5-0366/2003)

(Simple majority)

(Voting record: Annex I, Item 4)

INITIATIVE OF THE HELLENIC REPUBLIC, AMENDMENTS and DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5\_TA(2003)0490).

## **9. Counterfeit euros \* (Rule 110a) (vote)**

Report on the proposal for a Council decision concerning the analysis and cooperation with regard to counterfeit euro coins [13203/2003 – C5-0471/2003 – 2003/0158(CNS)] – Committee on Citizens' Freedoms and Rights, Justice and Home Affairs.

Rapporteur: Gerhard Schmid (A5-0377/2003)

(Simple majority)

(Voting record: Annex I, Item 5)

DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5\_TA(2003)0491).

## **10. Recruitment of officials for enlargement \* (Rule 110a) (vote)**

Report on the proposal for a Council regulation introducing, on the occasion of the accession of Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, special temporary measures for recruitment of officials of the European Communities [COM(2003) 0351 – C5-0287/2003 – 2003/0123(CNS)] – Committee on Legal Affairs and the Internal Market.

Rapporteur: Manuel Medina Ortega (A5-0382/2003)

(Simple majority)

(Voting record: Annex I, Item 6)

DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5\_TA(2003)0492).

## **11. Community financial aid to trans-European networks \*\*\*I (vote)**

Report on the proposal for a European Parliament and Council regulation amending Council Regulation (EC) No 2236/95 laying down general rules for the granting of Community financial aid in the field of trans-European networks [COM(2003) 220 – C5-0199/2003 – 2003/0086(COD)] – Committee on Industry, External Trade, Research and Energy.

Rapporteur: Imelda Mary Read (A5-0374/2003)

(Simple majority)

(Voting record: Annex I, Item 7)

COMMISSION PROPOSAL

Approved (P5\_TA(2003)0493)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5\_TA(2003)0493).

Tuesday 18 November 2003

**12. Pan-European e-government services \*\*\*I (vote)**

Report on the proposal for a European Parliament and Council decision on Interoperable Delivery of pan-European e-Government Services to Public Administrations, Businesses and Citizens (IDABC) [COM(2003) 406 — C5-0310/2003 — 2003/0147(COD)] — Committee on Industry, External Trade, Research and Energy.

Rapporteur: Imelda Mary Read (A5-0375/2003)

(Simple majority)

(Voting record: Annex I, Item 8)

COMMISSION PROPOSAL

Approved as amended (P5\_TA(2003)0494)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5\_TA(2003)0494).

**13. Excise duties on petrol and commercial diesel fuel \* (vote)**

Report on the proposal for a Council directive amending Directive 92/81/EEC and Directive 92/82/EEC to introduce special tax arrangements for diesel fuel used for commercial purposes and to align the excise duties on petrol and diesel fuel [COM(2002) 410 — C5-0409/2002 — 2002/0191(CNS)] — Committee on Economic and Monetary Affairs.

Rapporteur: Piia-Noora Kauppi (A5-0383/2003)

(Simple majority)

(Voting record: Annex I, Item 9)

COMMISSION PROPOSAL

Rejected

Pursuant to Rule 68(3), the matter was referred back to the committee responsible.

*The following spoke:*

- Piia-Noora Kauppi, rapporteur, asked that the proposal for rejection of the Commission proposal be put to the vote first as presented by the committee responsible in the draft legislative resolution. Robert Goebbels supported her request. The President said he could not agree to this as no such proposal to reject had been tabled and the vote on the amendments took priority. Robert Goebbels pointed out that the ECON Committee had voted by a large majority in favour of rejection. The rapporteur then moved an oral amendment to reject the Commission proposal. As more than 32 Members opposed this, the oral amendment was not considered. Johannes (Hans) Blokland then asked what had happened to the rejecting amendment adopted in committee. The President replied that no such amendment had in fact been tabled for plenary and that he was therefore bound, under the provisions of Rule 130(1), to put the amendments to the vote before the original proposal.
- Loyola de Palacio (Vice-President of the Commission) gave the Commission's position following the rejection of the Commission proposal.

**14. Investment in research (vote)**

Report on the communication on investing in research: an action plan for Europe [COM(2003) 226 — C5-0381/2003 — 2003/2148(INI)] — Committee on Industry, External Trade, Research and Energy.

Rapporteur: Rolf Linkohr (A5-0389/2003)

(Simple majority)

(Voting record: Annex I, Item 10)

MOTION FOR A RESOLUTION

Adopted (P5\_TA(2003)0495).

Tuesday 18 November 2003

## 15. Implementation of the Telecommunications Regulatory Package (vote)

Report on the Eighth Report from the Commission on the implementation of the Telecommunications Regulatory Package [COM(2002) 695 – 2003/2090(INI)] – Committee on Industry, External Trade, Research and Energy.

Rapporteur: Nicholas Clegg (A5-0376/2003)

(Simple majority)

(Voting record: Annex I, Item 11)

MOTION FOR A RESOLUTION

Adopted (P5\_TA(2003)0496).

## 16. Explanations of vote

*Written explanations of vote:*

Explanations of vote submitted in writing under Rule 137(3) appear in the verbatim report of proceedings for this sitting.

## 17. Corrections to votes

Corrections to votes were submitted by the following Members:

Report Daul – A5-0379/2003

– single vote

*for:* James (Jim) Fitzsimons, Christian Foldberg Røvsing, Joan Colom i Naval, Ria G.H.C. Oomen-Ruijten

Report Linkohr – A5-0389/2003

– paragraph 28

*against:* Isabelle Caullery, Nicole Thomas-Mauro

Report Clegg – A5-0376/2003

– resolution (as a whole)

*for:* Robert J.E. Evans, Bernard Poignant

## END OF VOTING TIME

*(The sitting was suspended at 12.55 and resumed at 15.05.)*

IN THE CHAIR: Giorgos DIMITRAKOPOULOS

*Vice-President*

## 18. Approval of Minutes of previous sitting

The following spoke: Ioannis Patakis, who enlarged upon remarks he had made concerning the attack in Iraq (*Item 10*) and Efstratios Korakas, who pointed out that his remarks on the situation in the Baltic States (*Item 10*) bore no connection to those of Charles Tannock.

The Minutes of the previous sitting were approved.

Tuesday 18 November 2003

**19. Enhancing ship and port facility security \*\*\* I (debate)**

Report on the proposal for a European Parliament and Council regulation on enhancing ship and port facility security [COM(2003) 229 — C5-0218/2003 — 2003/0089(COD)] — Committee on Regional Policy, Transport and Tourism.

Rapporteur: Rosa Miguélez Ramos (A5-0385/2003).

Loyola de Palacio (Vice-President of the Commission) spoke.

Rosa Miguélez Ramos introduced the report.

The following spoke: Marcelino Oreja Arburúa (draftsman of the opinion of the LIBE Committee), Christos Folias (draftsman of the opinion of the ITRE Committee), Georg Jarzembowski, on behalf of the PPE-DE Group, Bernard Poignant, on behalf of the PSE Group, Herman Vermeer, on behalf of the ELDR Group, Josu Ortuondo Larrea, on behalf of the Verts/ALE Group, Dominique F.C. Souchet, Non-attached Member, Efstratios Korakas, on behalf of the GUE/NGL Group, Konstantinos Hatzidakis, Samuli Pohjamo, Françoise Grossetête, Carlos Ripoll y Martínez de Bedoya, Sérgio Marques, Daniel Varela Suanzes-Carpegna, Piia-Noora Kauppi and Loyola de Palacio.

The debate closed.

Vote: *Minutes of 19.11.2003, Item 8.*

**20. Market access to port services \*\*\*III (debate)**

Report on the joint text, approved by the Conciliation Committee, of a directive of the European Parliament and of the Council on market access to port services [PE-CONS 3670/2003 — C5-0461/2003 — 2001/0047(COD)].

Rapporteur: Georg Jarzembowski (A5-0364/2003)

Georg Jarzembowski introduced the report.

Loyola de Palacio (Vice-President of the Commission) spoke.

IN THE CHAIR: Alejo VIDAL-QUADRAS ROCA

*Vice-President*

The following spoke: Konstantinos Hatzidakis, on behalf of the PPE-DE Group, Wilhelm Ernst Piecyk, on behalf of the PSE Group, Herman Vermeer, on behalf of the ELDR Group, Erik Meijer, on behalf of the GUE/NGL Group, Theodorus J.J. Bouwman, on behalf of the Verts/ALE Group, Alain Esclopé, on behalf of the EDD Group, Koenraad Dillen, Non-attached Member, Gilles Savary, Dirk Sterckx, Sylviane H. Ainaudi, Nelly Maes, Rijk van Dam, Carlos Ripoll y Martínez de Bedoya, Jan Marinus Wiersma, Samuli Pohjamo, Helmuth Markov, Jan Dhaene, Bent Hindrup Andersen, Brigitte Langenhagen, Juan de Dios Izquierdo Collado, Freddy Blak, Josu Ortuondo Larrea, Peter Pex, Anne E.M. Van Lancker, Ilda Figueiredo, Bart Staes, Marianne L.P. Thyssen, Mark Francis Watts, Arlette Laguiller, Inger Schörling, Luigi Cocilovo, Proinsias De Rossa, Miet Smet and Loyola de Palacio

IN THE CHAIR: Alonso José PUERTA

*Vice-President*

The debate closed.

Vote: *Minutes of 20.11.2003, Item 8.*

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## 21. Question Time (Commission)

Parliament considered a number of questions to the Commission (B5-0414/2003).

### *First part*

**Question 33** by John Purvis: International Ship and Port Security Code.

Poul Nielson (Member of the Commission) answered the question and a supplementary by John Purvis.

**Question 34** by Marialiese Flemming: Liberalisation of the water supply.

Poul Nielson answered the question and a supplementary by Marialiese Flemming.

**Question 35** by Ewa Hedkvist Petersen: Trafficking of human beings.

António Vitorino (Member of the Commission) answered the question and a supplementary by Ewa Hedkvist Petersen.

### *Second part*

**Question 36** by Richard Corbett: Competition policy in diamond sector.

Mario Monti (Member of the Commission) answered the question and a supplementary by Richard Corbett.

Question 37 lapsed as its author was absent.

**Question 38** by Claude Moraes: Reconstruction of Iraq.

Poul Nielson answered the question and supplementaries by Claude Moraes and Camilo Nogueira Román.

**Question 39** by John Walls Cushnahan: Application of the EC-Israel Association Agreement.

**Question 41** by Luisa Morgantini: Application of the EC-Israel Association Agreement.

**Question 42** by Jacques F. Poos: Application of the EC-Israel Association Agreement.

**Question 43** by Jan Dhaene: Application of the EC-Israel Association Agreement.

**Question 44** by Johanna L.A. Boogerd-Quaak: Application of the EC-Israel Association Agreement.

**Question 45** by Bartho Pronk: Application of the EC-Israel Association Agreement.

Poul Nielson answered the questions and supplementaries by John Walls Cushnahan, Ulla Margrethe Sandbæk, Luisa Morgantini, Jacques F. Poos, Jan Dhaene, Johanna L.A. Boogerd-Quaak and Bartho Pronk.

**Question 46** by Patricia McKenna: Debt cancellation for low-income countries.

Poul Nielson answered the question and a supplementary by Patricia McKenna.

**Question 47** by Glenys Kinnock: Capacity-building.

Poul Nielson answered the question and a supplementary by Glenys Kinnock.

Bill Newton Dunn spoke on the conduct of Question Time.

**Question 48** by Bernd Posselt: Abortion and population programmes.

Poul Nielson answered the question and supplementaries by Bernd Posselt, Piia-Noora Kauppi and Paul Rübig.



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**Question 49** by Christos Zacharakis: Contraventions of democratic process in the local elections in Albania.

Poul Nielson answered the question.

Christos Zacharakis spoke.

Avril Doyle spoke on the conduct of Question Time and in particular on the fact that questions appearing in the third part would not receive oral answers. The President replied that Question Time had been held in accordance with the Rules of Procedure and bore the standard practice of the House.

Questions which had not been answered for lack of time would receive written answers.

Commission Question Time closed.

*(The sitting was suspended at 19.05 and resumed at 21.00.)*

IN THE CHAIR: Renzo IMBENI

*Vice-President*

## **22. Cancer screening \* (debate)**

Report on the proposal for a Council recommendation on cancer screening [COM(2003) 230 — C5-0322/2003 — 2003/0093(CNS)] — Committee on the Environment, Public Health and Consumer Policy.

Rapporteur: Antonio Mussa (A5-0381/2003)

David Byrne (Member of the Commission) spoke.

Antonio Mussa introduced the report.

The following spoke: Karin Jöns (draftsman of the opinion of the FEMM Committee), Ria G.H.C. Oomen-Ruijten, on behalf of the PPE-DE Group, Catherine Stihler, on behalf of the PSE Group, Frédérique Ries, on behalf of the ELDR Group, Didier Rod, on behalf of the Verts/ALE Group, John Bowis, Minerva Melpomeni Malliori, Proinsias De Rossa and David Byrne.

The debate closed.

Vote: *Minutes of 19.11.2003, Item 11*

## **23. European Network and Information Security Agency \*\*\*I (debate)**

Report on the proposal for a European Parliament and Council regulation on establishing the European Network and Information Security Agency [COM(2003) 63 — C5-0058/2003 — 2003/0032(COD)] — Committee on Industry, External Trade, Research and Energy.

Rapporteur: Reino Paasilinna (A5-0353/2003)

Erkki Liikanen (Member of the Commission) spoke.

Massimo Baldini (President-in-Office of the Council).

Reino Paasilinna introduced the report.

The following spoke: Charlotte Cederschiöld (draftsman of the opinion of the LIBE Committee), W.G. van Velzen, on behalf of the PPE-DE Group, Erika Mann, on behalf of the PSE Group, Elly Plooi-j-van Gorsel, on behalf of the ELDR Group, Malcolm Harbour, Neena Gill, Erkki Liikanen, W.G. van Velzen, who asked the Council to answer his question, and Massimo Baldini, who answered.

The debate closed.

Vote: *Minutes of 19.11.2003, Item 9.*

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## 24. Waste shipments \*\*\*I (debate)

Report on the proposal for a European Parliament and Council regulation on shipments of waste [COM(2003) 379 – C5-0365/2003 – 2003/0139(COD)] – Committee on the Environment, Public Health and Consumer Policy.

Rapporteur: Johannes (Hans) Blokland (A5-0391/2003)

Margot Wallström (Member of the Commission) spoke.

Johannes (Hans) Blokland introduced the report.

The following spoke: María del Pilar Ayuso González, on behalf of the PPE-DE Group, Proinsias De Rossa, on behalf of the PSE Group, Alexander de Roo, on behalf of the Verts/ALE Group, Avril Doyle, Patricia McKenna, Piia-Noora Kauppi and Margot Wallström.

The debate closed.

Vote: *Minutes of 19.11.2003, Item 15.*

## 25. Thematic Strategy for Soil Protection (debate)

Report on the Commission communication: 'Towards a Thematic Strategy for Soil Protection' [COM(2002) 179 – C5-0328/2002 – 2002/2172(COS)] – Committee on the Environment, Public Health and Consumer Policy.

Rapporteur: Cristina Gutiérrez-Cortines (A5-0354/2003)

Cristina Gutiérrez-Cortines introduced the report.

Margot Wallström (Member of the Commission) spoke.

The following spoke: Rijk van Dam (draftsman of the opinion of the RETT Committee), Patricia McKenna, on behalf of the Verts/ALE Group, and Jean-Louis Bernié.

The debate closed.

Vote: *Minutes of 19.11.2003, Item 17.*

## 26. Major-accident hazards involving dangerous substances \*\*\*III (debate)

Report on the joint text approved by the Conciliation Committee for a European Parliament and Council directive amending Council Directive 96/82/EC on the control of major-accident hazards involving dangerous substances [PE-CONS 3665/2003 – C5-0435/2003 – 2001/0257(COD)].

Rapporteur: Giorgio Lisi (A5-0365/2003)

Giorgio Lisi introduced the report.

Margot Wallström (Member of the Commission) spoke.

Christine De Veyrac spoke on behalf of the PPE-DE Group.

The debate closed.

Vote: *Minutes of 19.11.2003, Item 7.*

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**27. Identification and registration of sheep and goats \* (debate)**

Report on the proposal for a Council regulation establishing a system for the identification and registration of ovine and caprine animal and amending Regulation (EEC) No 3508/92 [COM(2002) 729 — C5-0027/2003 — 2002/0297(CNS)] — Committee on Agriculture and Rural Development.

Rapporteur: Gordon J. Adam (A5-0386/2003)

David Byrne (Member of the Commission) spoke.

Gordon J. Adam introduced the report.

The following spoke: Neil Parish, on behalf of the PPE-DE Group, María Rodríguez Ramos, on behalf of the PSE Group, Elspeth Attwooll, on behalf of the ELDR Group, Eurig Wyn, on behalf of the Verts/ALE Group, Encarnación Redondo Jiménez, Jonathan Evans, James Nicholson, Avril Doyle, David Byrne and Gordon J. Adam

The debate closed.

Vote: *Minutes of 19.11.2003, Item 12.*

**28. Agenda for next sitting**

The President referred Members to the document 'Agenda' PE 337.907/OJME.

**29. Closure of sitting**

The sitting closed at 23.55.

Julian Priestley  
*Secretary-General*

James L. C. Provan  
*Vice-President*

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## ATTENDANCE REGISTER

The following signed:

Aaltonen, Abitbol, Adam, Nuala Ahern, Ainardi, Alavanos, Almeida Garrett, Alyssandrakis, Andersen, Andersson, Andreasen, André-Léonard, Andrews, Andria, Angelilli, Aparicio Sánchez, Arvidsson, Atkins, Attwooll, Auroi, Averoff, Avilés Perea, Ayuso González, Bakopoulos, Balfe, Baltas, Banotti, Barón Crespo, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Berenguer Fuster, Berès, van den Berg, Bergaz Conesa, Berger, Berlato, Bernié, Berthu, Beysen, Bigliardo, Blak, Blokland, Bodrato, Böge, Bösch, von Boetticher, Bonde, Boogerd-Quaak, Booth, Bordes, Borghezio, Boudjenah, Boumediene-Thiery, Bourlanges, Bouwman, Bowis, Bradbourn, Bremmer, Breyer, Brunetta, Buitengeweg, van den Burg, Bushill-Matthews, Busk, Butel, Callanan, Calò, Camisón Asensio, Campos, Camre, Cappato, Cardoso, Carlotti, Carnero González, Carraro, Casaca, Cashman, Caudron, Caullery, Cauquil, Cederschiöld, Cercas, Cerdeira Morterero, Ceyhun, Chichester, Claeys, Clegg, Cocilovo, Coelho, Cohn-Bendit, Collins, Colom i Naval, Corbett, Corbey, Cornillet, Corrie, Raffaele Costa, Coûteaux, Cox, Crowley, Cushnahan, van Dam, Dary, Daul, Davies, De Clercq, Decourrière, Dehousse, De Keyser, Dell'Alba, Della Vedova, De Mita, Deprez, De Rossa, De Sarnez, Descamps, Désir, Deva, De Veyrac, Dhaene, Díez González, Dillen, Dimitrakopoulos, Di Pietro, Doorn, Dover, Doyle, Dührkop Dührkop, Duff, Duhamel, Dupuis, Dybkjær, Ebner, Echerer, El Khadraoui, Elles, Eriksson, Esclopé, Ettl, Jonathan Evans, Robert J.E. Evans, Färm, Fatuzzo, Fava, Ferber, Fernández Martín, Ferrández Lezaun, Ferreira, Ferrer, Ferri, Fiebigler, Figueiredo, Fiori, Fitzsimons, Flautre, Flemming, Flesch, Florenz, Folias, Ford, Formentini, Foster, Fourtou, Frahm, Fraisse, Frassoni, Friedrich, Fruteau, Gahler, Gahrton, Galeote Quecedo, Garaud, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garot, Garriga Polledo, Gasòliba i Böhm, de Gaulle, Gawronski, Gemelli, Ghilardotti, Gill, Gillig, Gil-Robles Gil-Delgado, Glante, Glase, Gobbo, Goebbels, Goepel, Gollnisch, Gomolka, Goodwill, Gorostiaga Atxalandabaso, Gouveia, Graefe zu Baringdorf, Graça Moura, Gröner, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Guy-Quint, Hager, Hannan, Hansenne, Harbour, Hatzidakis, Haug, Hazan, Heaton-Harris, Hedkvist Petersen, Helmer, Hernández Mollar, Herranz García, Herzog, Honeyball, Hortefeux, Howitt, Hudghton, Hughes, Huhne, van Hulst, Hume, Hyland, Iivari, Ilgenfritz, Imbeni, Inglewood, Isler Béguin, Izquierdo Collado, Izquierdo Rojo, Jarzembowski, Jean-Pierre, Jeggler, Jensen, Jöns, Jové Peres, Junker, Karamanou, Karas, Karlsson, Kastler, Katiforis, Kaufmann, Kauppi, Keppelhoff-Wiechert, Keßler, Khanbhai, Kindermann, Glenys Kinnock, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korakas, Korhola, Koukiadis, Koulourianos, Krarup, Kratsa-Tsagaropoulou, Kreissl-Dörfler, Kronberger, Kuhne, Kuntz, Lage, Lagendijk, Laguiller, Lalumière, Lamassoure, Lambert, Lang, Lange, Langen, Langenhagen, Lannoye, de La Perrière, Laschet, Lavarra, Lechner, Lehne, Leinen, Liese, Linkohr, Lipietz, Lisi, Lombardo, Ludford, Lulling, Lund, Lynne, Maat, Maaten, McAvan, McCarthy, McCartin, McCormick, McKenna, McMillan-Scott, McNally, Maes, Malliori, Manders, Manisco, Erika Mann, Thomas Mann, Mantovani, Marchiani, Marinho, Marini, Marinos, Markov, Marques, Marset Campos, Martens, David W. Martin, Hans-Peter Martin, Hugues Martin, Martínez Martínez, Mastorakis, Mathieu, Matikainen-Kallström, Mauro, Hans-Peter Mayer, Xaver Mayer, Mayol i Rynal, Medina Ortega, Meijer, Méndez de Vigo, Menéndez del Valle, Mennea, Mennitti, Menrad, Miguélez Ramos, Miller, Miranda de Lage, Modrow, Mombaur, Monsonís Domingo, Montfort, Moraes, Morgan, Morgantini, Morillon, Müller, Mulder, Murphy, Muscardini, Musotto, Mussa, Musumeci, Myller, Naïr, Napoletano, Napolitano, Naranjo Escobar, Nassauer, Newton Dunn, Nicholson, Nicholson of Winterbourne, Niebler, Nisticò, Nobilia, Nogueira Román, Nordmann, Ojeda Sanz, Olsson, Ó Neachtain, Onesta, Oomen-Ruijten, Oostlander, Oreja Arburúa, Ortuondo Larrea, Paasilinna, Pacheco Pereira, Paciotti, Pack, Pannella, Parish, Pasqua, Pastorelli, Patakis, Patrie, Paulsen, Pérez Álvarez, Perry, Pesälä, Pex, Piecyk, Piétrasanta, Pirkker, Pittella, Plooi-van Gorsel, Podestà, Poettering, Pohjamo, Poignant, Pomés Ruiz, Poos, Posselt, Prets, Procacci, Pronk, Provan, Puerta, Purvis, Queiró, Quisthoudt-Rowohl, Rack, Radwan, Rapkay, Raschhofer, Raymond, Read, Redondo Jiménez, Ribeiro e Castro, Ries, Riis-Jørgensen, Ripoll y Martínez de Bedoya, Rocard, Rod, Rodríguez Ramos, de Roo, Roth-Behrendt, Rothley, Roure, Rovsing, Rübig, Rühle, Ruffolo, Sacconi, Sacrédeus, Saint-Josse, Sakellariou, Salafranca Sánchez-Neyra, Sandberg-Fries, Sandbæk, Sanders-ten Holte, Santer, Santini, dos Santos, Sartori, Sauquillo Pérez del Arco, Savary, Scallan, Scarbonchi, Schaffner, Scheele, Schierhuber, Schleicher, Gerhard Schmid, Olle Schmidt, Schmitt, Schnellhardt, Schörling, Ilka Schröder, Jürgen Schröder, Schroedter, Schulz, Schwaiger, Segni, Seppänen, Sichrovsky, Sjöstedt, Skinner, Smet, Soares, Sørensen, Sommer, Sornosa Martínez, Souchet, Souladakis, Sousa Pinto, Speroni, Staes, Stauner, Stenmarck, Stenzel, Sterckx, Stevenson, Stihler, Stirbois, Stockmann, Stockton, Sturdy, Sudre, Sumberg, Suominen, Swiebel, Swoboda, Sylla, Sørensen, Tajani, Tannock, Terrón i Cusí, Theato, Theorin, Thomas-Mauro, Thorming-Schmidt, Thors, Thyssen, Titford, Titley, Torres Marques, Trakatellis, Trentin, Turchi, Turco, Turmes, Twinn, Uca, Vachetta, Väyrynen, Vairinhos, Valdivielso de Cué, Vallvé, Van Hecke, Van Lancker, Van Orden, Varaut, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vermeer, de Veyrinas, Vidal-Quadras Roca, Villiers, Vinci, Virrankoski, Vlasto, Volcic, Wachtmeister, Walter, Watson, Watts, Weiler, Wenzel-Perillo, Whitehead, Wiersma, Wijkman, von Wogau, Wuermeling, Wuori, Wurtz, Wyn, Wynn, Zabell, Zacharakis, Zappalà, Zimeray, Zimmerling, Zissener, Zorba, Zrihen.

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## Observers:

Bagó Zoltán, Balsai István, Bastys Mindaugas, Bekasovs Martijans, Beneš Miroslav, Beňová Monika, Bielan Adam, Bonnici Josef, Christodoulidis Doros, Chronowski Andrzej, Chrzanowski Zbigniew, Ciemniak Grażyna, Cilevičs Boriss, Cybulski Zygmunt, Demetriou Panayiotis, Didžiokas Gintaras, Ékes József, Figel' Jan, Filipek Krzysztof, Frendo Michael, Gałażewski Andrzej, Gawłowski Andrzej, Giertych Maciej, Grabowska Genowefa, Gruber Attila, Grzebisz-Nowicka Zofia, Grzyb Andrzej, Gyürk András, Heriban Jozef, Holán Vilém, Ilves Toomas Hendrik, Jaskiernia Jerzy, Kalisz Ryszard, Kāposts Andis, Kelemen András, Klich Bogdan, Kłopotek Eugeniusz, Klukowski Wacław, Konečná Kateřina, Kósa Kovács Magda, Kowalska Bronisława, Kozlík Sergej, Kreitzberg Peeter, Kriščiūnas Kęstutis, Kroupa Daniel, Kuzmickas Kęstutis, Kvietkauskas Vytautas, Laar Mart, Landsbergis Vytautas, Lepper Andrzej, Libicki Marcin, Lisak Janusz, Litwiniec Bogusław, Lydeka Arminas, Łyżwiński Stanisław, Macierewicz Antoni, Maldeikis Eugenijus, Mallotová Helena, Maštálka Jiří, Őry Csaba, Palečková Alena, Pasternak Agnieszka, Pęczak Andrzej, Pieniążek Jerzy, Pīks Rihards, Plokšto Artur, Podgórski Bogdan, Protasiewicz Jacek, Pusz Sylwia, Reiljan Janno, Rouček Libor, Rutkowski Krzysztof, Sefzig Luděk, Ševc Jozef, Siekierski Czesław, Smoleń Robert, Smorawiński Jerzy, Surján László, Szczygło Aleksander, Tabajdi Csaba, Tomczak Witold, Vaculík Josef, Valys Antanas, Vareikis Egidijus, Vastagh Pál, Vella George, Vēsaitē Birutē, Widuch Marek, Wikiński Marek, Wiśniowska Genowefa, Wittbrodt Edmund, Wojciechowski Janusz, Żenkiewicz Marian, Žiak Rudolf.

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Tuesday 18 November 2003

## ANNEX I

## RESULTS OF VOTES

## Abbreviations and symbols

|                       |                                             |
|-----------------------|---------------------------------------------|
| +                     | adopted                                     |
| -                     | rejected                                    |
| ↓                     | lapsed                                      |
| W                     | withdrawn                                   |
| RCV (... , ... , ...) | roll-call vote (for, against, abstentions)  |
| EV (... , ... , ...)  | electronic vote (for, 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. COM for hops \*

Report: DAUL (A5-0380/2003)

| Subject            | RCV, etc. | Vote | RCV/EV – remarks |
|--------------------|-----------|------|------------------|
| <b>single vote</b> |           | +    |                  |

## 2. EC accession to the International Plant Protection Convention \*

Report: DAUL (A5-0379/2003)

| Subject            | RCV, etc. | Vote | RCV/EV – remarks |
|--------------------|-----------|------|------------------|
| <b>single vote</b> | RCV       | +    | 482, 3, 16       |

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**3. High activity sealed radioactive sources \****Report: GROSSETÊTE (A5-0363/2003)*

| Subject            | RCV, etc. | Vote | RCV/EV – remarks |
|--------------------|-----------|------|------------------|
| <b>single vote</b> |           | +    |                  |

**4. Signs at external border crossing points \****Report: DEPREZ (A5-0366/2003)*

| Subject            | RCV, etc. | Vote | RCV/EV – remarks |
|--------------------|-----------|------|------------------|
| <b>single vote</b> |           | +    |                  |

**5. Counterfeit euros \****Report: SCHMID (A5-0377/2003)*

| Subject            | RCV, etc. | Vote | RCV/EV – remarks |
|--------------------|-----------|------|------------------|
| <b>single vote</b> |           | +    |                  |

**6. Recruitment of officials for enlargement \****Report: MEDINA ORTEGA (A5-0382/2003)*

| Subject            | RCV, etc. | Vote | RCV/EV – remarks |
|--------------------|-----------|------|------------------|
| <b>single vote</b> |           | +    |                  |

**7. Community financial aid to trans-European networks \*\*\*I***Report: READ (A5-0374/2003)*

| Subject                                | Amendment No | Author | RCV, etc. | Vote | RCV/EV – remarks |
|----------------------------------------|--------------|--------|-----------|------|------------------|
| <b>vote: proposal for a regulation</b> |              |        |           | +    |                  |
| <b>vote: legislative resolution</b>    |              |        |           | +    |                  |

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**8. Pan-European e-government services \*\*\*I**

Report: READ (A5-0375/2003)

| Subject                                                 | Amendment No | Author           | RCV, etc. | Vote | RCV/EV – remarks |
|---------------------------------------------------------|--------------|------------------|-----------|------|------------------|
| <b>amendments by committee responsible – block vote</b> | 1-5          | <b>committee</b> |           | +    |                  |
| <b>vote: amended proposal</b>                           |              |                  |           | +    |                  |
| <b>vote: legislative resolution</b>                     |              |                  |           | +    |                  |

**9. Excise duties on petrol and commercial diesel fuel \***

Report: KAUPPI (A5-0383/2003)

| Subject                                      | Amendment No | Author    | RCV, etc. | Vote | RCV/EV – remarks                               |
|----------------------------------------------|--------------|-----------|-----------|------|------------------------------------------------|
| art 8c<br>(Directive 92/81/EEC)              | 6            | ELDR      |           | -    |                                                |
|                                              | 7            | ELDR      |           | -    |                                                |
| art 5a, §§ 1 and 2<br>(Directive 92/82/EEC)  | 8            | ELDR      |           | -    |                                                |
|                                              | 17           | Verts/ALE |           | -    |                                                |
| remainder of art 5a<br>(Directive 92/82/EEC) | 9            | ELDR      |           | -    |                                                |
|                                              | 10           | ELDR      |           | -    |                                                |
|                                              | 11           | ELDR      |           | -    |                                                |
| annex                                        | 12           | ELDR      |           | -    |                                                |
| recital 1                                    | 1 D          | ELDR      |           | -    |                                                |
| recital 11                                   | 13           | Verts/ALE |           | -    |                                                |
| after recital 11                             | 2            | ELDR      |           | -    |                                                |
| recital 14                                   | 14           | Verts/ALE |           | -    |                                                |
| after recital 14                             | 15           | Verts/ALE |           | -    |                                                |
| recital 15                                   | 16           | Verts/ALE |           | -    |                                                |
| recital 16                                   | 3            | ELDR      |           | -    |                                                |
| recital 18                                   | 4            | ELDR      |           | -    |                                                |
| recital 19                                   | 5            | ELDR      |           | -    |                                                |
| <b>vote: amended proposal</b>                |              |           |           | -    |                                                |
| <b>vote: legislative resolution</b>          |              |           |           |      | <b>referral back to committee (Rule 68(3))</b> |



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## 10. Investment in research

Report: LINKOHR (A5-0389/2003)

| Subject                              | Amendment No | Author               | RCV, etc. | Vote | RCV/EV – remarks |
|--------------------------------------|--------------|----------------------|-----------|------|------------------|
| § 5                                  |              | <b>original text</b> | split     |      |                  |
|                                      |              |                      | 1         | +    |                  |
|                                      |              |                      | 2         | +    |                  |
| § 9                                  |              | <b>original text</b> | sep       | +    |                  |
| after § 9                            | 1            | PSE                  | EV        | +    | 311, 193, 2      |
| § 26                                 |              | <b>original text</b> | sep       | +    |                  |
| § 27                                 |              | <b>original text</b> | sep       | +    |                  |
| § 28                                 |              | <b>original text</b> | RCV       | +    | 379, 131, 2      |
| <b>vote: resolution (as a whole)</b> |              |                      |           | +    |                  |

Requests for roll-call votes

Verts/ALE: § 28

Requests for separate vote

Verts/ALE: §§ 9, 26, 27

Requests for split votes

Verts/ALE

### § 5

1st part: up to '... science and technology'

2nd part: remainder

## 11. Implementation of the Telecommunications Regulatory Package

Report: CLEGG (A5-0376/2003)

| Subject                              | Amendment No | Author | RCV, etc. | Vote | RCV/EV – remarks |
|--------------------------------------|--------------|--------|-----------|------|------------------|
| <b>vote: resolution (as a whole)</b> |              |        | RCV       | +    | 429, 31, 36      |

Requests for roll-call votes

PPE-DE: final vote

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## ANNEX II

## RESULT OF ROLL-CALL VOTES

## 1. Daul report A5-0379/2003

## Resolution

For: 482

**EDD:** Abitbol, Andersen, Bernié, Blokland, Bonde, Butel, Coûteaux, van Dam, Esclopé, Kuntz, Mathieu, Raymond, Saint-Josse, Sandbæk

**ELDR:** Andreasen, André-Léonard, Boogerd-Quaak, Busk, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Formentini, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Morgantini, Nair, Patakis, Puerta, Scarbonchi, Schröder Ilka, Seppänen, Uca, Vachetta, Vinci, Wurtz

**NI:** Berthu, Beysen, Gorostiaga Atxalandabaso, Hager, de La Perriere, Mennea, Souchet, Varaut

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa Raffaele, Cushnahan, Daul, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Ferber, Fernández Martín, Ferrer, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Grönfeldt Bergman, Grosche, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Inglewood, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Musotto, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Santer, Santini, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Stauner, Stenmarck, Stenzel, Stevenson, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Wachtmeister, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Ghilardotti, Gill, Gillig, Glante, Goebbels, Guy-Quint, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lavarra, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothley, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schmid Gerhard, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Van Lancker, Volcic, Watts, Weiler, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

**UEN:** Andrews, Angelilli, Berlato, Bigliardo, Caullery, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Nobilia, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

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**Verts/ALE:** Aaltonen, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Echerer, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, MacCormick, McKenna, Maes, Mayol i Raynal, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Wuori, Wyn

**Against: 3**

**EDD:** Booth, Titford

**UEN:** Camre

**Abstention: 16**

**NI:** Borghezio, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Garaud, de Gaulle, Gobbo, Gollnisch, Lang, Pannella, Speroni, Stirbois, Turco

## 2. Linkohr report A5-0389/2003

### Paragraph 28

**For: 379**

**EDD:** Bernié, Blokland, Butel, van Dam, Esclopé, Mathieu, Raymond, Saint-Josse

**ELDR:** Andreassen, André-Léonard, Attwooll, Busk, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Formentini, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

**NI:** Beysen, Borghezio, Gobbo, Hager, Mennea, Speroni

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfé, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa Raffaele, Cushnahan, Daul, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Ferber, Fernández Martín, Ferrer, Fiori, Flemming, Florenz, Folias, Foster, Fournou, Friedrich, Gähler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Inglewood, Jarzemowski, Jeggle, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Musotto, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Wachtmeister, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Rossa, Dührkop Dührkop, Duhamel, Ettl, Evans Robert J.E., Färm, Ferreira, Ford, Fruteau, Garot, Gill, Gillig, Glante, Goebbels, Guy-Quint, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Kessler, Kindermann, Kinnock, Koukiadis, Kuhne, Lage, Lalumière, Lavarra, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Pittella, Poos, Prets, Rapkay, Read,

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Rocard, Roth-Behrendt, Rothley, Ruffolo, Sakellariou, Sandberg-Fries, dos Santos, Scheele, Schmid Gerhard, Skinner, Soares, Sornosa Martínez, Souladakis, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Volcic, Watts, Weiler, Whitehead, Wiersma, Wynn, Zimeray, Zorba

**UEN:** Angelilli, Berlato, Bigliardo, Caullery, Muscardini, Mussa, Musumeci, Nobilia, Thomas-Mauro, Turchi

**Against: 131**

**EDD:** Abitbol, Andersen, Bonde, Booth, Coûteaux, Kuntz, Sandbæk, Titford

**ELDR:** Boogerdt-Quaak

**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Mordow, Morgantini, Naïr, Patakis, Puerta, Scarbonchi, Schröder Ilka, Seppänen, Uca, Vachetta, Vinci, Wurtz

**NI:** Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Garaud, de Gaulle, Gollnisch, Gorostiaga Atxalandabaso, Lang, de La Perrière, Pannella, Stirbois, Turco, Varaut

**PSE:** Berger, Carraro, Dehousse, De Keyser, Désir, El Khadraoui, Fava, Ghilardotti, Imbeni, Kreissl-Dörfler, Martin Hans-Peter, Napoletano, Poignant, Roure, Sacconi, Savary, Sousa Pinto, Van Lancker, Zrihen

**UEN:** Andrews, Camre, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Queiró, Ribeiro e Castro, Segni

**Verts/ALE:** Aaltonen, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Echerer, Flautre, Frassonni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, MacCormick, McKenna, Maes, Mayol i Raynal, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Wuori, Wyn

**Abstention: 2**

**NI:** Berthu, Souchet

**3. Clegg report A5-0376/2003**

**Resolution**

**For: 429**

**EDD:** Andersen, Blokland, Bonde, van Dam, Kuntz, Sandbæk

**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerdt-Quaak, Busk, Clegg, De Clercq, Duff, Dybkjær, Flesch, Formentini, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

**GUE/NGL:** Blak

**NI:** Berthu, Beysen, Borghesio, Cappato, Dell'Alba, Della Vedova, Dupuis, Gobbo, Hager, Mennea, Pannella, Souchet, Speroni, Turco

**PPE-DE:** Almeida Garrett, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cushnahan, Daul, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Ferber, Fernández Martín, Ferrer, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Inglewood, Jarzembowski, Jeggle, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Kirkhope, Klamt, Klab, Knolle, Koch, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese,

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Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Musotto, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Wachtmeister, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Fava, Ferreira, Ford, Fruteau, Garot, Ghilardotti, Gill, Gillig, Glante, Goebbels, Guy-Quint, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lavarra, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, Pittella, Poos, Prets, Rapkay, Read, Rocard, Roth-Behrendt, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, Scheele, Schmid Gerhard, Skinner, Sornosa Martínez, Souladakis, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Van Lancker, Watts, Weiler, Whitehead, Wiersma, Zimeray, Zorba, Zrihen

**UEN:** Andrews, Angelilli, Berlato, Bigliardo, Collins, Crowley, Muscardini, Mussa, Musumeci, Nobilia, Segni, Turchi

**Verts/ALE:** Aaltonen, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Echerer, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, McCormick, McKenna, Maes, Mayol i Raynal, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Wuori, Wyn

### **Against: 31**

**EDD:** Abitbol, Bernié, Booth, Butel, Coûteaux, Esclopé, Mathieu, Raymond, Saint-Josse, Titford

**GUE/NGL:** Alyssandrakis, Bordes, Cauquil, Figueiredo, Fraisse, Herzog, Jové Peres, Korakas, Krarup, Laguiller, Morgantini, Nair, Patakis, Scarbonchi, Vachetta

**NI:** Claeys, Dillen, de Gaulle, Gollnisch, Lang, Stirbois

### **Abstention: 36**

**GUE/NGL:** Ainardi, Alavanos, Bakopoulos, Bergaz Conesa, Boudjenah, Caudron, Dary, Di Lello Finuoli, Eriksson, Fiebigler, Frahm, Kaufmann, Koulourianos, Manisco, Markov, Marset Campos, Meijer, Modrow, Puerta, Schröder Ilka, Seppänen, Uca, Vinci, Wurtz

**NI:** Garaud, Gorostiaga Atxalandabaso, de La Perriere, Varaut

**UEN:** Camre, Caullery, Fitzsimons, Hyland, Marchiani, Queiró, Ribeiro e Castro, Thomas-Mauro

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**TEXTS ADOPTED****P5\_TA(2003)0487****COM for hops \***

**European Parliament legislative resolution on the proposal for a Council regulation amending Regulation (EEC) No 1696/71 on the common organisation of the market in hops (COM(2003) 562 – C5-0460/2003 – 2003/0216(CNS))**

(Consultation procedure)

*The European Parliament,*

- having regard to the Commission proposal to the Council (COM(2003) 562) <sup>(1)</sup>,
  - having regard to Article 37(2) of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0460/2003),
  - having regard to Rule 67 and Rule 158(1) of its Rules of Procedure,
  - having regard to the report of the Committee on Agriculture and Rural Development (A5-0380/2003),
1. Approves the Commission proposal;
  2. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
  3. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
  4. Instructs its President to forward its position to the Council and Commission.

<sup>(1)</sup> Not yet published in the OJ.

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**P5\_TA(2003)0488****EC accession to the International Plant Protection Convention \***

**European Parliament legislative resolution on the proposal for a Council decision approving the accession of the European Community to the International Plant Protection Convention, as revised and approved by Resolution 12/97 of the Twenty-Ninth Session of the FAO Conference in November 1997 (COM(2003) 470 – C5-0392/2003 – 2003/0178(CNS))**

(Consultation procedure)

*The European Parliament,*

- having regard to the proposal for a Council decision (COM(2003) 470) <sup>(1)</sup>,
- having regard to Article 37(2) of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0392/2003),
- having regard to Rule 67, Rule 97(7) and Rule 158(1) of its Rules of Procedure,
- having regard to the report of the Committee on Agriculture and Rural Development (A5-0379/2003),

<sup>(1)</sup> Not yet published in the OJ.

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1. Approves the proposal for a Council decision;
2. Instructs its President to forward its position to the Council and Commission, the governments and parliaments of the Member States and the Director of the FAO.

P5\_TA(2003)0489

### High activity sealed radioactive sources \*

#### European Parliament legislative resolution on the proposal for a Council directive on the control of high activity sealed radioactive sources (COM(2003) 18 – C5-0019/2003 – 2003/0005(CNS))

(Consultation procedure)

*The European Parliament,*

- having regard to the Commission proposal to the Council (COM(2003) 18) <sup>(1)</sup>,
- having regard to Article 31(2) and Article 32 of the Euratom Treaty, pursuant to which the Council consulted Parliament (C5-0019/2003),
- having regard to Rule 67 of its Rules of Procedure,
- having regard to the report of the Committee on the Environment, Public Health and Consumer Policy (A5-0363/2003),

1. Approves the Commission proposal as amended;
2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 119, second paragraph, of the Euratom 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 Commission.

TEXT PROPOSED  
BY THE COMMISSION

AMENDMENTS  
BY PARLIAMENT

#### Amendment 1

##### Article 2, point (a)

(a) 'High activity source or source' means a sealed source containing a radionuclide whose activity at the time of fabrication or of the first placing on the market is equal to or exceeds the relevant activity level specified in Annex I;

(a) 'High activity source or source' means a sealed source containing a radionuclide whose activity at the time of fabrication or of the first placing on the market is equal to or exceeds the relevant activity level specified in Annex I, ***i.e. when the dose rate is more than 1 mSv/h at a distance of one metre;***

<sup>(1)</sup> Not yet published in the OJ.

Tuesday 18 November 2003

TEXT PROPOSED  
BY THE COMMISSIONAMENDMENTS  
BY PARLIAMENT

## Amendment 2

Article 3, paragraph 2, point (a)

- |                                                                                                                                      |                                                                                                                                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>(a) arrangements have been made for the safe management of high activity sources, including when they become disused sources;</p> | <p>(a) arrangements have been made, <b>in particular by the supplier</b>, for the safe management of high activity sources, including when they become disused sources;</p> |
|--------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## Amendment 3

Article 3, paragraph 2, point (b), subparagraph 1

- |                                                                                                                                 |                                                                                                                                                                        |
|---------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>(b) financial provision has been made for the safe management of high activity sources when they become disused sources.</p> | <p>(b) financial provision has been made, <b>in particular by the supplier</b>, for the safe management of high activity sources when they become disused sources.</p> |
|---------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## Amendment 4

Article 4, paragraph 1a (new)

***This system shall also take account of potential movements between Member States and of sources entering and leaving the European Union. In this case, Member States shall ensure effective cooperation between the competent authorities.***

## Amendment 5

Article 15

Member States shall lay down the rules on penalties applicable to infringements of the national provisions adopted pursuant to this Directive 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 the date specified in Article 16(1) at the latest and shall notify it without delay of any subsequent amendment affecting them.

Member States shall lay down the rules on penalties applicable to infringements of the national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate, dissuasive, **and, as far as possible, harmonised among the Member States**. Member States shall notify those provisions to the Commission by the date specified in Article 16(1) at the latest and shall notify it without delay of any subsequent amendment affecting them.

P5\_TA(2003)0490

**Signs at external border crossing points \***

**European Parliament legislative resolution on the initiative of the Hellenic Republic with a view to adopting a Council Decision determining the minimum indications to be used on signs at external border crossing points (8830/2003 – C5-0253/2003 – 2003/0815(CNS))**

(Consultation procedure)

The European Parliament,

- having regard to the initiative of the Hellenic Republic (8830/2003) <sup>(1)</sup>,
- having regard to Article 62(2)(a) of the EC Treaty,

<sup>(1)</sup> OJ C 125, 27.5.2003, p. 6.



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- having regard to Article 67 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0253/2003),
  - having regard to Rule 67 of its Rules of Procedure,
  - having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs (A5-0366/2003),
1. Approves the initiative of the Hellenic Republic as amended;
  2. Calls on the Council to alter the text accordingly;
  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 initiative of the Hellenic Republic substantially;
  5. Instructs the President to forward its position to the Council and Commission, and to the Government of the Hellenic Republic.

TEXT PROPOSED  
BY THE HELLENIC REPUBLIC

AMENDMENTS  
BY PARLIAMENT

Amendment 1

Article 2, indent 1

- |                                                                                                                                                                                                    |                                                                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|
| <p>— The emblem of the European Union with <b>the letters 'EU', 'EEA' and 'CH'</b> within the circle of stars <b>and the word 'CITIZENS' beneath the circle of stars, as shown in Annex I.</b></p> | <p>— The emblem of the European Union with 'EU' within the circle of stars.</p> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|

Amendment 2

Article 2, indent 2

- |                                                                      |                           |
|----------------------------------------------------------------------|---------------------------|
| <p>— <b>The words 'ALL NATIONALITIES', as shown in Annex II.</b></p> | <p>— <b>'NON-EU'.</b></p> |
|----------------------------------------------------------------------|---------------------------|

Amendment 3

Article 2, paragraph 1a (new)

**In all romance-language countries the indications shall be 'UE' and 'NON-UE'.**

Amendment 4

Article 2, paragraph 1b (new)

**In addition, in cases where the Member States deem it appropriate, the indications may appear in the characters of other alphabets.**

Amendment 5

Article 3, paragraph 1

Citizens of the EU, nationals of States parties to the Agreement on the European Economic Area and nationals of the Swiss Confederation shall, as a general rule, use the lane indicated by the sign **in Annex I**. All other third-country nationals shall use the lane indicated by the sign **in Annex II**.

Citizens of the EU, nationals of States parties to the Agreement on the European Economic Area and nationals of the Swiss Confederation shall, as a general rule, use the lane indicated by the sign **'EU'**. **They may also use the lane indicated by the sign 'NON-EU'**. All other third-country nationals shall use the lane indicated by the sign **'NON-EU'**.

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TEXT PROPOSED  
BY THE HELLENIC REPUBLICAMENDMENTS  
BY PARLIAMENTAmendment 6  
Article 4, paragraph 1

At land border crossing points, Member States may separate vehicle traffic into different lanes for light and heavy vehicles, by using signs as shown in Annex III.

At land **and sea port** border crossing points, Member States may separate vehicle traffic into different lanes for light and heavy vehicles, by using signs as shown in Annex III.

Amendment 7  
Article 4, paragraph 1a (new)

**Member States may vary the indications on these signs where appropriate in the light of local circumstances.**

P5\_TA(2003)0491

**Counterfeit euros \***

**European Parliament legislative resolution on the proposal for a Council decision concerning the analysis and cooperation with regard to counterfeit euro coins (13203/2003 – C5-0471/2003 – 2003/0158(CNS))**

(Consultation procedure)

*The European Parliament,*

- having regard to the Council draft (13203/2003) <sup>(1)</sup>,
- having regard to Article 308 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0471/2003),
- having regard to the initial Commission proposal (COM(2003) 426) <sup>(1)</sup>,
- having regard to Rule 67 of its Rules of Procedure,
- having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs (A5-0377/2003),

1. Approves the Council proposal;
2. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
3. Points out that, pursuant to Article 10 of the EC Treaty, concerning full mutual cooperation between institutions and the Member States, Parliament should also have been consulted on the legislative proposal to which this draft decision relates, and that merely notifying Parliament of the basic text diminishes Parliament's role in the decision-making process;
4. Asks therefore to be consulted on the initial Commission proposal;
5. Calls for initiation of the conciliation procedure under the Joint Declaration of 4 March 1975 if the Council intends to depart from the text approved by Parliament;
6. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
7. Instructs its President to forward its position to the Council and Commission.

<sup>(1)</sup> Not yet published in the OJ.

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P5\_TA(2003)0492

**Recruitment of officials for enlargement \***

**European Parliament legislative resolution on the proposal for a Council regulation introducing, on the occasion of the accession of Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, special temporary measures for recruitment of officials of the European Communities (COM(2003) 351 – C5-0287/2003 – 2003/0123(CNS))**

(Consultation procedure)

*The European Parliament,*

- having regard to the Commission proposal to the Council (COM(2003) 351) <sup>(1)</sup>,
  - having regard to Article 283 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0287/2003),
  - having regard to Rule 67 of its Rules of Procedure,
  - having regard to the report of the Committee on Legal Affairs and the Internal Market (A5-0382/2003),
1. Approves the Commission proposal;
  2. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
  3. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
  4. Instructs its President to forward its position to the Council and Commission.

<sup>(1)</sup> Not yet published in the OJ.

P5\_TA(2003)0493

**Community financial aid to trans-European networks \*\*\*I**

**European Parliament legislative resolution on the proposal for a European Parliament and Council regulation amending Council Regulation (EC) No 2236/95 laying down general rules for the granting of Community financial aid in the field of trans-European networks (COM(2003) 220 – C5-0199/2003 – 2003/0086(COD))**

(Codecision procedure: first reading)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 220) <sup>(1)</sup>,
- having regard to Articles 251(2) and Article 156(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0199/2003),
- having regard to Rule 67 of its Rules of Procedure,
- having regard to the report of the Committee on Industry, External Trade, Research and Energy (A5-0374/2003),

<sup>(1)</sup> Not yet published in the OJ.

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1. Approves the Commission proposal;
  2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council and Commission.
- 

**P5\_TA(2003)0494**

### **Interoperable pan-European e-government services \*\*\*I**

**European Parliament legislative resolution on the proposal for a European Parliament and Council decision on Interoperable Delivery of pan-European e-Government Services to Public Administrations, Businesses and Citizens (IDABC) (COM(2003) 406 – C5-0310/2003 – 2003/0147(COD))**

(Codecision procedure: first reading)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 406) <sup>(1)</sup>,
- having regard to Articles 251(2) and Article 156(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0310/2003),
- having regard to Rule 67 of its Rules of Procedure,
- having regard to the report of the Committee on Industry, External Trade, Research and Energy and the opinion of the Committee on Budgets (A5-0375/2003),

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. Considers that the financial statement of the Commission proposal is compatible with the ceiling of heading 3 of the Financial Perspective without restricting other policies;
4. Instructs its President to forward its position to the Council and Commission.

<sup>(1)</sup> Not yet published in the OJ.

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**P5\_TC1-COD(2003)0147**

**Position of the European Parliament adopted at first reading on 18 November 2003 with a view to the adoption of European Parliament and Council Decision No .../2003/EC on Interoperable Delivery of pan-European e-Government Services to Public Administrations, Businesses and Citizens (IDABC)**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 156(1) thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Economic and Social Committee <sup>(2)</sup>,

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<sup>(1)</sup> OJ C ...

<sup>(2)</sup> OJ C ...

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Having regard to the opinion of the Committee of the Regions <sup>(1)</sup>,

Acting in accordance with the procedure laid down in Article 251 of the Treaty <sup>(2)</sup>,

Whereas:

- (1) In accordance with Article 154 of the Treaty, to help achieve the objectives referred to in Article 14 and Article 158 of the Treaty and to enable citizens of the Union, economic operators and regional and local communities to derive full benefit from the setting-up of an area without internal frontiers, the Community contributes to the establishment and development of trans-European networks.
- (2) Facilitation of the mobility of businesses and citizens across European borders contributes directly to removing the obstacles to the free movement of goods, persons, services and capital as well as to the free establishment of nationals of a Member State in the territory of another Member State.
- (3) In accordance with Article 157 of the Treaty, the Community and the Member States shall ensure that the conditions necessary for the competitiveness of the Community's industry exist.
- (4) By Decisions No 1719/1999/EC <sup>(3)</sup> and No 1720/1999/EC <sup>(4)</sup> the European Parliament and the Council adopted a series of actions, horizontal measures and guidelines including the identification of projects of common interest, with regard to trans-European networks for the electronic interchange of data between administrations (IDA). As those Decisions will expire on the 31 December 2004, it is necessary to provide for a framework for the follow-up of the IDA programme as set up by these Decisions.
- (5) ***The IDABC programme, which is the follow-on programme to the IDA programme, will build on the successes of the preceding programmes, which have improved the effectiveness of cross-border cooperation between public administrations.***
- (6) In establishing and implementing the IDABC programme, due account should be taken of the achievements of the IDA programme and actions already initiated should be allowed to be completed.
- (7) ***Work completed under the IDABC programme is likely to form the basis for further work after the programme's expiry. This, combined with the fast pace of technological change, will require the programme to be adaptable to future developments.***
- (8) The European Council, meeting in Lisbon in March 2000, adopted conclusions aimed at preparing the transition of the European Union by 2010 to the world's most competitive, dynamic, and knowledge-based economy, capable of sustainable economic growth with more and better jobs and greater social cohesion.
- (9) The European Council, meeting in Brussels in March 2003, drew attention to the importance of connecting Europe and so strengthening the internal market and underlined that electronic communications are a powerful engine for growth, competitiveness and jobs in the European Union and action should be taken to consolidate this strength and to contribute to the achievement of the Lisbon goals; to this end, it is necessary for Member State public administrations and the Community institutions to access, exchange and process, by electronic means ('telematic networks'), increasing amounts of information.
- (10) The elimination of obstacles to electronic communications between public administrations at all levels and with businesses as well as with citizens contributes to improving the European business environment, lowering the administrative burden and reducing red tape. It may also encourage businesses and citizens of the European Union to reap the benefits of the information society and to interact electronically with public administrations.

<sup>(1)</sup> OJ C ...

<sup>(2)</sup> Position of the European Parliament of 18 November 2003.

<sup>(3)</sup> OJ L 203, 3.8.1999, p. 1. Decision as amended by Decision No 2046/2002/EC (OJ L 316, 20.11.2002, p. 4).

<sup>(4)</sup> OJ L 203, 3.8.1999, p. 9. Decision as amended by Decision No 2045/2002/EC (OJ L 316, 20.11.2002, p. 1).

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- (11) Enhanced delivery of e-Government services enables businesses and citizens to interact with public administrations without having to acquire special Information Technology (IT) knowledge, such as e-inclusion, or requiring prior knowledge of the internal functional organisation of a public administration.
- (12) The deployment of trans-European telematic networks to interchange information between public administrations should not be considered as the end, but as the means to achieve interoperable information and interactive e-Government services at the pan-European level, building on and extending to citizens and businesses the benefits resulting from the co-operation between public administrations across Europe.
- (13) Pan-European e-Government services permit public administrations, businesses and citizens to interact better with public administrations across borders. The delivery of these services requires the availability of efficient, effective and interoperable information and communication systems between public administrations as well as interoperable administrative front and back office processes in order to exchange in a secure manner, understand and process public sector information across Europe.
- (14) It is important that the national efforts in support of e-Government take place giving the necessary consideration to the priorities of the European Union.
- (15) It is essential to maximise the use of standards or publicly available specifications or open specifications for information exchange and service integration to ensure seamless interoperability and thereby increasing the benefits of pan-European e-Government services and the underlying trans-European telematic networks.
- (16) The establishment of pan-European e-Government services and the underlying telematic networks of which the Community is a user or a beneficiary is incumbent on both the Community and the Member States.
- (17) It is essential to ensure close co-operation between the Member States and the Community and, where relevant, the Community institutions and stakeholders.
- (18) Actions at Community level should stimulate the successful development of e-Government services at the pan-European level and the associated commitments required at national, regional and local level, taking due account of the linguistic diversity of the Community.
- (19) Cross-fertilisation with relevant national, regional and local initiatives and delivery of e-Government services within the Member States should be ensured.
- (20) The Action Plan for eEurope 2005, endorsed by the European Council meeting in Seville in June 2002, in particular the chapter on e-Government, underlines the importance of *the IDA* programme in fostering the establishment of pan-European e-Government services in support of cross-border activities thus complementing and providing a framework for initiatives regarding e-Government at national, regional and local levels.
- (21) In order to make efficient use of the Community's financial resources, it is necessary to share the cost of pan-European e-Government services and the underlying telematic networks between the Member States and the Community on an equitable basis.
- (22) Productivity, responsiveness and flexibility in the establishment and operation of pan-European e-Government services and the underlying telematic networks can best be achieved by embracing a market-oriented approach and thus selecting suppliers on a competitive basis in a multi-vendor environment, while ensuring, where appropriate, the operational and financial sustainability of measures.
- (23) Pan-European e-Government services should be developed in the context of specific projects of common interest whereas the necessary horizontal measures should be put in place to support the interoperable delivery of these services by establishing or enhancing infrastructure services in support of pan-European telematic networks.

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- (24) *The IDABC programme should consequently also be open to participation by the countries of the European Economic Area and the candidate countries, and co-operation with other third countries should be encouraged. International entities may take part in the implementation of projects of common interest and horizontal measures at their own costs.*
- (25) In order to ensure a sound management of the financial resources of the European Union and to avoid needless proliferation of equipment, repetition of investigations and diversity of approach, it should be possible to use infrastructure services developed under the IDA programme or *the IDABC programme in the framework of common foreign and security policy and police and judicial co-operation in criminal matters, in accordance with Titles V and VI of the Treaty on European Union.*
- (26) Since the objective of establishing pan-European e-Government services cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale and effects of the action, 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 Decision does not go beyond what is necessary in order to achieve those objectives.
- (27) ***This Decision lays down, for the entire duration of the programme, a financial framework constituting the prime reference, within the meaning of point 33 of the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and Commission on budgetary discipline and improvement of the budgetary procedure <sup>(1)</sup>, for the budgetary authority during the annual budgetary procedure,***

HAVE DECIDED AS FOLLOWS:

Article 1

Objectives

1. This Decision establishes a programme for Interoperable Delivery of pan-European e-Government Services to Public Administrations, Businesses and Citizens (hereinafter the 'IDABC programme') aimed at promoting the establishment of pan-European e-Government services and the development of the underlying interoperable telematic networks.
2. The objectives of this Decision are:
  - (a) to enable the efficient, effective and secure interchange of information between public administrations, whether national, regional or local, as well as between such administrations and the Community institutions or other entities as appropriate, in order for the Member States and the Community to implement, within their respective areas of competence, the Community policies and activities referred to in Articles 3 and 4 of the Treaty;
  - (b) to extend the benefits of the interchange of information as specified under (a) to businesses and citizens;
  - (c) to facilitate communication between the Community institutions and support the Community decision-making process and develop the related strategic framework at the pan-European level;
  - (d) to promote citizens' and businesses' participation in the construction of the European Union;
  - (e) to achieve interoperability, both within and across different administrative sectors and, where appropriate, with businesses and citizens;
  - (f) to converge networks under (a), (b), and (c) towards a common telematic interface;
  - (g) to achieve substantial benefits for Member State public administrations and the Community in terms of streamlined operations, speeded-up implementations, security, efficiency, transparency, service culture and responsiveness;
  - (h) to promote the spread of good practice and encourage the development of innovative telematic solutions in public administrations.

<sup>(1)</sup> *OJ C 172, 18.6.1999, p. 1. Agreement as amended by European Parliament and Council Decision 2003/429/EC (OJ L 147, 14.6.2003, p. 25).*

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## Article 2

### Definitions

For the purposes of this Decision, the following definitions shall apply:

- (a) 'Telematic network' means a comprehensive data-communication system, comprising the physical infrastructure and connections as well as the related services and application layers, thus enabling the interchange of information electronically between and within public administrations as well as between public administrations and businesses and citizens;
- (b) 'Pan-European e-Government services' means *public-sector* information and interactive services provided by public administrations to public administrations, to businesses, including their associations and to citizens, including their associations, by means of interoperable trans-European telematic networks;
- (c) 'Project of common interest' means a project as identified in Annex I, which is undertaken or continued under this Decision, and which concerns the establishment or enhancement of pan-European e-Government services;
- (d) 'Infrastructure services' means services provided to meet generic project requirements, comprising technology solutions and software applications, including a European interoperability framework, security, middleware and network services. Infrastructure services underpin the delivery of pan-European e-Government services;
- (e) 'Horizontal measure' means an action as identified in Annex II, which is undertaken or continued under this Decision, and which concerns the establishment or enhancement of infrastructure services or strategic and support activities;
- (f) 'Interoperability' means the ability of information and communication technology (ICT) systems and of the business processes they support to share and exchange information and knowledge.

## Article 3

### Priorities

For the purpose of establishing the work programme referred to in Article 8(1), priority shall be given to those projects of common interest and horizontal measures which, by means of the establishment or enhancement of pan-European e-Government services and the underlying telematic networks:

- (a) contribute to the objectives of the eEurope initiative and related Action Plans, in particular in relation to e-Government, aimed at benefiting businesses and citizens;
- (b) directly contribute to removing or reducing the obstacles to the free movement of goods, persons, services and capital;
- (c) directly contribute to the satisfactory operation of the economic and monetary union;
- (d) support the creation of a European area of *freedom, security and justice*;
- (e) encourage interinstitutional co-operation between the Community institutions as well as between the latter and national, regional and local public administrations, including national and regional parliaments;
- (f) contribute to the protection of the financial interests of the Community and the Member States or to the fight against fraud;
- (g) facilitate the application of the body of Community law ('*acquis communautaire*') following the enlargement of the European Union;
- (h) promote competitiveness in the Community, with particular emphasis on the competitiveness of small and medium-sized enterprises, as well as entrepreneurship and innovation; or
- (i) support the citizenship of the Union and the participation in the European Union policy-making processes, e.g. by means of consultation of relevant stakeholders.



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## Article 4

## Projects of common interest

In order to achieve the objectives laid down in Article 1, the Community shall, in co-operation with the Member States, implement projects of common interest as identified in Annex I and specified in the work programme referred to in Article 8(1), in accordance with the implementation principles laid down in Articles 6 and 7.

Projects of common interest shall, whenever possible, make use of the infrastructure services and provide the input required for the development of these services in accordance with the project requirements.

## Article 5

## Horizontal measures

1. In order to achieve the objectives laid down in Article 1, the Community shall, in co-operation with the Member States, in support of projects of common interest, undertake horizontal measures as identified in Annex II and specified in the work programme referred to in Article 8(1), in accordance with the implementation principles laid down in Articles 6 and 7.

2. Horizontal measures shall provide, maintain and promote infrastructure services for public administrations in the Community on the basis of a maintenance and access policy defined in the framework of the IDABC programme. They shall also establish strategic and support activities to promote pan-European e-Government services, perform strategic analysis of related developments in the Community and Member States, and ensure the programme management and the spread of good practice.

3. In order to be able to identify the horizontal measures to be undertaken, the Community shall establish a description of the infrastructure services. The description shall include aspects such as the required management, organisation, related responsibilities and cost-sharing as well as a strategy to be used in the development and implementation of the infrastructure services. The strategy shall be based on the assessment of project requirements. The description shall be reviewed on a yearly basis.

## Article 6

## Implementation principles

1. In implementing projects of common interest and horizontal measures, the principles set out in paragraphs 2 to 10 shall be observed.

2. This Decision is the legal basis for the implementation of horizontal measures.

3. The implementation of a project shall require a sectoral legal basis. For the purpose of this Decision, a project shall be considered to fulfil this requirement when it supports the delivery of pan-European e-Government services to public administrations, to businesses or to citizens in the framework of the implementation of a sectoral legal basis or any other relevant legal basis.

The first subparagraph does not apply to projects of common interest that support the delivery of e-Government services between Community institutions and European Agencies.

4. Participation of all Member States in a project in support of pan-European e-Government services provided from public administrations to businesses, including their associations, or from public administrations to citizens, including their associations, is not required.

5. Projects of common interest and horizontal measures shall encompass all actions necessary for the establishment or enhancement of pan-European *e-Government* services, including the establishment of working groups of Member State and Community experts, and the procurement of goods and services for the Community, as appropriate.

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6. Projects of common interest and horizontal measures include, whenever appropriate, a preparatory phase. They shall comprise a feasibility phase, a development and validation phase, and an implementation phase to be implemented in accordance with Article 7.

This paragraph shall not apply to strategic and support activities as defined in Part B of Annex II.

7. The definition and implementation of each project of common interest or horizontal measure shall build, whenever appropriate, on suitable results achieved by other relevant Community and Member States activities, in particular the Community research and technological development programmes and other Community programmes, such as eTEN, eContent and Modinis.

8. Projects of common interest or horizontal measures shall be technically specified with reference to European standards or publicly available specifications or open specifications for information exchange and service integration and shall comply with the infrastructure services, as appropriate, in order to ensure interoperability between national and Community systems within and across administrative sectors and with businesses and citizens.

9. Projects of common interest and horizontal measures shall, where appropriate, take due account of the European interoperability framework provided, maintained and promoted by the IDABC programme.

10. A post-implementation review of each project of common interest or horizontal measure shall be carried out within one year following the end of the implementation phase.

In the case of projects of common interest the review shall be carried out in co-ordination with the Member States in conformity with the rules governing the sectoral policy and presented to the relevant sectoral committee.

In the case of horizontal measures the review shall be carried out within the framework of the committee referred to in Article 11(1).

A review shall include a cost-benefit analysis.

#### Article 7

##### Additional principles

1. In addition to the principles set out in Article 6, the principles set out in paragraphs 2 to 8 shall apply.

2. The preparatory phase shall lead to the establishment of a preparatory report comprising the objectives, scope and rationale of the project of common interest or horizontal measure and in particular the anticipated costs and benefits, as well as the achievement of the necessary commitment and understanding among the participants through appropriate consultation, including an indication of the committee competent to follow the implementation of the project or measure.

3. The feasibility phase shall lead to the establishment of a global implementation plan which shall cover the development and implementation phases and comprise the information contained in the preparatory report as well as:

- (a) a description of planned organisational development and, whenever appropriate, re-engineering of working procedures;
- (b) objectives, functionalities, participants and technical approach;
- (c) measures to facilitate multilingual communication;
- (d) the assignment of roles to the Community and to the Member States;
- (e) a breakdown of the expected costs and a description of the expected benefits which includes assessment criteria for measuring those benefits beyond the implementation phase and a detailed analysis of return on investment as well as milestones to be achieved;
- (f) a schema which defines an equitable sharing between the Community and the Member States and, whenever appropriate other entities, of the operational and maintenance costs of the pan-European *e-Government* and infrastructure services on conclusion of the implementation phase;

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4. During the development and validation phase, the solution proposed may, if relevant, be constructed, tested, evaluated and monitored on a small scale, and the results shall be used to adjust the global implementation plan accordingly.

5. During the implementation phase, the fully functional services concerned shall be established in accordance with the global implementation plan.

6. The preparatory report and the global implementation plan shall be established by making use of methodologies prepared as a support activity in the framework of the IDABC programme.

7. The initiation and implementation of a project of common interest, the definition of its phases and the establishment of preparatory reports and global implementation plans shall be made and controlled by the Commission acting in accordance with the relevant sectoral committee procedure.

Where no sectoral committee procedure applies, the Community and the Member States shall set up groups of experts to examine all relevant issues.

The conclusions resulting from sectoral committees and, where applicable, from groups of experts shall be reported by the Commission to the committee referred to in Article 11(1).

8. The initiation and implementation of a horizontal measure, the definition of its phases and the establishment of preparatory reports and global implementation plans shall be made and controlled by the Commission acting in accordance with the procedure referred to in Article 11(2).

#### Article 8

##### Implementation procedure

1. The Commission shall establish a work programme for the whole duration of this Decision for the implementation of projects of common interest and horizontal measures.

The Commission shall approve the work programme and any modification thereof in accordance with the procedure referred to in Article 11(2).

2. For each project of common interest and for each horizontal measure, the work programme referred to in the first paragraph shall, where appropriate, include:

- a) a description of the objectives, scope, rationale, potential beneficiaries, functionalities and technical approach;
- b) a breakdown of past expenditure and milestones achieved, as well as the costs and benefits anticipated and the milestones to be achieved;
- c) a specification of the infrastructure services to be used.

#### Article 9

##### Budgetary provisions

1. Without prejudice to Article 8, the procedure referred to in Article 11(2) shall apply in respect of the indication of budget per project of common interest or horizontal measure, as necessary, to cover, subject to applicable budget rules, the full duration of the work programme.

2. Funds shall be released on the basis of the achievement of specific milestones following the procedure applicable to the relevant sectoral committee for projects of common interest and to the committee referred to in Article 11(1) for horizontal measures. For the initiation of the preparatory phase the milestone shall be the inclusion of the project of common interest or horizontal measure to be undertaken in the work programme. For the initiation of the feasibility phase the milestone shall be the preparatory report. For the initiation of the subsequent development and validation phase the milestone shall be the global implementation plan. Milestones to be achieved during the development and validation phase as well as the implementation phase will be integrated in the work programme in accordance with Article 8.

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3. The procedure referred to in Article 11(2) shall also apply in respect of proposals for any budgetary increase of more than EUR 100 000 per project of common interest or horizontal measure within a year.

4. The Programme shall be implemented on the basis of the rules of public procurement. The technical specifications of the calls for tender shall, for contract values in excess of EUR 1 000 000, be defined in co-ordination with the Member States in the framework of the relevant sectoral committee or the committee referred to in Article 11(1).

#### Article 10

##### Community financial contribution

1. In the implementation of projects of common interest and horizontal measures, the Community shall bear costs in proportion to its interest.

2. The financial contribution of the Community for each project of common interest or horizontal measure shall be determined in accordance with paragraphs 3 to 7.

3. For a project of common interest or a horizontal measure to receive a financial contribution from the Community, concrete plans for financing the maintenance and operational costs of the post-implementation phase shall be required, with a clear assignment of roles to the Community and to the Member States or to other entities.

4. In the preparatory and feasibility phases, the Community contribution may cover the full cost of the necessary studies.

5. In the development and validation phase and in the implementation phase, the Community shall bear the cost of those tasks which are assigned to it in the global implementation plan of that project of common interest or horizontal measure.

6. Community funding of a project of common interest or a horizontal measure concerning the delivery and maintenance of infrastructure services shall, in principle, cease after a maximum period of four years from the start of the preparatory phase.

7. The financial resources provided for under this Decision shall not be assigned to projects of common interest and horizontal measures or phases of projects of common interest and horizontal measures which benefit from other sources of Community funding.

8. By ...<sup>(1)</sup>, *mechanisms* to ensure the financial and operational sustainability of infrastructure services, where appropriate, shall be defined and agreed in accordance with the procedure referred to in Article 11(2).

#### Article 11

##### Committee

1. The Commission shall be assisted by a committee called the Telematics between Administrations Committee (TAC).

2. Where reference is made to this paragraph, Articles 4 and 7 of Council Decision 1999/468/EC of 28 June 1999 *laying down the procedures for the exercise of implementing powers conferred on the Commission*<sup>(1)</sup> shall apply, having regard to Article 8 thereof. The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at three months.

3. The TAC shall adopt its rules of procedure.

4. The Commission shall report annually to the TAC on the implementation of this Decision.

<sup>(1)</sup> Two years after the date of entry into force of this Decision.

<sup>(1)</sup> OJ L 184, 17.7.1999, p. 23.

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## Article 12

## Evaluation

1. The Commission shall, in co-ordination with the Member States, carry out a midterm evaluation of the implementation of this Decision followed by a final evaluation at the end of the programme.
2. The evaluation shall establish the progress and current status of the projects of common interest and horizontal measures identified in Annexes I and II respectively.

The evaluation shall also examine, in the light of the expenditure incurred by the Community, the benefits yielded by the pan-European e-Government and infrastructure services to the Community for the advancement of common policies and institutional co-operation as far as public administrations, businesses and citizens are concerned and identify areas for potential improvement and verify synergies with other Community activities in the area of pan-European e-Government and infrastructure services.

3. The Commission shall forward **the results of its quantitative and qualitative evaluation** to the European Parliament and the Council together with any appropriate proposal for the amendment of this Decision. The **results** shall be forwarded no later than the draft budget for the years 2008 and 2010 respectively.

## Article 13

## International co-operation

1. The IDABC programme may be opened, within the framework of their respective agreements with the Community, to participation by the countries of the European Economic Area and the candidate countries.
2. Co-operation with other third countries, in implementing projects of common interest and horizontal measures, shall be encouraged, notably with public administrations in Mediterranean countries, the Balkans and the countries of Eastern Europe. Particular attention shall also be given to international co-operation in support of development and economic co-operation. Related costs shall not be covered by the IDABC programme.
3. International organisations or other international entities may take part in the implementation of projects of common interest and horizontal measures at their own costs.

## Article 14

## Other networks

1. With regard to the establishment or enhancement of other networks which are not projects of common interest or horizontal measures (hereinafter 'other networks'), Member States and the Community shall, in accordance with the relevant provisions of the Community legislation governing the implementation of those networks, ensure that paragraphs 2 to 6 are complied with.
2. Subject to paragraphs 3 and 4, infrastructure services provided by the Community within the framework of this Decision may be used by other networks.
3. In the definition and implementation of each of the other networks, care shall be taken to build, *whenever appropriate*, on suitable results *achieved by* other relevant Community activities, in particular the Community research and technological development programmes and other Community programmes, such as eTEN, eContent and Modinis.
4. Each of the other networks shall be technically specified with reference to European standards or publicly available specifications, or open specifications for information exchange and service integration, as appropriate, in order to ensure interoperability between national and Community systems within and across administrative sectors and with businesses and citizens.

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5. By 31 October 2005, and at yearly intervals thereafter, the Commission shall forward to the committee referred to in Article 11(1) a report on the implementation of paragraphs 1 to 6 of this Article. In that report, the Commission shall specify any relevant user requirements or any other reason that prevent other networks from making use of the infrastructure services under paragraph 2 of this Article, and discuss the possibility of upgrading the infrastructure services in order to extend their use.

6. The infrastructure services developed within the Community framework under the IDA or the IDABC programme may be used by the Council of the European Union with regard to the establishment or enhancement of activities in the framework of the common foreign and security policy and police and judicial co-operation in criminal matters in accordance with Titles V and VI of the Treaty on European Union respectively.

The use of such infrastructure services shall be decided upon and financed in accordance with Titles V and VI of the Treaty on European Union.

#### Article 15

##### Financial *framework*

1. The financial *framework* for the implementation of the Community action under this Decision for the period from 1 January 2005 to 31 December 2006 is hereby set at EUR 59,1 **million**.

2. Subject to compatibility with the future financial perspectives, the financial *framework* for the implementation of the Community action under this Decision for the period from 1 January 2007 to 31 December 2009 is hereby set at EUR 89,6 **million**.

3. The annual appropriations for the period from 2007 to 2009 shall be authorised by the budgetary authority within the limit of the financial perspectives.

#### Article 16

##### Entry into force

This Decision enters into force on the 20th day of its publication in the *Official Journal of the European Union* and shall apply from 1 January 2005 until 31 December 2009.

Done at ..., on ...

For the European Parliament  
*The President*

For the Council  
*The President*

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#### ANNEX I

##### PROJECTS OF COMMON INTEREST

Projects of common interest under the IDABC programme are those established notably in the following areas:

##### A. IN GENERAL

1. Community policies and activities (in accordance with section (B), interinstitutional information exchange (in accordance with section (C), international co-operation (in accordance with section (D) as well as other networks (in accordance with section (E).

2. Functioning of the European Agencies and bodies and in support of the legal framework arising from the creation of the European Agencies.

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3. Policies related to the free movement of persons, notably in support of the delivery of equal services to citizens and businesses in the different Member States.

4. Actions which, within the framework of the Community policies and activities and in unforeseen circumstances, are urgently required to support the action of the Community and the Member States.

#### B. COMMUNITY POLICIES AND ACTIVITIES

1. Economic and monetary policy.

2. Consolidation of the 'acquis communautaire' following the enlargement of the European Union.

3. Regional and cohesion policies, notably to facilitate the collection, management, and dissemination of information concerning the implementation of regional and cohesion policies at the level of central and regional public administration.

4. Community funding, notably to create an interface to existing Commission databases in order to facilitate the access of European organisations, and particularly SMEs, to Community sources of funding.

5. Statistics, notably regarding the collection and dissemination of statistical information, as well as statistics in support of e-Government, in order to evaluate interoperability between systems and their efficiency as a measure of success.

6. Publication of official documents and management of official information services.

7. Agricultural and fisheries sectors, notably regarding support for the management of agricultural markets and structure, more efficient financial management, exchange of farm accounts data between national agencies and the Commission, and the fight against fraud.

8. Industry and services sectors, notably concerning the exchange of information between public administrations in charge of business competitiveness issues, and between such public administrations and industry federations.

9. Competition policy, notably through the implementation of improved electronic data exchange with the national public administrations in order to facilitate information and consultation procedures.

10. Education, culture and audio-visual sector, notably for the exchange of information concerning content issues on open networks and to promote the development and free circulation of new audio-visual and information services.

11. Transport sector, notably for the support of the exchange of data concerning drivers, vehicles, ships and transport operators.

12. Tourism, environment, consumer protection and public health, and public procurement.

13. Research policy, in particular to facilitate the collection, management and dissemination of information concerning the implementation of co-ordinated research policies at the level of national public administrations.

14. Contributions to the objectives of the eEurope initiative and related action plan, in particular the chapter on e-Government and security, aimed at benefiting businesses and citizens.

15. Immigration policy, notably through the implementation of improved electronic data exchange with the national public administrations in order to facilitate information and consultation procedures.

16. Co-operation between judicial authorities.

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17. Information systems allowing the participation of national parliaments and civil society in the legislative process.

18. Follow-up of the implementation of Community legislation in the Member States and exchange of information between Member States and Community institutions.

#### C. INTERINSTITUTIONAL INFORMATION EXCHANGE

Interinstitutional exchange of information, notably:

1. in support of the Community decision-making process and Parliamentary questions;
2. for the setting up of the necessary telematic links between the Commission, European Parliament, the Council (including the site of the European Union Presidency-in-office, the Permanent Representation of the Member States and co-operating national ministries) and other Community institutions;
3. in facilitation of multilingualism in interinstitutional information exchanges, means of translation workflow management and translation support tools, the development and sharing of multilingual resources, and the organisation of common access to such resources;
4. for document sharing between European Agencies and bodies and the Community Institutions.

#### D. INTERNATIONAL CO-OPERATION

Extension of projects of common interest to third countries, including candidate countries, and international organisations, with particular attention to initiatives for development and economic co-operation.

#### E. OTHER NETWORKS

The projects of common interest which were previously funded by the IDA programme and which now have their own Community funding nevertheless fall within the group 'other networks' referred to in Article 14 of the Decision.

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## ANNEX II

### HORIZONTAL MEASURES

Horizontal measures under the IDABC programme are notably:

#### A. DELIVERY AND MAINTENANCE OF INFRASTRUCTURE SERVICES

1. Horizontal measures undertaken to provide and maintain software applications as turn-key tools for standard operational needs of public administrations in the context of delivery of pan-European e-Government services, such as:
  - (a) A portal for the delivery of pan-European, multilingual online information and interactive services to businesses and citizens;
  - (b) A single point access to e.g. legal online information services in Member States;
  - (c) Interactive application for collecting stakeholders' opinions and experience on issues of public interest and on functioning of Community policies;
  - (d) Common specifications and infrastructure services facilitating electronic procurement across Europe;



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- (e) Machine translation systems and other multilingual tools, including dictionaries, thesaurus and classification systems in support of multilingualism;
- (f) Applications to support co-operative work between public administrations;
- (g) Applications to support multi-channel access to services;
- (h) Surveys of open source software-based tools and actions to facilitate the exchange of experiences between, and the take-up of solutions by, public administrations.

2. Horizontal measures undertaken to provide and maintain technology solutions as services providing specific ICT-related functionalities, from communications to defined standards. Technology solutions comprise network services, middleware, security and guidelines, such as:

- (a) A secure and reliable communication for interchange of data between public administrations;
- (b) A secure and reliable system for management of dataflows inter-linked with different workflows;
- (c) Common telecommunication interfaces for trans-European applications;
- (d) Common toolkit for management of multilingual collaborating web sites and portals;
- (e) Platform accreditation with a view to handling classified information;
- (f) Establishment and implementation of an authentication policy for networks and projects of common interest;
- (g) Security studies and risk analysis in support of networks or other infrastructure services;
- (h) Mechanisms to establish trust between certification authorities to allow for the use of electronic certificates across Europe;
- (i) Public key infrastructure services;
- (j) A common framework for sharing and interchanging information and knowledge between European public administrations and with businesses and citizens, including architecture guidelines;
- (k) Application development based on a specification of XML vocabularies, schemae and related XML deliverables to support the interchange of data in networks;
- (l) Functional and non-functional model requirements for the management of electronic records in public administrations;
- (m) A metadata framework for public sector information in pan-European applications;
- (n) Comparison of open exchange standards with a view to establishing a policy on open formats.

#### B. STRATEGIC AND SUPPORT ACTIVITIES

1. Strategic activities in support of assessment and promotion of pan-European e-Government services, such as:

- (a) Analysis of eGovernment and IT strategies across Europe;
- (b) Organisation of awareness raising events involving the stakeholders concerned;
- (c) Promotion of the establishment of pan-European e-Government services with special attention to services to businesses and citizens.

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2. Support activities undertaken in support of programme management aiming at monitoring and improving effectiveness and efficiency of the programme, such as:

- (a) Quality assurance and control to improve the specification of project objectives as well as the project execution and results;
- (b) Programme evaluation and cost-benefit analysis of specific projects of common interest and horizontal measures.

3. Support activities undertaken in support of spread of good practice in the application of information technologies to public administrations, such as:

- (a) Reports, web sites, conferences and, in general, initiatives addressed to the public;
- (b) Monitoring, analysis and web site dissemination of initiatives and best practice related to e-Government actions at Member State, Community and international level;
- (c) Promotion of the spread of best practice in the use of e.g. open source software by public administrations.

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**P5\_TA(2003)0495**

## **Investment in research**

### **European Parliament resolution on Investing in research: an action plan for Europe (COM(2003) 226 – 2003/2148(INI))**

*The European Parliament,*

- having regard to the Commission Communication entitled 'Investing in research: an action plan for Europe' (COM(2003) 226),
- having regard to the motions for resolutions by:
  - (a) Antonio Mussa, on tax exemption for funding allocated to scientific and technological research (B5-0538/2002),
  - (b) Antonio Mussa and others, on the gradual increase in the resources allocated to scientific and technological research up to 3 % of GDP (B5-0017/2003),
  - (c) Salvador Garriga Polledo, on the creation of a European Research Council (B5-0408/2003),
- having regard to the conclusions of the Special European Council of 23/24 March 2000 in Lisbon and of the European Council of 15/16 March 2002 in Barcelona,
- having regard to its resolutions of 15 March 2000 on the Special European Council to be held in Lisbon on 23/24 March 2000<sup>(1)</sup> and of 20 March 2002 on the results of the European Council meeting (Barcelona, 15/16 March 2002)<sup>(2)</sup>,
- having regard to its resolution of 23 October 2003 on entrepreneurship in Europe – Green Paper<sup>(3)</sup>, covering also the Commission report on the implementation of the European Charter for Small Enterprises, the Commission communication entitled 'Thinking small in an enlarging Europe' and the Commission communication entitled 'Innovation policy: updating the Union's approach in the context of the Lisbon strategy',
- having regard to its resolution of 23 October 2003 on the Commission communication entitled 'Industrial Policy in an Enlarged Europe'<sup>(4)</sup>,

<sup>(1)</sup> OJ C 377, 29.12.2000, p. 164.

<sup>(2)</sup> OJ C 47 E, 27.2.2003, p. 629.

<sup>(3)</sup> P5\_TA(2003)0463.

<sup>(4)</sup> P5\_TA(2003)0464.

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- having regard to the Commission communication entitled 'More research for Europe — Towards 3 % of GDP' (COM(2002) 499), the Commission communication on 'The European research area: providing new momentum — Strengthening — Reorienting — Opening up new perspectives' (COM(2002) 565) and the Commission communication on 'The role of the universities in the Europe of knowledge' (COM(2003) 58),
  - having regard to the report by an Independent Expert Group to the European Commission 'Raising EU R & D Intensity: Improving the Effectiveness of the Mix of Public Support — Mechanisms for Private Sector Research' <sup>(1)</sup>,
  - having regard to Decision No 1513/2002/EC of the European Parliament and the Council of 27 June 2002 concerning the Sixth framework programme of the European Community for research, technological development and demonstration activities, contributing to the creation of the European Research Area and to innovation (2002-2006) <sup>(2)</sup>,
  - having regard to Rules 47(2) and 163 of its Rules of Procedure,
  - having regard to the report of the Committee on Industry, External Trade, Research and Energy and the opinion of the Committee on Legal Affairs and the Internal Market (A5-0389/2003),
- A. convinced that, if Europe is to maintain a strong competitive position, a considerable increase in expenditure on research and development is essential,
- B. convinced that European research policy should give greater support to basic research,
- C. having regard to the 2002 Barcelona European Council's resolve to increase R & D expenditure to 3 % by 2010,
- D. whereas the EU's R & D expenditure must rise by 8 % per year to reach this objective, and whereas at the same time the financial resources available must be used more effectively,
- E. having regard to the Sapir report entitled 'An agenda for a growing Europe' <sup>(3)</sup>,
- F. whereas there must above all be an increase in private investment in R & D if the EU is to become the most competitive and dynamic knowledge-based economy in the world, as the European Council resolved in Lisbon,
- G. whereas the integration of women into scientific research both in universities and in industry has still not been achieved to a sufficient extent,
1. Endorses the recommendations that the Commission has put forward in its communication;
  2. Takes the view that science and technology have been an intrinsic element of Europe's identity at least since the Renaissance;
  3. Calls on the Member States to increase their expenditure on research to 3 % of GDP by 2010;
  4. Is critical of the Council for not following up its words with deeds and of the Member States for making little or no effort to increase — and, in the case of some of them, even reducing — their R & D expenditure;
  5. Calls on the Council to take the Commission's proposals seriously, so that Europe may once again take its place as a world leader in all relevant areas of science and technology; and calls therefore for the idea of competition-oriented research to be incorporated more intensively into the European research landscape;

<sup>(1)</sup> European Commission Directorate-General for Research, 2003.

<sup>(2)</sup> OJ L 232, 29.8.2002, p. 1.

<sup>(3)</sup> Report of a High-Level Study Group, European Commission, July 2003.

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6. Takes the view that the concept of a knowledge-based society is measured not solely by the amount of expenditure on research, but also by the extent of general scientific education;
7. Therefore calls on the Member States and private investors to increase their R & D expenditure, the required increase being 6 % for public investment and 9 % for private investment, to reach the average of 8 % needed to achieve the target figure of 3 % of GDP overall by 2010;
8. To this end, calls for an increase also in the European research framework programme, and therefore calls for an increase in the seventh research framework programme budget to EUR 30 billion for the whole period of the programme, to include allowing for enlargement to 25 or more Member States;
9. In addition, calls for greater coordination between national R & D programmes and for the formation of forward-looking 'technology communities' (e.g. ITER) working in cooperation with the EU programmes, so that a limited number of ambitious key topics can be addressed throughout Europe; considers that these technology communities, in addition to engaging in activities covered by Article 169 of the EC Treaty, must operate in such a way that as broad as possible a spectrum of interests has the opportunity to become involved in them, irrespective of their organisational form;
10. Calls, in the context of the Sixth research framework programme, for the ideas of 'networks of excellence' and 'integrated projects' to be geared more closely to the guiding notion of the European Research Area, and therefore for adjustments to be made, particularly in relation to the size of projects, in terms both of the number of project partners and of the financial volumes involved;
11. Underlines the importance of increased cooperation between Member States and accession countries on research policy and research investment; points out that there is already close and successful cooperation between individual Member States in the area of air travel and space travel technology;
12. Takes the view that considerable efforts are still needed to ensure an adequate supply of scientists, engineers and skilled technicians in future, and therefore calls on the Member States to pay greater attention to scientific and technical education and on the EU to make a further contribution to mobility for scientists, engineers and skilled technicians, so that the end result is indeed a European Research Area;
13. Points out that competitive pay for researchers commensurate with their training, social security, career planning and family interests also has a role to play here, as have funding to enable researchers to be accompanied by their families, less bureaucratic procedures (for visas and permits), employment opportunities for spouses and day care and educational opportunities for children;
14. Stresses the need for ongoing support for human resources; calls for the creation of a legal framework to ensure that research staff can be employed flexibly and pragmatically and can move freely within the EU;
15. Points out that, in addition to the fact that fully-trained researchers are continuing to emigrate, demographic trends and lower numbers of students starting courses in the natural sciences will mean that a continuing supply of researchers will be increasingly difficult to find; considers that conditions should be made easier for researchers to take up residence and exercise their profession in the EU;
16. Takes the view that in future certain sections of the population must be encouraged to undertake research; this particularly concerns women since, despite considerable efforts, the proportion of women in research has not significantly increased in recent years;
17. Calls on the EU, as an additional way of engaging with global competition, to be open to scientists, engineers and skilled technicians from all over the world, including its own nationals who have spent a number of years abroad;
18. Supports the creation of regional networks of SMEs and calls on the Member States and the Commission to support such initiatives as a priority;

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19. Welcomes the fact that many regions of Europe have now recognised the importance of science and technology, and urges the EU to support competition between regions with a strong science base;
20. Recognises that many major undertakings are making considerable efforts to carry out self-funded R & D, but regrets that this is not yet the case for all major undertakings;
21. Calls on these latter undertakings to increase their investment in the future and to demonstrate this by setting up more of their own R & D departments;
22. Considers that one of Europe's main strengths — particularly in relation to the USA — is the very large contribution that SMEs make to economic performance and employment;
23. Conversely, considers that Europe's weakness is the lack of SME involvement in research, and that there is considerable ground to be made up here, as SMEs are often particularly innovative;
24. Is firmly convinced that a larger contribution by private undertakings to R & D depends not only on available funding, but also and above all on closer cooperation between undertakings, particularly SMEs, and State and private research institutes;
25. Points out that application-oriented research provides a major stimulus for Europe's economies and that targeted cooperation between research and enterprises must be supported; stresses that, above all, cooperation with SMEs must be a key focus;
26. Calls on the Member States to develop workable models for legal cooperation between research institutes and enterprises;
27. Insists that greater attention must be paid to the commercial interests of private undertakings in the way that intellectual property rights are handled in State institutes and public-private partnerships;
28. Underlines that the protection of intellectual property has an important role to play in this regard, since successful economic exploitation of copyright ensures a return on capital and contributes to the ongoing development of research activity;
29. Points out in particular that copyright in intellectual property must be made available quickly and at a reasonable cost, and that the introduction of a Community patent and the planned new rules on patentability of computer-implemented inventions are important steps in this direction.
30. Takes the view that the focus of State support must be increasingly directed towards SMEs and calls for new, unbureaucratic support instruments;
31. Points out that SMEs generally do not have large reserves of staff and in addition increasingly face difficulties with private funding and therefore need speedy and unbureaucratic access to research funding;
32. Points out that many SMEs that are engaged in areas where research plays a key role experience considerable difficulties in raising capital and that, in the light of Basel II, the situation is hardly likely to improve;
33. Advocates market-oriented research support for SMEs in cooperation with private funding; considers, however, that the forms of public intervention, whether in the form of tax advantages or direct subsidies, must not influence what types of subsidy are approved or the permitted intensity of aid granted; the Member States should be free to devise their own policies so as to ensure that the competition rules which are within the Community's competence are neutral in relation to the choice of instruments;
34. Proposes that Member States envisage tax incentives for private research activities as well as direct support for research, also targeted principally at SMEs;

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35. Stresses that State financial instruments represent a major proportion of financial support for research, but that the most effective incentives for research are appropriate tax arrangements and a research-friendly environment;

36. Considers that a great deal of legislation tends to hinder rather than facilitate research within the EU; calls for an investigation to identify areas from which bureaucracy and bureaucratic obstacles that hinder innovation and research could be removed, and calls for suggestions on removing these obstacles;

37. Considers that the success and value of completed research must be evaluated; points out that not every research measure produces the expected positive effect on the European economy; recommends, therefore, that a Europe-wide system be established to develop methods of measuring the efficiency and success of research and assess them accordingly;

38. Recalls its proposal for a European Research Foundation following the expiry of the European Coal and Steel Community<sup>(1)</sup>, to be set up in an attempt to attract private funds for research, as in the USA, where private patronage of science plays a far greater role than in Europe;

39. Calls for the establishment of a European Research Council with the purpose of strengthening the worldwide position of basic research carried out in Europe at the highest scientific level by offering long-term funding for that purpose; emphasises the need to ensure that the European Research Council is granted sufficient resources over and above the existing research funding; it should:

- (a) primarily be a funding rather than an advisory body;
- (b) follow a bottom-up approach in stimulating proposals for funding;
- (c) cover all fields of science, including the natural sciences and engineering, the humanities and the social sciences, using a flexible approach;
- (d) base its decisions on scientific criteria and have a rigorous and transparent peer review process;
- (e) be accountable to its funders, but autonomous in its operations and run by highly respected scientists;
- (f) focus on financing bottom-up academic research;

40. Advocates closer cooperation with banks, particularly the European Investment Bank and the European Bank for Reconstruction and Development, to fund market-oriented developments;

41. Calls on the Member States and the Commission to make greater use of the Structural Funds for R & D;

42. In view of the globalisation of research, considers it essential to strengthen international scientific and technical cooperation, at the level of undertakings and SMEs in particular;

43. Takes the view that it is now essential not only to make new proposals but also to rapidly implement the proposals that have already been made;

44. Insists that Member States and the Commission should also ensure that SMEs and universities are involved in regional plans to encourage research and innovation and to provide additional resources, as appropriate;

45. Calls for the innovative effects of R & D programmes to be increased by promoting and supporting the inclusion of innovation-oriented activities in research projects; notes, however, that R & D framework legislation at EU level must be made considerably clearer;

46. Considers it important for the Commission to provide further and more accurate information about which forms of public aid do not distort competition;

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<sup>(1)</sup> European Parliament resolution of 2 October 2001 on the guidelines for the research programme of the Coal and Steel Research Fund (OJ C 87 E, 11.4.2002, p. 51).

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47. Is delighted that the Commission has sought to investigate and review the Community's R & D State aid system and the targeting of such aid at horizontal objectives;

48. Instructs its President to forward this resolution to the Council, the Commission and the Governments and Parliaments of the Member States and accession States.

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P5\_TA(2003)0496

## **Eighth Commission report on the regulatory package on telecommunications**

### **European Parliament resolution on the Eighth Report from the Commission on the implementation of the Telecommunications Regulatory Package (COM(2002) 695 – 2003/2090(INI))**

*The European Parliament,*

- having regard to the report from the Commission (COM(2002) 695),
  - having regard to the communication from the Commission entitled 'Electronic Communications: the Road to the Knowledge Economy' (COM(2003) 65),
  - having regard to Directive 2002/19/EC of the European Parliament and of the Council of 7 March 2002 on access to, and interconnection of, electronic communications networks and associated facilities (Access Directive) <sup>(1)</sup>,
  - having regard to Directive 2002/20/EC of the European Parliament and of the Council of 7 March 2002 on the authorisation of electronic communications networks and services (Authorisation Directive) <sup>(2)</sup>,
  - having regard to 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), <sup>(3)</sup>
  - having regard to Directive 2002/22/EC of the European Parliament and of the Council of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services (Universal Service Directive) <sup>(4)</sup>,
  - having regard to the conclusions of the Lisbon European Council of 23 and 24 March 2000 (SN 100/1/00),
  - having regard to Rules 47(2) and 163 of its Rules of Procedure,
  - having regard to the report of the Committee on Industry, External Trade, Research and Energy and the opinion of the Committee on Legal Affairs and the Internal Market (A5-0376/2003),
- A. whereas those countries who fail to implement the new regulatory framework are missing a unique opportunity to set the standards in a developing market,
- B. whereas the adoption of the electronic regulatory framework represents a major boost for European competitiveness,
- C. whereas the continued drive towards a fully competitive, open market promises continued consumer and economic benefits by stimulating investment, innovation and quality services delivered at lower prices,
- D. whereas failure to transpose the new regulatory framework on time undermines the objectives of the Lisbon Agenda to which all Member States signed up in 2001,

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<sup>(1)</sup> OJ L 108, 24.4.2002, p. 7.

<sup>(2)</sup> OJ L 108, 24.4.2002, p. 21.

<sup>(3)</sup> OJ L 108, 24.4.2002, p. 33.

<sup>(4)</sup> OJ L 108, 24.4.2002, p. 51.

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- E. whereas the 'old' problems in the sector, including international roaming tariffs and mobile call termination tariffs, but also number portability, have still not been solved; whereas new problems have subsequently arisen, such as the delay in 3G roll-out, and, in particular, in the development of new services and applications for use with 3G,
  - F. whereas any delay in implementation of the new regulatory framework would hold up the development of competition and its benefits to consumers,
  - G. whereas any delay in implementation of the new regulatory framework will deprive national regulatory authorities (NRAs) of the legal powers needed in order to gather information from telecoms operators with a view to conducting market analyses,
  - H. whereas any delay in infringement proceedings against those Member States who fail to transpose the new regulatory package would significantly disrupt market development,
  - I. whereas numerous reports indicate that incumbent operators continue to dominate some segments of the EU telecoms market,
  - J. whereas the quality of telecoms services offered to consumers could still be significantly improved, notably mobile number portability, the range of services available, customer service and waiting times prior to connection,
  - K. whereas there is an obligation on telecommunications service providers to recognise the interests of disabled users in relation to choice, price and quality benefits of telecommunications services and their accessibility, and whereas NRAs should be required to consult disability representatives in their assessment of service delivery,
  - L. whereas any regulatory obligations on operators should be fair and proportionate, and should be imposed only after the market concerned and the cost-benefit ratio of the regulatory measures have been subjected to rigorous analysis, taking into account in particular the development of sustainable competition in infrastructures,
  - M. whereas in May 2004 ten new Member States will join the European Union,
  - N. whereas the accession countries have committed themselves to fully liberalising their markets and implementing the new regulatory package upon their accession,
  - O. whereas there is a lack of reliable and available data on the markets in accession countries,
  - P. whereas the role of the European Regulators Group (ERG) is fundamental in ensuring a consistent regulatory environment across the European Union,
  - Q. whereas the interaction between the Commission and the ERG is crucial to the successful implementation of telecoms regulation,
  - R. whereas it is ultimately the responsibility of the Commission to ensure that EU legislation is both effective and consistent in its application,
  - S. whereas progress has been made by Member States in the adoption of the principles set out in the Universal Services Directive,
- 
- 1. Congratulates the Commission on bringing proceedings against those Member States who had not transposed the new regulatory package into national law as soon as the two month period for notifying the Commission had passed;
  - 2. Demands that the infringement proceedings against those Member States be concluded as quickly as possible;
  - 3. Calls on the Commission, in taking action against Member States that have not implemented the new directives in good time, not to confine itself simply to bringing infringement proceedings against those Member States but also to make use of the broader range of instruments that are at its disposal, such as, for example, issuing official publications and conducting benchmark studies; calls on the Commission to exchange views with the European Parliament on the substance of that broader range of instruments;



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4. Urges the Commission and national supervisors in the European Regulators Group now to commit themselves to definitively solving 'old' problems in the sector, including international roaming tariffs, mobile call termination tariffs and number portability, and then to turn their attention to new questions, in particular joint dominance and the need for cooperation on developing 3G applications and services, so as to maintain competition in the sector;
5. Emphasises the importance of a consistent and certain legal framework across the whole of the enlarged EU if new entrants to the communications sector are to be encouraged; calls upon the Member States and their NRAs to give high priority to achieving consistency in the treatment of market players based on clear competition-law principles; calls on NRAs to maintain proportionate and fair competitive regulatory pressure on the markets;
6. Calls on the Commission to clarify the direct effect, if any, of the core provisions of the new framework, including the procedural and substantive provisions, so that interested parties are reasonably clear as to the extent to which these can be relied on and as to the effectiveness of the rights available to them;
7. Calls on NRAs to act when short-term price reductions by incumbents inhibit the development of competitive market conditions in the long term;
8. Calls on NRAs to provide solid evidence to justify any regulatory obligations they impose, including an analysis of both the long and short-term effects of the proposed regulatory action;
9. Recalls that facilities-based competition in which competition service providers invest in their own infrastructure generally yields better results for consumers and lays the foundations for sustainable competition; stresses, therefore, that the emphasis on access-based competition (e.g. resale, local loop unbundling, bit-stream access) should not be regarded as an end in itself but as a route to fuller facilities-based competition in the telecoms sector;
10. Reminds NRAs that they should impose appropriate obligations on the retail market only if obligations imposed at wholesale level are not sufficient to bring about competition at retail level (Article 17 of the Universal Service Directive), and considers that the observance of this regulatory principle must be closely monitored by the ERG and the Commission;
11. Calls on the Commission to ensure that proprietary standards do not become control mechanisms preventing interoperability and thus expansion of services in the internal market;
12. Notes that the new framework envisages that the old regulatory framework can persist for as long as non-competitive market conditions prevail, which will be especially relevant to the accession countries; stresses, however, that NRAs in accession countries require detailed assistance in making the transition from one regulatory framework to the other as soon as possible;
13. Calls on the Commission to collate information on the state of play in the accession countries and their readiness to implement the new framework, and to keep the European Parliament fully informed. The Commission should also set out what technical assistance will be made available to facilitate implementation in cases where countries are unlikely to meet the requirements;
14. Stresses that, as stated in recital 15 of Commission Recommendation 2003/311/EC of 11 February 2003 <sup>(1)</sup> on relevant product and service markets, new and emerging markets, in which market power may be found to exist because of 'first mover' advantages, should not in principle be subject to ex-ante regulation, even though it is not always easy to agree on a clear definition of what emerging markets are;
15. Stresses that the ERG should remain fully independent and that no Ministries should be members of the Group;
16. Insists that NRAs be fully independent and properly resourced, that they have the necessary powers to carry out their functions and that they be capable of taking a proactive role so as to stimulate sector competition;

<sup>(1)</sup> OJ L 114, 8.5.2003, p. 45.

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17. Calls on the Commission to take a forward-looking and highly active role in the way in which the ERG interprets its regulatory tasks;
18. Welcomes efforts by the ERG to consult stakeholders;
19. Welcomes the work being undertaken by the EU Inclusive Communication group INCOM to put forward recommendations on how the provisions of the telecommunications legislation are to fulfil the accessibility provisions for disabled consumers and calls for such recommendations to include clear and ambitious targets and timeframes for implementation together with effective monitoring instruments;
20. Urges the ERG to take further steps to involve all stakeholders as fully and transparently as possible;
21. Insists that all Member States review their judicial procedures for handling, with speed, effectiveness and expertise, cases referred to them by plaintiffs or NRAs under the remit of the new framework legislation;
22. Notes that the membership and mandates of the ERG and the Independent Regulators Group (IRG) overlap to a significant degree; considers it essential that any duplication of scarce administrative resources and effort be avoided; to that end, recommends that a progressive merger of the ERG and IRG should be agreed;
23. Notes the importance of speedy determination of appeals against NRAs' decisions; requests all Member States to ensure that they have effective dispute resolution procedures in place; notes that the Commission should monitor dispute resolution timetables and include an analysis of performance against targets in future implementation reports;
24. Considers that, in order to encourage consistent case-law in a complex, technologically-driven sector, Member States' courts should be encouraged to co-operate by sharing case experiences and information: asks the Commission to consider measures in this area including the possibility of an information network dedicated to communications cases;
25. Strongly reminds all parties that, in the case of the communications sector, 'justice delayed is justice denied'; emphasises the importance of speedy access to the courts and rapid determination of judicial referrals;
26. Notes that reasonable progress has been made in Member States in adopting the key principles set out in the Universal Service Directive;
27. Remains concerned about inconsistencies in the allocation of universal service funding;
28. Insists that universal service funding be properly justified and non-discriminatory and allocated via a transparent tendering process, not least to encourage those operators having the technological solutions most appropriate to providing universal service;
29. Reminds NRAs that centrally-funded universal service provision must be open to all operators, not just incumbents, and that in a number of regions mobile service operators and all other relevant operators must be allowed to tender for the provision of universal service; it should be noted that the scope of the new directive expressly includes all electronic services;
30. Notes with disappointment the slow adoption in some Member States of mandatory provisions in the new framework to improve access for disabled and disadvantaged users and to implement tariff transparency measures;
31. Calls on the Commission to ensure that regulation specific to particular sectors will only be used in place of competition law if the criteria laid down for relevant markets in the abovementioned Commission recommendation concerning those markets have been fulfilled;

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32. Emphasises the importance of number portability as a pro-consumer and market opening measure in the mobile sector; notes that the relevant provisions have relatively low take-up in some Member States; requests NRAs to ensure that unnecessary delays or costs in making transfers are not being used to discourage this consumer right;
33. Welcomes the full engagement of stakeholders and the Commission in the working group on caller location standards in mobile telephony; hopes that the group can reach a consensus with NRAs and operators as quickly as possible, so that consumers may gain early benefits;
34. Calls on the Commission to exert pressure on the telecoms operators, especially the incumbents, to put in place networks facilitating consumer and business adoption of the single European code '3883';
35. Reminds NRAs of the provision in the Universal Service Directive concerning tariff transparency and tariff publication and the availability of comparative information to small business customers; the right to receive itemised bills free of charge must be specifically upheld; requests all NRAs to adopt the relevant provisions as soon as possible;
36. Approves the Commission's early decision to encourage the liberalisation of leased-line services as a first decision under the new sector-specific legislation as soon as possible where competitive supply is appropriate;
37. Instructs its President to forward this resolution to the Council and the Commission.
-

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(2004/C 87 E/03)

## MINUTES

### PROCEEDINGS OF THE SITTING

IN THE CHAIR: Pat COX

*President*

#### 1. Opening of sitting

The sitting opened at 09.05.

The following spoke:

- Konstantinos Alyssandrakis on the murder of the Guatemalan political leader Ricardo de León Regil on 16 November 2003. He asked the President to call on the Guatemalan authorities to clarify the circumstances of his death (the President undertook to do so);
- Marco Cappato who protested at the fact that a stagiaire had been denied entry to Parliament's premises in Strasbourg on the grounds that only accredited assistants were authorised to enter those premises; he called on the President to remedy this situation (the President replied that he would instruct the appropriate services to contact the speaker to try and find a solution).

#### 2. Documents received

The following documents had been received:

(1) *from Members*

(1.1) *written declarations for entry in the Register (Rule 51)*

- Sebastiano (Nello) Musumeci, Cristiana Muscardini, Mauro Nobilia and Adriana Poli Bortone, on the tragedy of illegal immigrants shipwrecked in the Mediterranean (28/2003).

#### 3. Transfers of appropriations

The Committee on Budgets had considered proposal for transfer of appropriations No 31/2003 (C5-0510/2003) — SEC(2003) 1119).

It had decided, pursuant to Articles 24(3) and 181(1) of the Financial Regulation of 25 June 2002, to authorise the transfer in part in accordance with the following breakdown:

FROM:

Chapter A-10 — Provisional appropriations

— Article A-100 — Provisional appropriations NDA — 600 000 EUR

TO:

Chapter A-32 — Youth, Education and Town-Twinning

— Article A-328 — European Schools

— Item A-3286 — European Schools: Office of the Representative of the Board of Governors (Brussels) NDA 600 000 EUR

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\* \*

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The Committee on Budgets had considered proposal for transfer of appropriations No 32/2003 (C5-0511/2003) — SEC(2003) 1193).

It had decided to authorise the transfer, pursuant to Articles 24(3) and 181(1) of the Financial Regulation of 25 June 2002, in accordance with the following breakdown:

FROM:

Chapter B0-40 — Provisional appropriations

- |                                                                                  |    |               |
|----------------------------------------------------------------------------------|----|---------------|
| — Item B2-7010 — European Maritime Safety Agency: subsidies under Titles 1 and 2 | CA | — 400 000 EUR |
|                                                                                  | PA | — 892 500 EUR |

TO:

Chapter B2-70 — Transport

- |                                                                                  |    |               |
|----------------------------------------------------------------------------------|----|---------------|
| — Article B2-701 — European Maritime Safety Agency                               |    |               |
| — Item B2-7010 — European Maritime Safety Agency: subsidies under Titles 1 and 2 | CA | — 400 000 EUR |
|                                                                                  | PA | — 892 500 EUR |

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\*   \*

The Committee on Budgets had considered proposal for transfer of appropriations No 33/2003 (C5-0512/2003) — SEC(2003) 1221).

It had decided, pursuant to Articles 24(3) and 181(1) of the Financial Regulation of 25 June 2002, to authorise the transfer in part in accordance with the following breakdown:

FROM:

Chapter B5-30 — Strategic Implementing Measures

- |                                                                        |    |               |
|------------------------------------------------------------------------|----|---------------|
| — Article B5-300 — Strategic programme on the internal market          |    |               |
| — Item B5-3001 — Implementation and development of the internal market | CA | — 350 000 EUR |

TO:

Chapter B5-80 — Measures to combat instances of discrimination, exclusion and mistreatment

- |                                                                     |    |             |
|---------------------------------------------------------------------|----|-------------|
| — Article B5-803 — Measures combating and preventing discrimination | CA | 350 000 EUR |
|---------------------------------------------------------------------|----|-------------|

#### **4. Financial provisions of the draft Treaty establishing a constitution for Europe** (statements followed by debate)

Council and Commission statements: Financial provisions of the draft Treaty establishing a constitution for Europe.

Roberto Antonione (President-in-Office of the Council) and Günther Verheugen (Member of the Commission) made the statements.

Pervenche Berès spoke on Parliament's representation at the Intergovernmental Conference.

The following spoke: Elmar Brok, on behalf of the PPE-DE Group, Enrique Barón Crespo, on behalf of the PSE Group, Andrew Nicholas Duff, on behalf of the ELDR Group, Francis Wurtz, on behalf of the GUE/NGL Group, Kathalijne Maria Buitenweg, on behalf of the Verts/ALE Group, Gerard Collins, on behalf of the UEN Group, William Abitbol, on behalf of the EDD Group, Georges Berthu, Non-attached Member, Antonio Tajani, Ralf Walter, Anne Elisabet Jensen, Nelly Maes, José Ribeiro e Castro, Marco Pannella, Jonathan Evans and Klaus Hänsch.

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IN THE CHAIR: Ingo FRIEDRICH

*Vice-President*

The following spoke: Salvador Garriga Polledo, Giorgio Napolitano, Reimer Böge, Anna Terrón i Cusí, Giorgos Katiforis, Roberto Antonione and Günther Verheugen.

The debate closed.

Vote: *Minutes of 20.11.2003, Item 15.*

## **5. Euromed** (statements followed by debate)

Council and Commission statements: Euromed.

Roberto Antonione (President-in-Office of the Council) and Günther Verheugen (Member of the Commission) made the statements.

The following spoke: Francesco Fiori, on behalf of the PPE-DE Group, Pasqualina Napolitano, on behalf of the PSE Group, Joan Vallvé, on behalf of the ELDR Group, Yasmine Boudjenah, on behalf of the GUE/NGL Group, Miquel Mayol i Raynal, on behalf of the Verts/ALE Group, Gerardo Galeote Quecedo, Anna Terrón i Cusí, Carles-Alfred Gasòliba i Böhm, Jorge Salvador Hernández Mollar and Marie-Arlette Carlotti.

Motions for resolution to wind up the debate pursuant to Rule 37(2):

- Yasmine Boudjenah, Pedro Marset Campos and Luisa Morgantini, on behalf of the GUE/NGL Group, on the Euro-Mediterranean Conference of Ministers of Foreign Affairs to be held in Naples on 2 and 3 December 2003 (B5-0471/2003);
- Pasqualina Napolitano, on behalf of the PSE Group, on the preparations for the VIth Meeting of Euro-Mediterranean Ministers of Foreign Affairs in Naples on 2 and 3 December 2003 (B5-0475/2003);
- Francesco Fiori, on behalf of the PPE-DE Group, on preparations for the Sixth Conference of Euro-Mediterranean Foreign Ministers to be held in Naples on 2 and 3 December 2003 (B5-0481/2003);
- Alima Boumediene-Thiery, Hélène Flautre, Monica Frassoni and Yves Piétrasanta, on behalf of the Verts/ALE Group, on preparations for the VIth Euro-Mediterranean Conference of Foreign Ministers, to be held in Naples on 2 and 3 December 2003 (B5-0484/2003);
- Joan Vallvé, on behalf of the ELDR Group, on Euromed (B5-0489/2003).

The debate closed.

Vote: *Minutes of 20.11.2003, Item 16.*

IN THE CHAIR: Gérard ONESTA

*Vice-President*

Miquel Mayol i Raynal complained that he had encountered difficulties when trying to reserve a press room (the President cut him off and suggested he contact the Quaestors).

## **VOTING TIME**

*Details of voting (amendments, separate and split votes, etc.) appear in Annex I to the Minutes.*

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## 6. Violations of women's rights (Rule 110a) (vote)

Report on the violation of women's rights and EU international relations [2002/2286(INI)] – Committee on Women's Rights and Equal Opportunities.

Rapporteur: Miet Smet (A5-0334/2003).

(Simple majority)

(Voting record: Annex I, Item 1)

The following spoke: Rodi Kratsa-Tsagaropoulou, on behalf of the PPE-DE Group, who asked for the vote on the report to be postponed in view of the late translation of parts of the motion for a resolution as a result of which it had not been possible to table amendments, and Anna Karamanou, on behalf of the FEMM Committee, on this request.

Parliament rejected the request by EV (186 for, 240 against, 15 abstentions).

MOTION FOR A RESOLUTION

Adopted by single vote (P5\_TA(2003)0497).

## 7. Major-accident hazards involving dangerous substances \*\*\*III (vote)

Report on the joint text, approved by the Conciliation Committee, for a European Parliament and Council directive on amending Council Directive 96/82/EC on the control of major-accident hazards involving dangerous substances [PE-CONS 3665/2003 – C5-0435/2003 – 2001/0257(COD)] – European Parliament delegation to the Conciliation Committee.

Rapporteur: Giorgio Lisi (A5-0365/2003).

(Simple majority for approval)

(Voting record: Annex I, Item 2)

JOINT TEXT

Adopted (P5\_TA(2003)0498)

*The following spoke:*

- the rapporteur pointed out that the authoritative version of the first part of Annex I was the English version.

## 8. Enhancing ship and port facility security \*\*\*I (vote)

Report on the proposal for a European Parliament and Council regulation on enhancing ship and port facility security [COM(2003) 229 – C5-0218/2003 – 2003/0089(COD)] – Committee on Regional Policy, Transport and Tourism.

Rapporteur: Rosa Miguélez Ramos (A5-0385/2003)

(Simple majority)

(Voting record: Annex I, Item 3)

COMMISSION PROPOSAL

Approved as amended (P5\_TA(2003)0499)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5\_TA(2003)0499).

Wednesday 19 November 2003

## 9. European Network and Information Security Agency \*\*\*I (vote)

Report on the proposal for a European Parliament and Council regulation on establishing the European Network and Information Security Agency [COM(2003) 63 – C5-0058/2003 – 2003/0032(COD)] – Committee on Industry, External Trade, Research and Energy.

Rapporteur: Reino Paasilinna (A5-0353/2003).

(Simple majority)

(Voting record: Annex I, Item 4)

COMMISSION PROPOSAL

Approved as amended (P5\_TA(2003)0500)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5\_TA(2003)0500)

The following spoke:

- The rapporteur spoke on the withdrawal of certain amendments from the ITRE Committee.

\*  
\*   \*   \*

The President proposed, in view of the probable duration of the votes on the Blokland (A5-0391/2003) and Liese (A5-0369/2003) reports, to hold these two votes over until after the formal sitting.

Parliament approved the proposal.

## 10. Security of supply for petroleum products \*\*\*I (final vote)

Report on the proposal for a European Parliament and Council directive concerning the alignment of measures with regard to security of supply for petroleum products [COM(2002) 488 – C5-0448/2002 – 2002/0219(COD)] – Committee on Industry, External Trade, Research and Energy.

Rapporteur: Hans Karlsson (A5-0297/2003).

(This report had been referred back to committee under Rule 68(1) (Minutes of 23.09.2003, Item 14)).

(Simple majority)

(Voting record: Annex I, Item 5)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5\_TA(2003)0501)

Günther Verheugen (Member of the Commission) spoke.

## 11. Cancer screening \* (vote)

Report on the proposal for a Council recommendation on cancer screening [COM(2003) 230 – C5-0322/2003 – 2003/0093(CNS)] – Committee on the Environment, Public Health and Consumer Policy.

Rapporteur: Antonio Mussa (A5-0381/2003)

(Simple majority)

(Voting record: Annex I, Item 6)

COMMISSION PROPOSAL

Approved as amended (P5\_TA(2003)0502)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5\_TA(2003)0502).



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## 12. Identification and registration of sheep and goats \* (vote)

Report on the proposal for a Council regulation establishing a system for the identification and registration of ovine and caprine animal and amending Regulation (EEC) No 3508/92 [COM(2002) 729 – C5-0027/2003 – 2002/0297(CNS)] – Committee on Agriculture and Rural Development.

Rapporteur: Gordon J. Adam (A5-0386/2003).

(Simple majority)

(Voting record: Annex I, Item 7)

COMMISSION PROPOSAL

Approved as amended (P5\_TA(2003)0503)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5\_TA(2003)0503)

The rapporteur spoke.

## 13. Official welcome

On behalf of Parliament, the President welcomed the Knesset delegation for relations with the European Parliament, led by its chairman, Mrs Naomi Blumenthal, to the official gallery.

## 14. Minimum stocks of crude oil and/or petroleum products \* (final vote)

Report on the proposal for a Council directive on repealing Council Directives 68/414/EEC and 98/93/EC imposing an obligation on Member States of the EEC to maintain minimum stocks of crude oil and/or petroleum products, and Council Directive 73/238/EEC on measures to mitigate the effects of difficulties in the supply of crude oil and petroleum products [COM(2002) 488 – C5-0489/2002 – 2002/0221(CNS)] – Committee on Industry, External Trade, Research and Energy.

Rapporteur: Hans Karlsson (A5-0293/2003).

(This report had been referred back to committee under Rule 68(1) (Minutes of 23.09.2003, Item 15))

(Simple majority)

(Voting record: Annex I, Item 8)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5\_TA(2003)0504)

Giles Bryan Chichester asked for information about the vote.

\*

\* \*

(From 12.00 to 12.35, a formal sitting of Parliament was held, chaired by Pat Cox, on the occasion of the visit of the President of the Irish Republic, Mary McAleese.)

\*

\* \*

Wednesday 19 November 2003

## 15. Waste shipments \*\*\*I (vote)

Report on the proposal for a European Parliament and Council regulation on shipments of waste [COM(2003) 379 – C5-0365/2003 – 2003/0139(COD)] – Committee on the Environment, Public Health and Consumer Policy.

Rapporteur: Johannes (Hans) Blokland (A5-0391/2003).

(Simple majority)

(Voting record: Annex I, Item 9)

COMMISSION PROPOSAL

Approved as amended (P5\_TA(2003)0505)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5\_TA(2003)0505)

## 16. Integrating and strengthening the European research area (2002-2006) \* (vote)

Report on the proposal for a Council decision amending Decision 2002/834/EC on the specific programme for research, technological development and demonstration: 'Integrating and strengthening the European research area' (2002-2006) [COM(2003) 390 – C5-0349/2003 – 2003/0151(CNS)] – Committee on Industry, External Trade, Research and Energy.

Rapporteur: Peter Liese (A5-0369/2003).

(Simple majority)

(Voting record: Annex I, Item 10)

COMMISSION PROPOSAL

Approved as amended (P5\_TA(2003)0506)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5\_TA(2003)0506)

*The following spoke:*

- The rapporteur pointed out that a number of language versions of amendment 24, and Spanish in particular, were incorrect, and that the original version was the English text.
- Before the final vote on the Commission proposal, the rapporteur recommended its rejection.

## 17. Thematic Strategy for Soil Protection (vote)

Report on the Commission communication 'Towards a Thematic Strategy for Soil Protection' [COM(2002) 179 – C5-0328/2002 – 2002/2172(COS)] – Committee on the Environment, Public Health and Consumer Policy.

Rapporteur: Cristina Gutiérrez-Cortines (A5-0354/2003).

(Simple majority)

(Voting record: Annex I, Item 11)

MOTION FOR A RESOLUTION

Adopted (P5\_TA(2003)0507)

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## 18. Waste Framework Directive (vote)

Report on the follow-up report on Council Directive 75/442/EEC (Waste Framework Directive) [COM(2003) 250 — C5-0409/2003 — 2003/2124(INI)] — Committee on the Environment, Public Health and Consumer Policy.

Rapporteur: Johannes (Hans) Blokland (A5-0394/2003).

(Simple majority)

(Voting record: Annex 1, Item 12)

MOTION FOR A RESOLUTION

Adopted (P5\_TA(2003)0508)

## 19. Explanations of vote

*Written explanations of vote:*

Explanations of vote submitted in writing under Rule 137(3) appear in the verbatim report of proceedings for this sitting.

*Oral explanations of vote:*

Report Miguélez Ramos — A5-0385/2003

— Carlo Fatuzzo

Report Lisi — A5-0365/2003

— Carlo Fatuzzo

Report Paasilinna — A5-0353/2003

— Carlo Fatuzzo

Report Mussa — A5-0381/2003

— Carlo Fatuzzo

Report Adam — A5-0386/2003

— Carlo Fatuzzo

Report Blokland — A5-0391/2003

— Carlo Fatuzzo

Report Liese — A5-0369/2003

— Seán Ó Neachtain, Patricia McKenna, Linda McAvan, Daniela Raschhofer and Bernd Posselt

Report Gutiérrez-Cortines — A5-0354/2003

— Carlo Fatuzzo

Report Blokland — A5-0394/2003

— Carlo Fatuzzo

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## 20. Corrections to votes

Corrections to votes were submitted by the following Members:

Report Miguélez Ramos — A5-0385/2003

- amendment 44D  
*for:* Marjo Matikainen-Kallström  
*against:* Paul Rübig
- amendment 45  
*for:* Marjo Matikainen-Kallström

Report Blokland — A5-0391/2003

- amendment 114  
*for:* Johanna L.A. Boogerd-Quaak, Georges Berthu and Fodé Sylla
- amendment 115  
*for:* Fodé Sylla and Diana Wallis  
*against:* Colette Flesch
- amendment 116  
*for:* Fodé Sylla  
*against:* Frédérique Ries
- amendment 117  
*for:* Fodé Sylla  
*against:* Frédérique Ries
- amendment 121  
*for:* Fodé Sylla and Mauro Nobilia
- amendment 83/rev.  
*for:* Fodé Sylla

Report Liese — A5-0369/2003

- identical amendments 35, 53  
*against:* Jacques F. Poos, Eurig Wyn and Luisa Morgantini
- identical amendments 34, 52  
*for:* Lone Dybkjær  
*against:* Alonso José Puerta
- identical amendments 26/rev.  
*against:* Eurig Wyn
- amendment 55  
*against:* Eurig Wyn
- amendment 64  
*against:* Eurig Wyn
- amendment 25  
*against:* Eurig Wyn
- amendment 10  
*for:* Eurig Wyn, Carlos Carnero González, Giovanni Pittella and Richard Corbett  
*against:* Marie-Thérèse Hermange
- amendment 18, 3rd part  
*for:* Avril Doyle
- amendment 18, 4th part  
*against:* Elisabeth Schroedter

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- identical amendments 27, 37, 45  
*for:* Othmar Karas
- identical amendments 28D, 46D, 60D  
*for:* Concepció Ferrer  
*against:* Glyn Ford, Othmar Karas and Piia-Noora Kauppi
- amended proposal  
*for:* Bart Staes  
*against:* Cristina Gutiérrez-Cortines, María Antonia Avilés Perea and Salvador Garriga Polledo  
*abstention:* Françoise de Veyrinas
- legislative resolution
- identical amendments 36, 54  
*against:* Piia-Noora Kauppi, Othmar Karas and Avril Doyle
- resolution (as a whole)  
*for:* Proinsias De Rossa  
*against:* Harlem Désir, Marie-Thérèse Hermange, Monica Frassoni, Cristina Gutiérrez-Cortines, María Antonia Avilés Perea, Salvador Garriga Polledo and Johannes Voggenhuber  
*abstention:* Françoise de Veyrinas

## END OF VOTING TIME

(The sitting, suspended at 13.30, resumed at 15.05.)

IN THE CHAIR: James L.C. PROVAN

*Vice-President*

## 21. Approval of Minutes of previous sitting

The Minutes of the previous sitting were approved.

## 22. Outcome of the EU-Russia summit (statements followed by debate)

Council and Commission statements: Outcome of the EU-Russia summit

Roberto Antonione (President-in-Office of the Council) and Günther Verheugen (Member of the Commission) made the statements.

The following spoke: Hans-Gert Poettering, on behalf of the PPE-DE Group, Reino Paasilinna, on behalf of the PSE Group, Graham R. Watson, on behalf of the ELDR Group, Sylviane H. Ainardi, on behalf of the GUE/NGL Group, Daniel Marc Cohn-Bendit, on behalf of the Verts/ALE Group, Bastiaan Belder, on behalf of the EDD Group, Mario Borghezio, Non-attached Member, Antonio Tajani, Giovanni Claudio Fava, Hans Modrow, Olivier Dupuis, Arie M. Oostlander, Bernd Posselt and Roberto Antonione.

Motions for resolution to wind up the debate pursuant to Rule 37(2):

- Ilkka Suominen, Arie M. Oostlander and Bernd Posselt, on behalf of the PPE-DE Group, on the 12th EU-Russia Summit held on 6 November 2003 in Rome (B5-0479/2003),
- Enrique Barón Crespo, Reino Paasilinna and Giovanni Claudio Fava, on behalf of the PSE Group, on the 12th EU-Russia Summit on 6 November 2003 in Rome (B5-0483/2003),
- Daniel Marc Cohn-Bendit, Monica Frassoni, Elisabeth Schroedter and Bart Staes, on behalf of the Verts/ALE Group, on the outcome of the EU-Russia summit held in Rome on 6 November 2003 (B5-0485/2003),

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- Ole Andreasen, Astrid Thors and Paavo Väyrynen, on behalf of the ELDR Group, on the outcome of the 12th EU-Russia Summit (Rome, 6 November 2003) (B5-0486/2003),
- Francis Wurtz, Pernille Frahm and Luigi Vinci, on behalf of the GUE/NGL Group, on the EU-Russia summit (Rome, 6 November 2003) (B5-0487/2003),
- Charles Pasqua, Cristiana Muscardini and Roberta Angelilli, on behalf of the UEN Group, on the twelfth EU-Russia Summit on 6 November 2003 in Rome (B5-0488/2003).

The debate closed.

Vote: *Minutes of 20.11.2003, Item 17.*

### **23. A New Framework for Relations with our Eastern and Southern Neighbours (debate)**

Report on Wider Europe — Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours [COM(2003) 104 — 2003/2018(INI)] — Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy.

Rapporteur: Pasqualina Napoletano (A5-0378/2003)

Pasqualina Napoletano introduced the report.

Roberto Antonione (President-in-Office of the Council) spoke.

Günther Verheugen (Member of the Commission) spoke.

The following spoke: Reimer Böge (draftsman of the opinion of the BUDG Committee) and Michael Gahler, on behalf of the PPE-DE Group.

IN THE CHAIR: David W. MARTIN

*Vice-President*

The following spoke: Jan Marinus Wiersma, on behalf of the PSE Group, Joan Vallvé, on behalf of the ELDR Group, Alexandros Alavanos, on behalf of the GUE/NGL Group, Elisabeth Schroedter, on behalf of the Verts/ALE Group, Philip Claeys, Non-attached Member, Jas Gawronski, Johannes (Hannes) Swoboda, Paavo Väyrynen, Elmar Brok, Ulpu Iivari, Charles Tannock, Ioannis Soulidakis, Per-Arne Arvidsson, Jo Leinen, Carlos Carnero González, Proinsias De Rossa, Reino Paasilinna and Günther Verheugen

The debate closed.

Vote: *Minutes of 20.11.2003, Item 18.*

### **24. The Northern dimension (statements followed by debate)**

Council and Commission statements: The Northern dimension

Roberto Antonione (President-in-Office of the Council) and Günther Verheugen (Member of the Commission) made the statements.

The following spoke: Ilkka Suominen, on behalf of the PPE-DE Group, Riitta Myller, on behalf of the PSE Group, Paavo Väyrynen, on behalf of the ELDR Group, Esko Olavi Seppänen, on behalf of the GUE/NGL Group, Matti Wuori, on behalf of the Verts/ALE Group, Diana Wallis and Günther Verheugen.

Motions for resolution to wind up the debate pursuant to Rule 37(2):

- Esko Olavi Seppänen, Pernille Frahm, Marianne Eriksson and André Brie, on behalf of the GUE/NGL Group, on the Northern dimension (B5-0472/2003),
- Reino Paasilinna, Riitta Myller and Ulpu Iivari, on behalf of the PSE Group, on the Second Northern Dimension Action Plan, 2004-2006 (B5-0473/2003),

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- Diana Wallis and Paavo Väyrynen, on behalf of the ELDR Group and Matti Wuori and Bart Staes, on behalf of the Verts/ALE Group, on the Northern Dimension Action Plan (B5-0474/2003),
- Mogens N.J. Camre, on behalf of the UEN Group, on the Northern Dimension — New Action Plan 2004-2006 (B5-0477/2003),
- Ilkka Suominen and Arie M. Oostlander, on behalf of the PPE-DE Group, on the Second Northern Dimension Action Plan, 2004-2006 (B5-0480/2003).

The debate closed.

Vote: *Minutes of 20.11.2003, Item 19.*

*(The sitting was suspended at 17.40 pending Question Time and resumed at 18.00.)*

IN THE CHAIR: Alonso José PUERTA

*Vice-President*

## 25. Question Time (Council)

Parliament considered a number of questions to the Council (B5-0414/2003).

**Question 1** by Alexandros Alavanos: Proposal for a Council decision and civil liberties.

Roberto Antonione (President-in-Office of the Council) answered the question and a supplementary by Alexandros Alavanos.

**Question 2** by Maurizio Turco: Eurojust.

Roberto Antonione answered the question

Marco Cappato (deputising for the author) spoke.

**Question 3** by Miguel Angel Martínez Martínez: Human rights of Cuban prisoners in the US.

Roberto Antonione answered the question and a supplementary by Miguel Angel Martínez Martínez.

Pedro Marset Campospoke.

**Question 4** by Sarah Ludford: International Criminal Court and Guantanamo Bay.

Roberto Antonione answered the question and a supplementary by Ole Andreasen (deputising for the author).

**Question 5** by Camilo Nogueira Román: The situation in Palestine and Israel: the 'road map' crisis.

**Question 6** by Rodi Kratsa-Tsagaropoulou: Geneva Agreement.

Roberto Antonione answered the questions answered the questions and supplementaries by Juan Manuel Ferrández Lezaun (deputising for the author) and Rodi Kratsa-Tsagaropoulou.

**Question 7** by Josu Ortuondo Larrea: Public aid for modernisation of the fishing fleet.

Roberto Antonione answered the question.

Josu Ortuondo Larreaspoke.

**Question 8** by Eurig Wyn: Detention of prisoners in France without trial.

Roberto Antonione answered the question and supplementaries by Eurig Wyn and Patricia McKenna.

Josu Ortuondo Larrea spoke.

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**Question 9** by Patricia McKenna: Chechnyan conflict.

Roberto Antonione answered the question.

Patricia McKenna spoke.

**Question 10** by Linda McAvan: Fire safety equipment in hotels.

Roberto Antonione answered the question and a supplementary by Linda McAvan.

**Question 11** by Lennart Sacrédeus: 'The EU as a Christian club'.

Roberto Antonione answered the question and supplementaries by Lennart Sacrédeus, Paul Rübig and Bernd Posselt.

**Question 12** by Manuel Medina Ortega: New government in Bolivia.

Roberto Antonione answered the question and a supplementary by Manuel Medina Ortega.

The President announced that the President-in-Office of the Council could not stay beyond 19.00, even though the Conference of Presidents had decided to maintain the timing initially scheduled in the Agenda for Question Time, i.e. until 19.30. He said that the Bureau would that evening be considering the timing of Question Time.

The following spoke: Bernd Posselt who suggested that Question Time should once again be held during the night sittings (the President undertook to forward his suggestion to the Bureau), María Izquierdo Rojo who deplored the Council's departure and insisted on putting a supplementary to Question 17 (the President cut her off), Miquel Mayol i Raynal, who endorsed the remarks made by the last two speakers, and Paul Rübig, who suggested that statistics be drawn up concerning the attendance of Council representatives in plenary during the latest Council Presidency (the President took note of his request).

Questions which had not been answered for lack of time would receive written answers.

Council Question Time closed.

*(The sitting was suspended at 19.05 and resumed at 21.00.)*

IN THE CHAIR: Joan COLOM i NAVAL

*Vice-President*

## **26. Membership of the temporary committee on improving safety at sea**

The Conference of Presidents had fixed the list of members of the temporary committee on improving safety at sea (*see Annex 2*).

The deadline for tabling amendments was Thursday at 10.00.

The vote would take place on Thursday (*Minutes of 20.11.2003, Item 5*).

## **27. Request for consultation of the Economic and Social Committee**

The President announced that he had received a letter from the Committee on Culture, Youth, Education, the Media and Sport requesting, in accordance with Rule 52, that the Economic and Social Committee be consulted on 'The social dimension of culture'.

This request for consultation would be put to the vote the following day at 12.00 (*see Minutes of 20.11.2003, Item 6*).



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## 28. Defence equipment (debate)

Second report on the communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions — European Defence — Industrial and market issues — Towards an EU Defence Equipment Policy [COM(2003) 113 — 2003/2096(INI)] — Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy.  
Rapporteur: Luís Queiró (A5-0370/2003)

Luís Queiró introduced the report.

António Vitorino (Member of the Commission) spoke.

The following spoke: Philippe Morillon, on behalf of the PPE-DE Group, Catherine Lalumière, on behalf of the PSE Group, Patricia McKenna, on behalf of the Verts/ALE Group, Georges Berthu, Non-attached Member, Geoffrey Van Orden, Richard Howitt, Marco Cappato, Stockton, Luís Queiró, on Patricia McKenna's remarks, and António Vitorino.

The debate closed.

Vote: *Minutes of 20.11.2003, Item 20.*

## 29. Stabilisation and association process for South-East Europe (debate)

Report on the Stabilisation and Association Process for South East Europe: Second Annual Report [COM(2003) 139 — 2003/2094(INI)] — Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy.  
Rapporteur: Joost Lagendijk (A5-0397/2003).

Joost Lagendijk introduced the report.

António Vitorino (Member of the Commission) spoke.

IN THE CHAIR: Catherine LALUMIÈRE

*Vice-President*

The following spoke: Myrsini Zorba (draftsman of the opinion of the ITRE Committee), Doris Pack, on behalf of the PPE-DE Group, Johannes (Hannes) Swoboda, on behalf of the PSE Group, Joan Vallvé, on behalf of the ELDR Group, Pedro Marset Campos, on behalf of the GUE/NGL Group, Bastiaan Belder, on behalf of the EDD Group, Christos Zacharakis, Ioannis Souladakis and Richard Howitt.

The debate closed.

Vote: *Minutes of 20.11.2003, Item 21.*

## 30. Support for UNMIK and OHR in Bosnia and Herzegovina (debate)

Report on the proposal for a Council Regulation amending Council Regulation (EC) No 1080/2000 of 22 May 2000 on support for the United Nations Interim Mission in Kosovo (UNMIK) and the Office of the High Representative in Bosnia and Herzegovina (OHR) [COM(2003) 389 — C5-0325/2003 — 2003/0143(CNS)] — Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy.  
Rapporteur: Johannes (Hannes) Swoboda (A5-0390/2003).

António Vitorino (Member of the Commission) spoke.

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Johannes (Hannes) Swoboda introduced the report.

Ursula Stenzel, on behalf of the PPE-DE Group, spoke.

The debate closed.

Vote: *Minutes of 20.11.2003, Item 10.*

### **31. SIS II (Schengen information system) (debate)**

Report with a proposal for a European Parliament recommendation to the Council on the second-generation Schengen information system (SIS II) [2003/2180(INI)] – Committee on Citizens' Freedoms and Rights, Justice and Home Affairs.

Rapporteur: Carlos Coelho (A5-0398/2003).

Carlos Coelho introduced the report.

António Vitorino (Member of the Commission) spoke.

The following spoke: Giacomo Santini, on behalf of the PPE-DE Group, Sérgio Sousa Pinto, on behalf of the PSE Group, Ole Krarup, on behalf of the GUE/NGL Group, Marco Cappato, Non-attached Member, Chantal Cauquil, Ilka Schröder and António Vitorino.

The debate closed.

Vote: *Minutes of 20.11.2003, Item 7.*

### **32. EU-Canada summit (Ottawa, 17 December 2003) (statement followed by debate)**

Commission statement: EU-Canada summit (Ottawa, 17 December 2003).

António Vitorino (Member of the Commission) made the statement.

The following spoke: Jürgen Schröder, on behalf of the PPE-DE Group, David W. Martin, on behalf of the PSE Group, and Graham R. Watson, on behalf of the ELDR Group.

The debate closed.

### **33. Agenda for next sitting**

The President referred Members to the (document 'Agenda' PE 337.907/OJJE).

### **34. Closure of sitting**

The sitting closed at 23.30.

Julian Priestley  
*Secretary-General*

Alejo Vidal-Quadras Roca  
*Vice-President*

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Wednesday 19 November 2003

## ATTENDANCE REGISTER

The following signed:

Aaltonen, Abitbol, Adam, Nuala Ahern, Ainardi, Alavanos, Almeida Garrett, Alyssandrakis, Andersen, Andersson, Andreasen, André-Léonard, Andrews, Andria, Angelilli, Aparicio Sánchez, Arvidsson, Atkins, Attwooll, Auroi, Averoff, Avilés Perea, Ayuso González, Bakopoulos, Balfe, Baltas, Banotti, Barón Crespo, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Belder, Berend, Berenguer Fuster, Berès, van den Berg, Bergaz Conesa, Berger, Berlato, Bernié, Berthu, Beysen, Bigliardo, Blak, Blokland, Bodrato, Böge, Bösch, von Boetticher, Bonde, Boogerd-Quaak, Booth, Bordes, Borghezio, Boudjenah, Boumediene-Thiery, Bourlanges, Bouwman, Bowis, Bradbourn, Bremmer, Breyer, Brok, Brunetta, Buitenweg, Bullmann, van den Burg, Bushill-Matthews, Busk, Butel, Callanan, Calò, Camisón Asensio, Campos, Camre, Cappato, Cardoso, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Caudron, Cauquil, Cederschiöld, Cercas, Cerdeira Morterero, Ceyhun, Chichester, Claey, Clegg, Cocilovo, Coelho, Cohn-Bendit, Collins, Colom i Naval, Corbett, Corbey, Corrie, Raffaele Costa, Coûteaux, Cox, Crowley, Cushnahan, van Dam, Dary, Daul, Davies, Dehousse, De Keyser, Dell'Alba, Della Vedova, De Mita, Deprez, De Rosa, De Sarnez, Descamps, Désir, Deva, De Veyrac, Dhaene, Díez González, Di Lello Finuoli, Dillen, Dimitrakopoulos, Di Pietro, Doorn, Dover, Doyle, Dührkop Dührkop, Duff, Duhamel, Dupuis, Dybkjær, Ebner, Echerer, El Khadraoui, Elles, Eriksson, Esclopé, Ettl, Jonathan Evans, Robert J.E. Evans, Färm, Fatuzzo, Fava, Ferber, Fernández Martín, Ferrández Lezaun, Ferreira, Ferrer, Ferri, Fiebiger, Figueiredo, Fiori, Fitzsimons, Flemming, Flesch, Folias, Ford, Formentini, Foster, Fourtou, Frahm, Fraisse, Frassoni, Friedrich, Fruteau, Gahler, Gahrton, Galeote Quecedo, Garaud, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garot, Garriga Polledo, Gasòliba i Böhm, de Gaulle, Gawronski, Gebhardt, Gemelli, Ghilardotti, Gill, Gillig, Gil-Robles Gil-Delgado, Glante, Gobbo, Goebbels, Goepel, Gollnisch, Gomolka, Goodwill, Gorostiaga Atxalandabaso, Gouveia, Graefe zu Baringdorf, Graça Moura, Gröner, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Guy-Quint, Hänsch, Hager, Hannan, Hansenne, Harbourn, Hatzidakis, Haug, Hazan, Heaton-Harris, Hedkvist Petersen, Helmer, Hermange, Hernández Mollar, Herzog, Hieronymi, Hoff, Honeyball, Hortefeux, Howitt, Hudghton, Hughes, Huhne, van Hulten, Hume, Hyland, Iivari, Ilgenfritz, Imbeni, Inglewood, Isler Béguin, Izquierdo Collado, Izquierdo Rojo, Jarzembowski, Jean-Pierre, Jeggle, Jensen, Jöns, Jonckheer, Jové Peres, Junker, Karamanou, Karas, Karlsson, Kastler, Katiforis, Kaufmann, Kauppi, Keppelhoff-Wiechert, Keßler, Khanbhai, Kindermann, Glenys Kinnock, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korakas, Korhola, Koukiadis, Koulourianos, Krarup, Kratsa-Tsagaropoulou, Kreissl-Dörfler, Kronberger, Kuhne, Kuntz, Lage, Lagendijk, Laguiller, Lalmière, Lamassoure, Lang, Lange, Langen, Langenhagen, Lannoye, de La Perrière, Laschet, Lavarra, Lechner, Lehne, Leinen, Linkohr, Lisi, Lombardo, Ludford, Lulling, Lund, Lynne, Maat, Maaten, McAvan, McCarthy, McCartin, McCormick, McKenna, McMillan-Scott, McNally, Maes, Manders, Manisco, Erika Mann, Thomas Mann, Marchiani, Marinho, Marini, Marinos, Markov, Marques, Maset Campos, Martens, David W. Martin, Hans-Peter Martin, Hugues Martin, Martinez, Martínez Martínez, Mastella, Mastorakis, Mathieu, Matikainen-Kallström, Mauro, Hans-Peter Mayer, Xaver Mayer, Mayol i Raynal, Medina Ortega, Meijer, Méndez de Vigo, Menéndez del Valle, Mennea, Mennitti, Menrad, Miguélez Ramos, Miller, Miranda de Lage, Modrow, Mombaur, Monsonís Domingo, Montfort, Moraes, Morgan, Morgantini, Morillon, Müller, Mulder, Murphy, Muscardini, Musotto, Mussa, Myller, Nair, Napoletano, Napolitano, Naranjo Escobar, Nassauer, Newton Dunn, Nicholson, Nicholson of Winterbourne, Niebler, Nisticò, Nobilia, Nogueira Román, Nordmann, Ojeda Sanz, Olsson, Ó Neachtain, Onesta, Oomen-Ruijten, Oostlander, Oreja Arburúa, Ortuondo Larrea, O'Toole, Paasilinna, Pacheco Pereira, Pack, Pannella, Parish, Pasqua, Pastorelli, Patakis, Patrie, Paulsen, Pérez Álvarez, Pérez Royo, Perry, Pesälä, Pex, Piecyk, Piétrasanta, Pirker, Pittella, Plooi-van Gorsel, Podestà, Poettering, Pohjamo, Poignant, Pomés Ruiz, Poos, Posselt, Prets, Procacci, Pronk, Provan, Puerta, Purvis, Queiró, Quisthoudt-Rowohl, Rack, Radwan, Randzio-Plath, Rapkay, Raschhofer, Raymond, Read, Redondo Jiménez, Ribeiro e Castro, Ries, Riis-Jørgensen, Ripoll y Martínez de Bedoya, Rocard, Rod, Rodríguez Ramos, de Roo, Roth-Behrendt, Rothe, Rothley, Roure, Rübig, Rühle, Ruffolo, Sacconi, Sacrédeus, Saint-Josse, Sakellariou, Salafranca Sánchez-Neyra, Sandberg-Fries, Sandbæk, Sanders-ten Holte, Santini, dos Santos, Sartori, Sauquillo Pérez del Arco, Savary, Scallon, Scarbonchi, Schaffner, Scheele, Schierhuber, Schleicher, Gerhard Schmid, Olle Schmidt, Schmitt, Schnellhardt, Schöring, Ilka Schröder, Jürgen Schröder, Schroedter, Schulz, Schwaiger, Segni, Seppänen, Sjöstedt, Skinner, Smet, Soares, Sörensen, Sommer, Sornosa Martínez, Souchet, Souladakakis, Sousa Pinto, Speroni, Staes, Stauner, Stenmarck, Stenzel, Sterckx, Stevenson, Stihler, Stirbois, Stockmann, Stockton, Sturdy, Sudre, Sumberg, Suominen, Wiebel, Swoboda, Sylla, Sørensen, Tajani, Tannock, Terrón i Cusí, Theato, Theorin, Thomas-Mauro, Thorning-Schmidt, Thors, Thyssen, Titford, Titley, Torres Marques, Trakatellis, Trentin, Turchi, Turco, Turmes, Twinn, Vachetta, Väyrynen, Vairinhos, Valdivielso de Cué, Valenciano Martínez-Orozco, Vallvé, Van Hecke, Van Lancker, Van Orden, Varaut, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vinci, Virrankoski, Vlasto, Voggenhuber, Volcic, Wachtmeister, Wallis, Walter, Watson, Weiler, Wenzel-Perillo, Whitehead, Wiersma, Wijkman, von Wogau, Wuermeling, Wuori, Wurtz, Wyn, Wynn, Zacharakis, Zappalà, Zimeray, Zimmerling, Zissener, Zorba, Zrihen.

**Wednesday 19 November 2003**

Observers:

Bagó Zoltán, Balsai István, Bastys Mindaugas, Bekasovs Martijans, Beneš Miroslav, Beňová Monika, Bonnici Josef, Christodoulidis Doros, Chronowski Andrzej, Chrzanowski Zbigniew, Ciemniak Grażyna, Cilevičs Boriss, Cybulski Zygmunt, Demetriou Panayiotis, Didžiokas Gintaras, Fazakas Szabolcs, Filipek Krzysztof, Frendo Michael, Gałażewski Andrzej, Gawłowski Andrzej, Giertych Maciej, Grabowska Genowefa, Gruber Attila, Grzebisz-Nowicka Zofia, Grzyb Andrzej, Gyürk András, Heriban Jozef, Holán Vilém, Jaskiernia Jerzy, Kāposts Andis, Kelemen András, Kiršteins Aleksandrs, Klich Bogdan, Kłopotek Eugeniusz, Klukowski Wacław, Kolář Robert, Konečná Kateřina, Kósa Kovács Magda, Kowalska Bronisława, Kozlík Sergej, Kriščiūnas Kęstutis, Kroupa Daniel, Kuzmickas Kęstutis, Kvietkauskas Vytautas, Landsbergis Vytautas, Lepper Andrzej, Libicki Marcin, Lisak Janusz, Lydeka Arminas, Łyżwiński Stanisław, Macierewicz Antoni, Maldeikis Eugenijus, Mallotová Helena, Manninger Jenő, Maštálka Jiří, Matsakis Marios, Mavrou Eleni, Őry Csaba, Palečková Alena, Pasternak Agnieszka, Pęczak Andrzej, Pieniążek Jerzy, Pīks Rihards, Plokšto Artur, Podgórski Bogdan, Protasiewicz Jacek, Pusz Sylwia, Rutkowski Krzysztof, Ševc Jozef, Siekierski Czesław, Surján László, Szczygło Aleksander, Szent-Iványi István, Tabajdi Csaba, Tomaka Jan, Tomczak Witold, Vaculík Josef, Valys Antanas, Vareikis Egidijus, Vastagh Pál, Vella George, Vèsaitè Birutė, Widuch Marek, Wikiński Marek, Wiśniowska Genowefa, Wittbrodt Edmund, Wojciechowski Janusz, Záborská Anna, Żenkiewicz Marian, Žiak Rudolf.

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Wednesday 19 November 2003

## ANNEX I

## CT4

**Comisión Temporal sobre el Refuerzo de la Seguridad Marítima**  
**Midlertidigt Udvalg om Øget Sikkerhed til Søs**  
**Nichtständiger Ausschuss für die Verbesserung der Sicherheit auf See**  
**Προσωρινή επιτροπή για τη βελτίωση της ασφάλειας στη θάλασσα**  
**Temporary committee on improving safety at sea**  
**Commission temporaire sur le renforcement de la sécurité maritime**  
**Commissione temporanea sul rafforzamento della sicurezza marittima**  
**Tijdelijke commissie voor de verbetering van de veiligheid op zee**  
**Comissão temporária para o aumento da segurança no mar**  
**Meriturvallsuuden parantamista käsittelevä väliaikainen valiokunta**  
**Tillfälligt utskott för ökad sjösäkerhet**

(44 membres)

## Membres titulaires

## PPE-DE

BRADBURN Philip Charles  
CARDOSO Raquel  
CHICHESTER Giles Bryan  
FOSTER Jacqueline  
GARCÍA-ORCOYEN TORMO Cristina  
GROSSETÊTE Françoise  
HATZIDAKIS Konstantinos  
JARZEMBOWSKI Georg  
LANGENHAGEN Brigitte  
MARTIN Hugues  
MUSOTTO Francesco  
PÉREZ ÁLVAREZ Manuel  
PEX Peter  
RIPOLL Y MARTÍNEZ DE BEDOYA Carlos  
ROVSING Christian Foldberg  
VARELA SUANZES-CARPEGNA Daniel  
VATANEN Ari

## PSE

FAVA Giovanni Claudio  
GILLIG Marie-Hélène  
HEDKVIST PETERSEN Ewa  
KARLSSON Hans  
MASTORAKIS Emmanouil  
MIGUÉLEZ RAMOS Rosa  
MYLLER Riitta  
PIECYK Wilhelm Ernst  
POIGNANT Bernard  
SAVARY Gilles  
SCHEELE Karin  
SIMPSON Brian  
WIERSMA Jan Marinus

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**Wednesday 19 November 2003****ELDR**

MONSONÍS DOMINGO Enrique  
STERCKX Dirk  
THORS Astrid  
VERMEER Herman

**GUE/NGL**

AINARDI Sylviane H.  
BAKOPOULOS Emmanouil  
BERGAZ CONESA María Luisa

**Verts/ALE**

ISLER BÉGUIN Marie Anne  
NOGUEIRA ROMÁN Camilo  
ORTUONDO LARREA Josu

**UEN**

ANDREWS Niall

**EDD**

ESCLOPÉ Alain

**NI**

GOROSTIAGA ATXALANDABASO Koldo  
SOUCHET Dominique F.C.

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Wednesday 19 November 2003

## ANNEX II

## RESULTS OF VOTES

## Abbreviations and symbols

|                       |                                             |
|-----------------------|---------------------------------------------|
| +                     | adopted                                     |
| -                     | rejected                                    |
| ↓                     | lapsed                                      |
| W                     | withdrawn                                   |
| RCV (... , ... , ...) | roll-call vote (for, against, abstentions)  |
| EV (... , ... , ...)  | electronic vote (for, 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. Violations of women's rights**

Report: SMET (A5-0334/2003)

| Subject            | RCV, etc. | Vote | RCV/EV – remarks |
|--------------------|-----------|------|------------------|
| <b>single vote</b> |           | +    |                  |

**2. Major-accident hazards involving dangerous substances \*\*\*III**

Report: LISI (A5-0365/2003)

| Subject                 | Amendment No | Author | RCV, etc. | Vote | RCV/EV – remarks       |
|-------------------------|--------------|--------|-----------|------|------------------------|
| <b>vote: joint text</b> |              |        |           | +    | <b>simple majority</b> |

Wednesday 19 November 2003

**3. Enhancing ship and port facility security \*\*\*I**

Report: MIGUÉLEZ RAMOS (A5-0385/2003)

| Subject                                                 | Amendment No                           | Author           | RCV, etc. | Vote | RCV/EV — remarks |
|---------------------------------------------------------|----------------------------------------|------------------|-----------|------|------------------|
| <b>amendments by committee responsible — block vote</b> | 1-5<br>7-14<br>17-18<br>20-32<br>36-39 | <b>committee</b> |           | +    |                  |
| art 2                                                   | 46                                     | PSE              |           | +    |                  |
|                                                         | 47                                     | PSE              |           | +    |                  |
|                                                         | 48                                     | PSE              |           | +    |                  |
|                                                         | 49                                     | PSE              |           | +    |                  |
| art 3, § 1, point 2                                     | 44 D                                   | ELDR             | RCV       | -    | 68, 425, 7       |
|                                                         | 15                                     | <b>committee</b> |           | +    |                  |
| art 3, § 2, point 2                                     | 45                                     | ELDR             | RCV       | -    | 71, 433, 6       |
|                                                         | 16                                     | <b>committee</b> |           | +    |                  |
| art 3, §§ 3 and 4                                       | 50                                     | PSE              |           | +    |                  |
|                                                         | 51                                     | PSE              |           | +    |                  |
| art 3, § 5                                              | 52                                     | PSE              |           | +    |                  |
| art 3, after § 6                                        | 53                                     | PSE              |           | +    |                  |
|                                                         | 19                                     | <b>committee</b> |           | ↓    |                  |
| art 5, § 1                                              | 54                                     | PSE              |           | +    |                  |
| art 5, § 3                                              | 55                                     | PSE              |           | +    |                  |
| art 7, § 3                                              | 56                                     | PSE              |           | +    |                  |
| art 8, § 1, introduction                                | 57                                     | PSE              |           | +    |                  |
| art 8, §§ 2 and 4                                       | 58                                     | PSE              |           | +    |                  |
|                                                         | 59                                     | PSE              |           | +    |                  |
|                                                         | 60                                     | PSE              |           | +    |                  |
| art 9, § 2                                              | 61                                     | PSE              |           | +    |                  |
|                                                         | 33                                     | <b>committee</b> |           | ↓    |                  |
| art 10, § 2                                             | 34                                     | <b>committee</b> |           | -    |                  |
|                                                         | 62                                     | PSE              |           | +    |                  |
| art 10, § 3                                             | 35 D                                   | <b>committee</b> |           | -    |                  |
|                                                         | 63                                     | PSE              |           | +    |                  |
| art 10, § 6                                             | 64                                     | PSE              |           | +    |                  |



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| Subject                             | Amendment No | Author           | RCV, etc. | Vote | RCV/EV — remarks |
|-------------------------------------|--------------|------------------|-----------|------|------------------|
| art 10, § 7                         | 41 D         | ELDR             | EV        | +    | 300, 216, 2      |
| art 11                              | 65           | PSE              |           | +    |                  |
|                                     | 42           | ELDR             |           | W    |                  |
| art 12                              | 43           | ELDR             |           | +    |                  |
| art 13                              | 66           | PSE              |           | +    |                  |
| art 14                              | 67           | PSE              |           | +    |                  |
| recital 15                          | 40           | ELDR             | EV        | +    | 304, 210, 1      |
|                                     | 6            | <i>committee</i> |           | +    |                  |
| <i>vote: amended proposal</i>       |              |                  |           | +    |                  |
| <i>vote: legislative resolution</i> |              |                  |           | +    |                  |

Requests for roll-call votes

ELDR: ams 44, 45

Other information

The ELDR Group had withdrawn amendment 42.

#### 4. European Network and Information Security Agency \*\*\*I

Report: PAASILINNA (A5-0353/2003)

| Subject                                              | Amendment No                             | Author              | RCV, etc. | Vote | RCV/EV — remarks |
|------------------------------------------------------|------------------------------------------|---------------------|-----------|------|------------------|
| <i>compromise amendments — Block 1</i>               | 54-92<br>94-121                          | <i>committee</i>    |           | +    |                  |
| <i>amendments by committee responsible — Block 2</i> | 11 rev<br>12 rev<br>17-18<br>24<br>30-32 | <i>committee</i>    |           | +    |                  |
| art 5, § 1                                           | 126                                      | Verts/ALE + CAPPATO |           | -    |                  |
|                                                      | 93                                       | <i>committee</i>    |           | +    |                  |
| art 25                                               | 53                                       | PPE-DE              |           | W    |                  |
| remainder of text                                    | 122                                      | Verts/ALE + CAPPATO |           | -    |                  |
|                                                      | 123                                      | Verts/ALE + CAPPATO |           | -    |                  |
|                                                      | 124                                      | Verts/ALE + CAPPATO |           | -    |                  |
|                                                      | 125                                      | Verts/ALE + CAPPATO |           | -    |                  |
| <i>vote: amended proposal</i>                        |                                          |                     |           | +    |                  |
| <i>vote: legislative resolution</i>                  |                                          |                     |           | +    |                  |

**Wednesday 19 November 2003**

The Committee on Industry, External Trade, Research and Energy had withdrawn the following amendments:

- amendments 1 to 10
- amendment 11 [part concerning Article -1, paragraphs 2 and 3]
- amendment 12 [part concerning Article 1, paragraphs 1 and 2]
- amendments 13 to 16
- amendments 19 to 23
- amendments 25 to 29
- amendments 33 to 52

It had tabled a number of compromise amendments (amendments 54 to 121 inclusive).

*Other information*

The PPE-DE Group had withdrawn its amendment 53 (amendment 121 had therefore been put to the vote in Block 1).

**5. Security of supply for petroleum products \*\*\*I**

Report: KARLSSON (A5-0297/2003)

| Subject                             | Amendment No | Author | RCV, etc. | Vote | RCV/EV — remarks |
|-------------------------------------|--------------|--------|-----------|------|------------------|
| <b>vote: legislative resolution</b> |              |        | EV        | +    | 367, 151, 6      |

**6. Cancer screening \***

Report: MUSSA (A5-0381/2003)

| Subject                                                 | Amendment No              | Author           | RCV, etc. | Vote | RCV/EV — remarks |
|---------------------------------------------------------|---------------------------|------------------|-----------|------|------------------|
| <b>amendments by committee responsible — block vote</b> | 1<br>4-5<br>7-14<br>16-32 | <b>committee</b> |           | +    |                  |
| annex                                                   | 33                        | <b>committee</b> | EV        | +    | 514, 0, 4        |
|                                                         | 34                        | PPE-DE           |           | ↓    |                  |
| <b>vote: amended proposal</b>                           |                           |                  |           | +    |                  |
| <b>vote: legislative resolution</b>                     |                           |                  | RCV       | +    | 528, 0, 6        |

Amendements 2, 3, 6 and 15 did not concern all language versions and were therefore not put to the vote (Rule 140(1)(d)).

*Requests for roll-call votes*

UEN: final vote

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## 7. Identification and registration of sheep and goats \*

Report: ADAM (A5-0386/2003)

| Subject                                                 | Amendment No           | Author           | RCV, etc. | Vote | RCV/EV — remarks |
|---------------------------------------------------------|------------------------|------------------|-----------|------|------------------|
| <b>amendments by committee responsible — block vote</b> | 1-11<br>13-37<br>39-40 | <b>committee</b> |           | +    |                  |
| annex, section C                                        | 41                     | PPE-DE           |           | +    |                  |
|                                                         | 38                     | <b>committee</b> |           | ↓    |                  |
| <b>vote: amended proposal</b>                           |                        |                  |           | +    |                  |
| <b>vote: legislative resolution</b>                     |                        |                  | RCV       | +    | 516, 6, 9        |

Amendment 12 did not concern all language versions and was therefore not put to the vote [Rule 140(1)(d)].

Requests for roll-call votes

PPE-DE: final vote

## 8. Minimum stocks of crude oil and/or petroleum products \*

Report: KARLSSON (A5-0293/2003)

| Subject                             | Amendment No. | Author | RCV, etc. | Vote | RCV/EV — remarks |
|-------------------------------------|---------------|--------|-----------|------|------------------|
| <b>vote: legislative resolution</b> |               |        |           | +    |                  |

## 9. Waste shipments \*\*\*I

Report: BLOKLAND (A5-0391/2003)

| Subject                                                 | Amendment No                                                                                                                             | Author           | RCV, etc. | Vote | RCV/EV — remarks |
|---------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|------------------|-----------|------|------------------|
| <b>amendments by committee responsible — block vote</b> | 2-4<br>7-8<br>12<br>15<br>19<br>22<br>24<br>28-31<br>33<br>35<br>38<br>40<br>42<br>47-48<br>50-52<br>54-59<br>61-65<br>68<br>71-75<br>77 | <b>committee</b> |           | +    |                  |

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| Subject                                                     | Amendment No          | Author                                                                                               | RCV, etc. | Vote | RCV/EV — remarks |
|-------------------------------------------------------------|-----------------------|------------------------------------------------------------------------------------------------------|-----------|------|------------------|
| <b>amendments by committee responsible — separate votes</b> | 1                     | <b>committee</b>                                                                                     | sep       | +    |                  |
|                                                             | 5                     | <b>committee</b>                                                                                     | sep       | +    |                  |
|                                                             | 6                     | <b>committee</b>                                                                                     | sep       | +    |                  |
|                                                             | 9                     | <b>committee</b>                                                                                     | EV        | +    | 255, 170, 4      |
|                                                             | 10                    | <b>committee</b>                                                                                     | split     |      |                  |
|                                                             |                       |                                                                                                      | 1         | +    |                  |
|                                                             |                       |                                                                                                      | 2         | +    |                  |
|                                                             | 11                    | <b>committee</b>                                                                                     | sep       | +    |                  |
|                                                             | 13                    | <b>committee</b>                                                                                     | sep       | +    |                  |
|                                                             | 14                    | <b>committee</b>                                                                                     | sep       | +    |                  |
|                                                             | 17                    | <b>committee</b>                                                                                     | sep       | +    |                  |
|                                                             | 18                    | <b>committee</b>                                                                                     | sep       | +    |                  |
|                                                             | 32                    | <b>committee</b>                                                                                     | sep       | +    |                  |
|                                                             | 34                    | <b>committee</b>                                                                                     | sep       | +    |                  |
|                                                             | 37                    | <b>committee</b>                                                                                     | sep       | +    |                  |
|                                                             | 39                    | <b>committee</b>                                                                                     | EV        | +    | 267, 208, 10     |
|                                                             | 41                    | <b>committee</b>                                                                                     | sep       | +    |                  |
|                                                             | 44                    | <b>committee</b>                                                                                     | sep       | +    |                  |
|                                                             | 45                    | <b>committee</b>                                                                                     | sep       | +    |                  |
|                                                             | 49                    | <b>committee</b>                                                                                     | sep       | +    |                  |
|                                                             | 53                    | <b>committee</b>                                                                                     | sep       | +    |                  |
|                                                             | 66                    | <b>committee</b>                                                                                     | sep       | +    |                  |
|                                                             | 69                    | <b>committee</b>                                                                                     | sep       | +    |                  |
|                                                             | 70                    | <b>committee</b>                                                                                     | sep       | +    |                  |
|                                                             | 76                    | <b>committee</b>                                                                                     | sep       | +    |                  |
| <b>interim recovery or disposal operations</b>              | 21                    | <b>committee</b><br><b>committee</b><br>EDD + GUE + Verts + FLEMMING<br>EDD + GUE + Verts + FLEMMING | sep       | +    |                  |
|                                                             | 26                    |                                                                                                      | sep       | +    |                  |
|                                                             | 27                    |                                                                                                      | sep       | +    |                  |
|                                                             | 85/rev. D + 91/rev. D |                                                                                                      |           | +    |                  |
| art 1, after § 6                                            | 112                   | Verts + BLOKLAND                                                                                     |           | +    |                  |
| art 2, point 15                                             | 92/rev.               | EDD + GUE + Verts + FLEMMING                                                                         |           | +    |                  |
| art 2, point 17                                             | 113                   | Verts/ALE                                                                                            |           | +    |                  |
|                                                             | 93                    | PPE-DE                                                                                               |           | ↓    |                  |

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| Subject                                           | Amendment No | Author                       | RCV, etc. | Vote | RCV/EV — remarks |
|---------------------------------------------------|--------------|------------------------------|-----------|------|------------------|
| art 3, § 1                                        | 79           | PSE                          |           | +    |                  |
|                                                   | 16           | <b>committee</b>             |           | ↓    |                  |
| art 3, § 4                                        | 94           | PPE-DE                       |           | -    |                  |
| art 3, § 5                                        | 114          | Verts/ALE                    | RCV       | -    | 92, 424, 10      |
|                                                   | 20           | <b>committee</b>             |           | +    |                  |
| art 4, § 4                                        | 95           | PPE-DE                       | EV        | -    | 239, 276, 7      |
| art 4, § 5                                        | 84/rev.      | EDD + GUE + Verts + FLEMMING | EV        | +    | 276, 232, 4      |
| art 5, point 1                                    | 126          | EDD                          |           | +    |                  |
|                                                   | 23           | <b>committee</b>             |           | ↓    |                  |
| art 5, point 5                                    | 96           | PPE-DE                       | EV        | +    | 281, 239, 6      |
| art 5, after § 5                                  | 122          | EDD                          |           | +    |                  |
|                                                   | 25           | <b>committee</b>             |           | ↓    |                  |
| art 7, § 2                                        | 97           | PPE-DE                       |           | +    |                  |
| art 10, § 1                                       | 98           | PPE-DE                       |           | -    |                  |
| art 10, § 4 and until after § 5                   | 86/rev.      | EDD + GUE + Verts + FLEMMING | EV        | +    | 279, 242, 3      |
|                                                   | 87/rev.      | EDD + GUE + Verts + FLEMMING |           | +    |                  |
|                                                   | 88/rev.      | EDD + GUE + Verts + FLEMMING |           | +    |                  |
| art 12, § 1, before point (a)                     | 115          | Verts + BLOKLAND             | RCV       | +    | 309, 212, 10     |
| art 12, § 1, after point (d)<br>(household waste) | 80           | PSE                          |           | +    |                  |
|                                                   | 36           | <b>committee</b>             |           | ↓    |                  |
| art 13, § 1, before point (a)                     | 116          | Verts + BLOKLAND             | RCV       | +    | 308, 205, 11     |
|                                                   | 117          | Verts + BLOKLAND             | RCV       | +    | 273, 238, 12     |
| art 13, § 1, after point (d)<br>(household waste) | 81           | PSE                          |           | +    |                  |
|                                                   | 43           | <b>committee</b>             |           | ↓    |                  |
| art 13, § 1, after point (d)<br>(calorific value) | 120          | Verts/ALE                    |           | -    |                  |
|                                                   | 124          | EDD + Verts/ALE              | EV        | -    | 227, 286, 5      |
| art 13, § 1, after point (d)<br>(recovery)        | 90/rev.      | EDD + GUE + Verts + FLEMMING |           | -    |                  |
|                                                   | 118          | Verts/ALE                    |           | -    |                  |
|                                                   | 123          | EDD                          | split     |      |                  |
|                                                   |              |                              | 1         | -    |                  |
|                                                   |              |                              | 2         | ↓    |                  |

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| Subject                                                | Amendment No  | Author                       | RCV, etc. | Vote | RCV/EV — remarks |
|--------------------------------------------------------|---------------|------------------------------|-----------|------|------------------|
| art 13, § 1, after point (d)<br><i>(final product)</i> | 89/rev.       | EDD + GUE + Verts + FLEMMING |           | -    |                  |
| art 13, § 1, point (e)                                 | 119           | Verts/ALE                    |           | -    |                  |
|                                                        | 82            | PSE                          | split     |      |                  |
|                                                        |               |                              | 1         | +    |                  |
|                                                        |               |                              | 2         | -    |                  |
|                                                        | 46            | <i>committee</i>             | split     |      |                  |
|                                                        |               |                              | 1         | +    |                  |
|                                                        |               |                              | 2         | -    |                  |
| art 14, after § 7                                      | 99            | PPE-DE                       |           | +    |                  |
| after art 14                                           | 125           | EDD                          | EV        | -    | 237, 273, 11     |
|                                                        | 60            | <i>committee</i>             | EV        | +    | 280, 232, 2      |
| art 17, § 1, point (c)                                 | 100           | PPE-DE                       |           | +    |                  |
| art 19, § 2                                            | 105           | PPE-DE                       |           | +    |                  |
| art 28                                                 | 101           | PPE-DE                       |           | +    |                  |
| art 30                                                 | 102           | PPE-DE                       |           | -    |                  |
| art 45, after § 3                                      | 121           | Verts + BLOKLAND             | RCV       | +    | 295, 213, 25     |
| art 61                                                 | 103           | PPE-DE                       |           | +    |                  |
| art 62                                                 | 104 S         | PPE-DE                       |           | -    |                  |
|                                                        | 67            | <i>committee</i>             |           | +    |                  |
| annex 3                                                | 78 =<br>106 = | PSE<br>PPE-DE                |           | +    |                  |
| recital 1                                              | 83/rev.       | EDD + GUE + Verts + FLEMMING | RCV       | +    | 286, 236, 17     |
| after recital 8                                        | 107           | Verts + BLOKLAND             |           | +    |                  |
|                                                        | 108           | Verts + BLOKLAND             |           | +    |                  |
|                                                        | 110           | Verts + BLOKLAND             |           | +    |                  |
| recital 9                                              | 109           | Verts + BLOKLAND             |           | +    |                  |
| after recital 32                                       | 111           | Verts + BLOKLAND             |           | +    |                  |
| <b>vote: amended proposal</b>                          |               |                              | EV        | +    | 301, 207, 14     |
| <b>vote: legislative resolution</b>                    |               |                              |           | +    |                  |

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*Requests for split votes*

PPE-DE

**am 10***1st part:* text as a whole except the figures (Articles) '21, 30, 33'*2nd part:* those figures

Verts/ALE

**am 82***1st part:* the deletion of the words 'economic and/or'*2nd part:* that deletion**am 46***1st part:* the deletion of the words 'economic and/or'*2nd part:* that deletion

EDD, Verts/ALE

**am 123***1st part:* up to 'recovered'*2nd part:* remainder*Requests for roll-call votes*

Verts/ALE: ams 114, 115, 116, 117, 121, 83

*Requests for separate vote*

PPE-DE: ams 1, 6, 13, 14, 17, 18, 32, 34, 37, 39, 41, 44, 45, 49, 53, 66, 69, 70

PSE: ams 9, 11, 13, 14, 21, 26, 27, 34, 41

ELDR: am 9

Verts/ALE: ams 5, 76

EDD: am 5

**10. Integrating and strengthening the European research area \****Report: LIESE (A5-0369/2003)*

| Subject                            | Amendment No     | Author               | RCV, etc. | Vote | RCV/EV – remarks |
|------------------------------------|------------------|----------------------|-----------|------|------------------|
| <b>proposal for rejection</b>      | 35 =<br>53 =     | UEN<br>EDD           | RCV       | -    | 90, 444, 6       |
| annex I, point 1.1,<br>§§ 18 to 22 | 34 =<br>52 =     | UEN<br>EDD           | RCV       | -    | 196, 321, 20     |
|                                    | 26/rev =<br>44 = | PPE-DE<br>GARGANI ao | RCV       | -    | 187, 334, 16     |
|                                    | 55               | EDD                  | RCV       | -    | 194, 332, 15     |

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| Subject                                                    | Amendment No | Author           | RCV, etc.  | Vote | RCV/EV — remarks |
|------------------------------------------------------------|--------------|------------------|------------|------|------------------|
| annex I, point 1.1, § 18, introduction                     | 24           | PPE-DE           | split/RCV  |      |                  |
|                                                            |              |                  | 1          | -    | 237, 295, 8      |
|                                                            |              |                  | 2          | -    | 196, 338, 7      |
| annex, point 1.1, § 18, point (b)                          | 64           | EDD ao           | RCV        | -    | 206, 316, 14     |
|                                                            | 25           | PPE-DE           | RCV        | -    | 231, 296, 11     |
|                                                            | 10           | <b>committee</b> | RCV        | +    | 291, 235, 12     |
|                                                            | 68           | BOWE ao          |            | ↓    |                  |
| annex I, point 1.1, § 18, point (d)                        | 11 D         | <b>committee</b> | EV         | -    | 251, 276, 3      |
|                                                            | 65           | EDD ao           | RCV        | -    | 241, 295, 6      |
| annex I, point 1.1, § 18, point (e)                        | 56           | Verts/ALE        |            | -    |                  |
|                                                            | 12           | <b>committee</b> | split      |      |                  |
|                                                            |              |                  | 1          | +    |                  |
|                                                            |              |                  | 2/EV       | -    | 254, 256, 5      |
| annex I, point 1.1, § 18, point (f)                        | 13           | <b>committee</b> |            | +    |                  |
|                                                            | 66           | EDD ao           |            | -    |                  |
| annex I, point 1.1, § 18, point (g)                        | 14           | <b>committee</b> |            | +    |                  |
|                                                            | 57           | Verts/ALE        |            | -    |                  |
| annex I, point 1.1, remainder of § 18 and until after § 20 | 15           | <b>committee</b> | sep        | +    |                  |
|                                                            | 16           | <b>committee</b> | EV         | +    | 412, 116, 2      |
|                                                            | 17           | <b>committee</b> | sep        | +    |                  |
|                                                            | 18           | <b>committee</b> | split/ RCV |      |                  |
|                                                            |              |                  | 1          | +    | 488, 11, 38      |
|                                                            |              |                  | 2          | +    | 314, 211, 11     |
|                                                            |              |                  | 3          | +    | 486, 39, 4       |
|                                                            |              |                  | 4          | +    | 281, 248, 3      |
| annex I, point 1.1, § 21                                   | 58           | Verts/ALE        |            | -    |                  |
| annex I, point 1.1, § 22                                   | 67           | EDD ao           |            | -    |                  |
|                                                            | 19           | <b>committee</b> |            | +    |                  |



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| Subject         | Amendment No            | Author                   | RCV, etc. | Vote | RCV/EV — remarks |
|-----------------|-------------------------|--------------------------|-----------|------|------------------|
| recital 4       | 1                       | <b>committee</b>         | split     |      |                  |
|                 |                         |                          | 1         | +    |                  |
|                 |                         |                          | 2/EV      | +    | 299, 205, 6      |
|                 | 27 =<br>37 =<br>45 =    | UEN<br>GARGANI ao<br>EDD |           | ↓    |                  |
| recital 5       | 28 D=<br>46 D=<br>60 D= | UEN<br>EDD<br>EDD ao     | RCV       | -    | 112, 419, 11     |
|                 | 38                      | GARGANI ao               |           | -    |                  |
|                 | 2                       | <b>committee</b>         | EV        | +    | 365, 143, 9      |
| after recital 5 | 3                       | <b>committee</b>         | sep       | +    |                  |
|                 | 4                       | <b>committee</b>         |           | +    |                  |
| recital 6       | 29 =<br>47 =            | UEN<br>EDD               | RCV       | -    | 194, 328, 11     |
|                 | 39                      | GARGANI ao               |           | -    |                  |
|                 | 5                       | <b>committee</b>         |           | +    |                  |
|                 | 61                      | EDD ao                   |           | ↓    |                  |
|                 | 59                      | BOWE ao                  |           | ↓    |                  |
| after recital 6 | 6                       | <b>committee</b>         |           | +    |                  |
|                 | 7                       | <b>committee</b>         | split     |      |                  |
|                 |                         |                          | 1         | +    |                  |
|                 |                         |                          | 2         | +    |                  |
| recital 7       | 30 D=<br>48 D=          | UEN<br>EDD               |           | -    |                  |
|                 | 40                      | GARGANI ao               |           | -    |                  |
|                 | 62                      | EDD ao                   |           | -    |                  |
|                 | 8                       | <b>committee</b>         |           | +    |                  |
| recital 8       | 31 D=<br>49 D=          | UEN<br>EDD               |           | -    |                  |
|                 | 41/rev.                 | GARGANI ao               |           | -    |                  |
| recital 9       | 32 D=<br>42 D=<br>50 D= | UEN<br>GARGANI ao<br>EDD |           | -    |                  |
| recital 10      | 33 D=<br>43 D=<br>51 D= | UEN<br>GARGANI ao<br>EDD |           | -    |                  |
|                 | 63                      | EDD ao                   | EV        | -    | 237, 278, 7      |

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| Subject                             | Amendment No | Author           | RCV, etc. | Vote | RCV/EV – remarks |
|-------------------------------------|--------------|------------------|-----------|------|------------------|
| after recital 10                    | 9            | <i>committee</i> |           | +    |                  |
| <i>vote: amended proposal</i>       |              |                  | RCV       | +    | 298, 214, 21     |
| <i>draft legislative resolution</i> |              |                  |           |      |                  |
| § 2                                 | 36 =<br>54 = | UEN<br>EDD       | RCV       | -    | 92, 425, 10      |
| <i>vote: legislative resolution</i> |              |                  | RCV       | +    | 300, 210, 19     |

Amendments 20 to 23 had been withdrawn.

Mrs MONTFORT had signed amendments 37 to 44, including amendment 41/rev. in her own name.

*Requests for split votes*

PPE-DE

**am 12**

*1st part:* up to 'cells'

*2nd part:* remainder

**am 18**

*1st part:* up to 'financing'

*2nd part:* 'there is no ... scientific laboratories'

*3rd part:* remainder of text except the words 'or therapeutic'

*4th part:* those words

**am 1**

*1st part:* text as a whole except the words 'human embryos and'

*2nd part:* those words

**am 7**

*1st part:* up to 'purposes'

*2nd part:* remainder

Verts/ALE

**am 24**

*1st part:* up to 'will not be funded'

*2nd part:* remainder

*Requests for roll-call votes*

PPE-DE: ams 34/52, 26 rev./44, 55, 24, 64, 25, 10, amended proposal, final vote

ELDR: ams 10, 18 and final vote

GUE/NGL: ams 26/rev., 10, 18

UEN: ams 24, 25, 28, 29, 34, 35, 44, and final vote

EDD: ams 35/53, 34/52, 55, 64, 65, 36/54, amended proposal

*Requests for separate vote*

PPE-DE: ams 3, 16

ELDR: am 16

Verts/ALE: ams 15, 18, 24

GUE/NGL: ams 15, 16, 17, 18

UEN: ams 7, 18

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## 11. Thematic Strategy for Soil Protection

Report: GUTIÉRREZ-CORTINES (A5-0354/2003)

| Subject                              | Amendment No | Author               | RCV, etc. | Vote | RCV/EV – remarks |
|--------------------------------------|--------------|----------------------|-----------|------|------------------|
| after § 2                            | 1            | PSE                  |           | +    |                  |
| § 16                                 |              | <i>original text</i> | split     |      |                  |
|                                      |              |                      | 1         | +    |                  |
|                                      |              |                      | 2/EV      | -    | 185,212,14       |
| <i>vote: resolution (as a whole)</i> |              |                      |           | +    |                  |

Requests for split votes

Verts/ALE

### § 16

1st part: text as a whole except the word 'new'

2nd part: that word

## 12. Waste Framework Directive

Report: BLOKLAND (A5-0394/2003)

| Subject                              | Amendment No | Author                  | RCV, etc. | Vote | RCV/EV – remarks |
|--------------------------------------|--------------|-------------------------|-----------|------|------------------|
| § 13                                 | §            | <b>original text</b>    | split     |      |                  |
|                                      |              |                         | 1         | +    |                  |
|                                      |              |                         | 2         | +    |                  |
| § 14                                 | 2            | Verts/ALE               |           | -    |                  |
| after § 17                           | 1/rev.       | EDD + Verts + GUE + PSE | RCV       | -    | 212, 215, 9      |
| <b>vote: resolution (as a whole)</b> |              |                         |           | +    |                  |

Requests for split votes

PPE-DE

### § 13

1st part: up to 'for domestic refuse'

2nd part: remainder

Requests for roll-call votes

Verts/ALE 1/rev.

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## ANNEX III

## RESULT OF ROLL-CALL VOTES

## 1. Miguélez Ramos report A5-0385/2003

## Amendment 44

## For: 68

**EDD:** Abitbol, Bernié, Booth, Butel, Esclopé, Kuntz, Mathieu, Raymond, Saint-Josse, Titford

**ELDR:** Andreasen, André-Léonard, Attwooll, Busk, Calò, Clegg, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Watson

**NI:** Berthu, Borghезio, Garaud, Gobbo, de La Perriere, Souchet, Speroni, Varaut

**PPE-DE:** Bébéar, Sacrédeus, Wijkman

**UEN:** Berlato, Camre, Marchiani, Pasqua, Ribeiro e Castro

## Against: 425

**EDD:** Andersen, Belder, Blokland, Bonde, Coûteaux, van Dam, Sandbæk

**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Nair, Patakis, Puerta, Scarbonchi, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Vinci, Wurtz

**NI:** Beysen, Cappato, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Mennea, Pannella

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Corrie, Costa Raffaele, Cushnahan, Daul, De Mita, Descamps, Deva, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Hieronymi, Inglewood, Jarzembowski, Jeggel, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, McCartin, Mann Thomas, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Morillon, Musotto, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Podestà, Poettering, Pomés Ruiz, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Zabell, Zacharakis, Zappalà, Zissener

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne,

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Lage, Lalumière, Lange, Lavarra, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

**UEN:** Andrews, Bigliardo, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Mussa, Nobilia, Ó Neachtain, Segni, Turchi

**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Echerer, Graefe zu Baringdorf, Hudghton, Jonckheer, Lagendijk, Lipietz, MacCormick, Maes, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

**Abstention: 7**

**ELDR:** Boogerd-Quaak

**NI:** Della Vedova, de Gaulle, Gollnisch, Lang, Stirbois

**PPE-DE:** Kauppi

## 2. Miguélez Ramos report A5-0385/2003

### Amendment 45

**For: 71**

**EDD:** Abitbol, Bernié, Booth, Butel, Coûteaux, Esclopé, Kuntz, Mathieu, Raymond, Saint-Josse, Titford

**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Wallis, Watson

**NI:** Berthu, Borghезio, Garaud, Gobbo, de La Perriere, Souchet, Speroni, Varaut

**PPE-DE:** Langenhagen, Sacrédeus

**PSE:** Ford, Hoff

**UEN:** Marchiani, Pasqua, Ribeiro e Castro

**Verts/ALE:** Breyer, Nogueira Román

**Against: 433**

**EDD:** Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraise, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Nair, Patakis, Puerta, Scarbonchi, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Vinci, Wurtz

**NI:** Beysen, Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Mennea, Pannella, Turco

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébear, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Corrie, Costa Raffaele, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber,

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Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Hieronymi, Inglewood, Jarzembowski, Jeggel, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Kirkhope, Klamt, Klab, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rübig, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stevenson, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Gröner, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Soares, Sornosa Martínez, Souladakakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusi, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

**UEN:** Andrews, Berlato, Bigliardo, Camre, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Mussa, Nobilia, Ó Neachtain, Segni, Turchi

**Verts/ALE:** Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Buitenweg, Cohn-Bendit, Dhaene, Frassoni, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lannoye, McCormick, Maes, Mayol i Raynal, Onesta, Piétrasanta, de Roo, Rühle, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

### **Abstention: 6**

**NI:** Claeys, Dillen, de Gaulle, Gollnisch, Lang, Stirbois

## **3. Mussa report A5-0381/2003**

### **Resolution**

**For: 528**

**EDD:** Abitbol, Andersen, Belder, Bernié, Blokland, Bonde, Butel, van Dam, Esclopé, Kuntz, Mathieu, Raymond, Saint-Josse, Sandbæk

**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonis Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraise, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Laguiller, Manisco, Markov, Maset Campos, Meijer, Modrow, Morgantini, Naïr, Patakis, Puerta, Scarbonchi, Schröder Ilka, Seppänen, Vachetta, Vinci, Wurtz

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**NI:** Berthu, Beysen, Borghezio, Claeys, Dell'Alba, Dillen, Dupuis, Garaud, de Gaulle, Gobbo, Gollnisch, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Mennea, Pannella, Raschhofer, Souchet, Speroni, Stirbois, Turco, Varaut

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébear, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Corrie, Costa Raffaele, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Hieronymi, Inglewood, Jarzembowski, Jean-Pierre, Jeggler, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

**UEN:** Andrews, Angelilli, Berlato, Bigliardo, Camre, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Segni, Turchi

**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Echerer, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lannoye, Lipietz, McCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

### **Abstention: 6**

**EDD:** Booth, Coûteaux, Titford

**GUE/NGL:** Sjöstedt

**NI:** Cappato, Della Vedova

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#### 4. Adam report A5-0386/2003

##### Resolution

**For: 516**

**EDD:** Abitbol, Belder, Bernié, Blokland, Butel, van Dam, Esclopé, Kuntz, Mathieu, Raymond, Saint-Josse

**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Fiebigler, Figueiredo, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Nair, Patakis, Puerta, Scarbonchi, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Vinci, Wurtz

**NI:** Berthu, Beysen, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Lang, de La Perrière, Mennea, Raschhofer, Souchet, Speroni, Stirbois, Varaut

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébear, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Corrie, Costa Raffaele, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Hieronymi, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rübig, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmidt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghildardt, Gill, Gillig, Glante, Goebbels, Gröner, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, O'Toole, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Skinner, Soares, Sornosa Martínez, Souladakakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

**UEN:** Andrews, Angelilli, Berlato, Bigliardo, Camre, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Segni, Turchi



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**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Echerer, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lannoye, Lipietz, McCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

**Against: 6**

**EDD:** Andersen, Bonde, Booth, Sandbæk, Titford

**PPE-DE:** Sacrédeus

**Abstention: 9**

**EDD:** Coûteaux

**GUE/NGL:** Eriksson, Frahm

**NI:** Cappato, Dell'Alba, Della Vedova, Dupuis, Pannella, Turco

## 5. Blokland report A5-0391/2003

### Amendment 114

**For: 92**

**EDD:** Andersen, Bonde, Sandbæk

**ELDR:** Vallvé

**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Laguiller, Manisco, Markov, Maset Campos, Meijer, Modrow, Morgantini, Nair, Patakis, Puerta, Scarbonchi, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Vinci, Wurtz

**NI:** Borghezio, Gobbo, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Mennea, Raschhofer, Speroni

**PPE-DE:** Flemming, Karas, Oomen-Ruijten, Schierhuber, Stauner, Stenzel, Wijkman

**PSE:** Lund

**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Echerer, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Lannoye, Lipietz, McCormick, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Voggenhuber, Wuori, Wyn

**Against: 424**

**EDD:** Abitbol, Belder, Bernié, Blokland, Booth, Butel, Coûteaux, van Dam, Esclopé, Farage, Kuntz, Mathieu, Raymond, Saint-Josse, Titford

**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

**NI:** Beysen, Claeys, Dillen, Garaud, de Gaulle, Gollnisch, Hager, Lang, de La Perriere, Stirbois, Varaut

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébear, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Corrie, Costa Raffaele, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch,

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Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Hieronymi, Inglewood, Jarzembowski, Jean-Pierre, Kastler, Kauppi, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, McCartin, Mann Thomas, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennitti, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schaffner, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Villiers, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Müller, Murphy, Myller, Napolitano, Napolitano, O'Toole, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusi, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

**UEN:** Berlato, Bigliardo, Camre, Marchiani, Muscardini, Mussa, Nobilia, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

**Verts/ALE:** Jonckheer, Lagendijk, Turmes

#### **Abstention: 10**

**NI:** Berthu, Cappato, Dell'Alba, Della Vedova, Dupuis, Pannella, Souchet, Turco

**PPE-DE:** McMillan-Scott

**PSE:** Dehousse

### **6. Blokland report A5-0391/2003**

#### **Amendment 115**

#### **For: 309**

**EDD:** Abitbol, Andersen, Belder, Bernié, Blokland, Bonde, Butel, van Dam, Esclopé, Mathieu, Raymond, Saint-Josse, Sandbæk

**ELDR:** Andreasen, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Davies, De Clercq, Di Pietro, Duff, Flesch, Formentini, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Virrankoski

**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Näir, Patakis, Puerta, Scarbonchi, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Vinci, Wurtz

**NI:** Berthu, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Mennea, Raschhofer, Souchet, Speroni, Stirbois, Varaut

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**PPE-DE:** Flemming, Karas, Maat, Oomen-Ruijten, Rübig, Sacrédeus, Schierhuber, Stenzel

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Rapkay, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Skinner, Soares, Sornosa Martínez, Souladakakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

**UEN:** Berlato, Bigliardo, Camre, Marchiani, Muscardini, Mussa, Nobilia, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Echerer, Frassonni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lipietz, McCormick, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

### **Against: 212**

**EDD:** Booth, Farage, Tiford

**ELDR:** André-Léonard, Dybkjær, Nordmann, Ries, Riis-Jørgensen, Sterckx, Van Hecke, Wallis, Watson

**NI:** Beysen

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébear, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Corrie, Costa Raffaele, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Hieronymi, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Kastler, Kauppi, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, McCartin, McMillan-Scott, Mann Thomas, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schaffner, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

### **Abstention: 10**

**ELDR:** Manders

**NI:** Cappato, Dell'Alba, Della Vedova, Dupuis, Pannella, Turco

**PSE:** Dehousse, Evans Robert J.E., Honeyball

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## 7. Blokland report A5-0391/2003

### Amendment 116

**For: 308**

**EDD:** Abitbol, Andersen, Belder, Bernié, Blokland, Bonde, Butel, Coûteaux, van Dam, Esclopé, Kuntz, Saint-Josse, Sandbæk

**ELDR:** Andreasen, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sørensen, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Nair, Patakis, Puerta, Scarbonchi, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Vinci, Wurtz

**NI:** Berthu, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Mennea, Raschhofer, Souchet, Speroni, Stirbois, Varaut

**PPE-DE:** Flemming, Karas, Rübig, Sacrédeus, Schierhuber, Stenzel, Wijkman

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Hazan, Hedkvist Petersen, Hoff, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

**UEN:** Berlato, Bigliardo, Camre, Marchiani, Muscardini, Mussa, Nobilia, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Buitenweg, Cohn-Bendit, Dhaene, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lannoye, Lipietz, McCormick, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

**Against: 205**

**EDD:** Booth, Farage, Titford

**ELDR:** André-Léonard, Nordmann

**NI:** Beysen

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Boursanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Corrie, Costa Raffaele, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Hieronymi, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Kastler, Kauppi,

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Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schaffner, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

### **Abstention: 11**

**EDD:** Mathieu, Raymond

**NI:** Cappato, Dell'Alba, Della Vedova, Dupuis, Pannella, Turco

**PSE:** Evans Robert J.E., Honeyball, Moraes

## **8. Blokland report A5-0391/2003**

### **Amendment 117**

### **For: 273**

**EDD:** Abitbol, Andersen, Belder, Bernié, Blokland, Bonde, Butel, Coûteaux, van Dam, Esclopé, Kuntz, Saint-Josse, Sandbæk

**ELDR:** Boogerd-Quaak, De Clercq, Pesälä, Pohjamo

**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Nair, Patakis, Puerta, Scarbonchi, Schröder Ilka, Seppänen, Sjöstedt, Vinci, Wurtz

**NI:** Berthu, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Mennea, Raschhofer, Souchet, Speroni, Stirbois, Varaut

**PPE-DE:** Flemming, Karas, Rübig, Sacrédeus, Schierhuber, Stenzel, Wijkman

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhan, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Kefler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Morgan, Müller, Murphy, Myller, Napolitano, Napolitano, O'Toole, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Rapkay, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Soares, Sornosa Martínez, Souladakakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusi, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

**UEN:** Berlato, Bigliardo, Camre, Marchiani, Muscardini, Mussa, Nobilia, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Buitenweg, Cohn-Bendit, Dhaene, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lannoye, Lipietz, McCormick, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

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**Against: 238**

**EDD:** Booth, Farage, Titford

**ELDR:** Andreasen, André-Léonard, Attwooll, Busk, Calò, Clegg, Davies, Di Pietro, Duff, Dybkjær, Fleisch, Formentini, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Plooi-j-van Gorsel, Procacci, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Virrankoski, Wallis, Watson

**NI:** Beysen

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Corrie, Costa Raffaele, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Hieronymi, Inglewood, Jarzembowski, Jean-Pierre, Jeggel, Kastler, Kauppi, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lehne, Liese, Lombardo, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schaffner, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Südre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

**Abstention: 12**

**EDD:** Mathieu, Raymond

**NI:** Cappato, Dell'Alba, Della Vedova, Dupuis, Pannella, Turco

**PSE:** Evans Robert J.E., Honeyball, Moraes, Rodríguez Ramos

**9. Blokland report A5-0391/2003**

**Amendment 121**

**For: 295**

**EDD:** Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

**ELDR:** Andreasen, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Cox, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Formentini, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Nair, Patakis, Puerta, Scarbonchi, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Vachetta, Vinci, Wurtz

**NI:** Berthu, Gobbo, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, de La Perriere, Mennea, Raschhofer, Souchet, Speroni, Varaut

**PPE-DE:** Ferri, Flemming, Podestà, Sacrédeus, Wijkman

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**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Pérez Royo, Piecyk, Pittella, Poos, Prets, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Watts, Weiler, Wiersma, Wynn, Zimeray, Zorba, Zrihen

**UEN:** Angelilli, Berlato, Bigliardo, Crowley, Hyland, Mussa, Ó Neachtain, Segni, Turchi

**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Echerer, Frassonni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lannoye, Lipietz, McCormick, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroeder, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

### **Against: 213**

**EDD:** Bernié, Booth, Butel, Esclopé, Farage, Mathieu, Raymond, Saint-Josse, Titford

**ELDR:** André-Léonard, Flesch, Nordmann, Ries, Sterckx

**NI:** Beysen

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébear, Berend, Bodrato, Böge, von Boetticher, Boursanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cocilovo, Coelho, Corrie, Costa Raffaele, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Fiori, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Hieronymi, Inglewood, Jarzembowski, Jean-Pierre, Jeggel, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Kirkhope, Klamt, Klatz, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rübig, Salafranca Sánchez-Neyra, Santini, Sartori, Schaffner, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

**PSE:** Whitehead

**UEN:** Nobilia, Queiró

### **Abstention: 25**

**EDD:** Abitbol, Coûteaux, Kuntz

**NI:** Borghezio, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Garaud, de Gaulle, Gollnisch, Lang, Pannella, Stirbois, Turco

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**PSE:** Evans Robert J.E., Honeyball, Moraes

**UEN:** Camre, Marchiani, Muscardini, Pasqua, Ribeiro e Castro, Thomas-Mauro

### **10. Blokland report A5-0391/2003**

#### **Amendment 83/rev.**

**For: 286**

**EDD:** Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

**ELDR:** Andreasen, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Cox, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraise, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Nair, Patakis, Puerta, Scarbonchi, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Vachetta, Vinci, Wurtz

**NI:** Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Raschhofer

**PPE-DE:** Ferri, Flemming, Liese, Oomen-Ruijten, Rübig, Sacrédeus, Schierhuber, Stenzel, Wijkman

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Morgan, Müller, Murphy, Myller, Napoletano, O'Toole, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Skinner, Soares, Sornosa Martínez, Soulidakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

**UEN:** Camre

**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Dhaene, Echerer, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lannoye, Lipietz, McCormick, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Vogtenhuber, Wuori, Wyn

**Against: 236**

**EDD:** Abitbol, Bernié, Butel, Coûteaux, Esclopé, Kuntz, Mathieu, Raymond, Saint-Josse

**ELDR:** André-Léonard, Nordmann, Ries, Sterckx

**NI:** Beysen, Claeys, Dillen, Garaud, de Gaulle, Gollnisch, Lang, de La Perrière, Mennea, Stirbois, Varaut

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bastos, Bayona de Perogordo, Beazley, Bébear, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Corrie, Costa Raffaele, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Fiori, Florenz, Folias, Foster, Fourtou, Friedrich, Gähler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Glase, Gomolka, Goodwill, Gouveia,



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Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Hieronymi, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Lisi, Lombardo, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schaffner, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

**UEN:** Andrews, Angelilli, Berlato, Bigliardo, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

**Abstention: 17**

**EDD:** Booth, Farage, Titford

**NI:** Berthu, Borghezio, Cappato, Dell'Alba, Della Vedova, Dupuis, Gobbo, Pannella, Souchet, Speroni, Turco

**PSE:** Evans Robert J.E., Honeyball, Moraes

**11. Lise report A5-0369/2003**

**Amendments 35 + 53**

**For: 90**

**EDD:** Abitbol, Belder, Blokland, Booth, Coûteaux, van Dam, Farage, Kuntz, Titford

**GUE/NGL:** Fiebig, Herzog, Kaufmann, Markov, Modrow, Morgantini

**NI:** Berthu, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perrière, Mennea, Raschhofer, Souchet, Speroni, Stirbois, Varaut

**PPE-DE:** Beazley, Deva, Dover, Evans Jonathan, Ferrer, Ferri, Fiori, Flemming, Heaton-Harris, Mauro, Mennitti, Montfort, Sacrédeus, Santini, Scallon, Vatanen

**PSE:** Hume, Poos

**UEN:** Andrews, Berlato, Bigliardo, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Dhaene, Echerer, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lannoye, Lipietz, McKenna, Piétrasanta, Rod, Rühle, Schörling, Schroedter, Turmes, Voggenhuber

**Against: 444**

**EDD:** Andersen, Bernié, Bonde, Butel, Esclopé, Mathieu, Raymond, Saint-Josse, Sandbæk

**ELDR:** Andreasen, André-Léonard, Attwooll, Busk, Calò, Clegg, Cox, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Fleisch, Formentini, Gasdliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Plooi-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

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**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Jové Peres, Korakas, Koulourianos, Laguiller, Manisco, Marset Campos, Meijer, Nair, Patakis, Puerta, Scarbonchi, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Vinci, Wurtz

**NI:** Beysen, Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Pannella, Turco

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bayona de Perogordo, Bébear, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cederschiöld, Chichester, Cocilovo, Corrie, Costa Raffaele, Cushnahan, Daul, De Mita, Deprez, Descamps, De Veyrac, Doorn, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Hieronymi, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rübig, Salafranca Sánchez-Neyra, Sartori, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachmeister, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, Hughes, van Hulten, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napolitano, Napolitano, O'Toole, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Prets, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

**UEN:** Camre, Mussa

**Verts/ALE:** Buitenweg, Hudghton, Jonckheer, Lagendijk, MacCormick, Maes, Mayol i Raynal, Onesta, de Roo, Sörensen, Staes, Wuori, Wyn

#### **Abstention: 6**

**ELDR:** Boogerd-Quaak

**GUE/NGL:** Vachetta

**PPE-DE:** Mombaur

**PSE:** Rothley

**Verts/ALE:** Cohn-Bendit, Frassoni

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**12. Liese report A5-0369/2003****Amendments 34 + 52****For: 196****EDD:** Abitbol, Belder, Blokland, Booth, Coûteaux, van Dam, Farage, Kuntz, Titford**ELDR:** Dybkjær, Gasòliba i Böhm**GUE/NGL:** Dary, Fiebiger, Kaufmann, Manisco, Markov, Modrow, Puerta, Scarbonchi**NI:** Berthu, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Mennea, Raschhofer, Souchet, Speroni, Stirbois, Varaut**PPE-DE:** Almeida Garrett, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bremmer, Brok, Camisón Asensio, Cardoso, Coelho, Costa Raffaele, De Mita, Deva, Dover, Ebner, Evans Jonathan, Fatuzzo, Ferber, Ferrer, Ferri, Fiori, Flemming, Florenz, Friedrich, Gahler, Galeote Quecedo, Gargani, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Hansenne, Heaton-Harris, Hermange, Hernández Mollar, Hieronymi, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klamt, Klaß, Koch, Konrad, Korhola, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, Mann Thomas, Marini, Marques, Martens, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Musotto, Nassauer, Niebler, Oostlander, Pack, Parish, Pérez Álvarez, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schierhuber, Schleicher, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenzel, Stockton, Tajani, Theato, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, Wenzel-Perillo, von Wogau, Wuermeling, Zappalà, Zimmerling, Zissener**PSE:** Hume**UEN:** Andrews, Berlato, Bigliardo, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Echerer, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lannoye, Lipietz, McKenna, Onesta, Piétrasanta, Rod, Rühle, Schörling, Schroedter, Turmes, Voggenhuber, Wuori**Against: 321****EDD:** Andersen, Bernié, Butel, Esclopé, Mathieu, Raymond, Saint-Josse, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Cox, Davies, De Clercq, Di Pietro, Duff, Fleisch, Formentini, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Korakas, Koulourianos, Laguiller, Marset Campos, Meijer, Morgantini, Naïr, Patakis, Schröder Ilka, Seppänen, Sjøstedt, Sylla, Vinci, Wurtz**NI:** Beysen, Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Pannella, Turco**PPE-DE:** Arvidsson, Atkins, Averoff, Avilés Perea, Balfe, Banotti, Bébéar, Bourlanges, Bowis, Brunetta, Bushill-Matthews, Callanan, Cederschiöld, Chichester, Corrie, Cushnahan, Daul, Deprez, Descamps, De Veyrac, Doorn, Doyle, Elles, Folias, Foster, Fourtou, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Goodwill, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Harbour, Hatzidakis, Helmer, Inglewood, Kauppi, Knolle, Kratsa-Tsagaropoulou, Lamassoure, McCartin, McMillan-Scott, Marinos, Martin Hugues, Matikainen-Kallström, Pacheco Pereira, Perry, Pex, Pomés Ruiz, Provan, Purvis, Schaffner, Smet, Stenmarck, Stevenson, Sturdy, Sudre, Suominen, Thyssen, Trakatellis, Van Orden, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wijkman, Zabell, Zacharakis

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**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, Hughes, van Hulten, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnoek, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Morgan, Müller, Murphy, Myller, Napoletano, O'Toole, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

**UEN:** Camre, Mussa

**Verts/ALE:** Buitenweg, Dhaene, Hudghton, Lagendijk, MacCormick, Maes, Mayol i Raynal, de Roo, Sörensen, Staes

### **Abstention: 20**

**PPE-DE:** Andria, Bradbourn, Cocilovo, Fernández Martín, Hannan, Jean-Pierre, Naranjo Escobar, Nicholson, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pastorelli, Schmitt, Sumberg, Tannock, Twinn

**PSE:** Rothley

**Verts/ALE:** Cohn-Bendit, Frassoni

## **13. Liese report A5-0369/2003**

### **Amendments 26/rev. + 44**

### **For: 187**

**EDD:** Abitbol, Belder, Blokland, Booth, Coûteaux, van Dam, Farage, Kuntz, Titford

**ELDR:** Gasòliba i Böhm

**GUE/NGL:** Fiebiger, Kaufmann, Markov, Modrow

**NI:** Berthu, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perrière, Mennea, Raschhofer, Souchet, Speroni, Stirbois, Varaut

**PPE-DE:** Almeida Garrett, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bremmer, Brok, Brunetta, Camisón Asensio, Cardoso, Coelho, Costa Raffaele, De Mita, Deva, Dover, Ebner, Evans Jonathan, Fatuzzo, Ferber, Ferrer, Ferri, Fiori, Flemming, Florenz, Friedrich, Gahler, Galeote Quecedo, Gargani, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Hansenne, Heaton-Harris, Hermange, Hernández Mollar, Hieronymi, Jarzembowski, Jeggle, Kastler, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, Mann Thomas, Marini, Marques, Martens, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Niebler, Pack, Parish, Pérez Álvarez, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Scallan, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Tajani, Theato, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, Wenzel-Perillo, von Wogau, Wuermeling, Zappalà, Zimmerling, Zissener

**PSE:** Hume

**UEN:** Andrews, Berlato, Bigliardo, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

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**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Breyer, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lannoye, Lipietz, McKenna, Piétrasanta, Rod, Rühle, Schörling, Schroedter, Turmes, Voggenhuber, Wuori

**Against: 334**

**EDD:** Andersen, Bernié, Bonde, Butel, Esclopé, Mathieu, Raymond, Saint-Josse, Sandbæk

**ELDR:** Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Cox, Davies, De Clercq, Duff, Dybkjær, Flesch, Formentini, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Korakas, Koulourianos, Laguiller, Manisco, Marset Campos, Meijer, Morgantini, Naïr, Patakis, Puerta, Scarbonchi, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Vachetta, Vinci, Wurtz

**NI:** Beysen, Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Pannella, Turco

**PPE-DE:** Arvidsson, Atkins, Averoff, Avilés Perea, Balfe, Banotti, Bébéar, Bourlanges, Bowis, Bushill-Matthews, Callanan, Cederschiöld, Chichester, Corrie, Cushnahan, Daul, Deprez, Descamps, De Veyrac, Doorn, Doyle, Elles, Folias, Foster, Fourtou, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Goodwill, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Harbour, Hatzidakis, Helmer, Inglewood, Jean-Pierre, Karas, Kauppi, Kratsa-Tsagaropoulou, Lamassoure, McCartin, McMillan-Scott, Marinos, Martin Hugues, Matikainen-Kallström, Oreja Arburúa, Pacheco Pereira, Perry, Pomés Ruiz, Provan, Purvis, Schaffner, Smet, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Thyssen, Trakatellis, Van Orden, van Velzen, de Veyrinas, Villiers, Vlasto, Wachtmeister, Wijkman, Zabell, Zacharakis

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, Hughes, van Hulten, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

**UEN:** Camre, Mussa

**Verts/ALE:** Bouwman, Buitenweg, Dhaene, Frassoni, Hudghton, Lagendijk, MacCormick, Maes, Mayol i Raynal, Onesta, de Roo, Sörensen, Staes, Wyn

**Abstention: 16**

**PPE-DE:** Andria, Bradbourn, Cocilovo, Fernández Martín, Hannan, Nicholson, Nisticò, Ojeda Sanz, Oomen-Ruijten, Pastorelli, Pex, Stenzel, Tannock, Twinn

**PSE:** Rothley

**Verts/ALE:** Cohn-Bendit

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**14. Liese report A5-0369/2003**

**Amendment 55**

**For: 194**

**EDD:** Abitbol, Belder, Blokland, Booth, Coûteaux, van Dam, Farage, Kuntz, Titford

**GUE/NGL:** Fiebigler, Kaufmann, Markov, Modrow

**NI:** Berthu, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perrière, Mennea, Raschhofer, Souchet, Speroni, Stirbois, Varaut

**PPE-DE:** Almeida Garrett, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bremmer, Brok, Brunetta, Cardoso, Coelho, Costa Raffaele, De Mita, Deva, Dover, Ebner, Evans Jonathan, Fatuzzo, Ferber, Ferrer, Ferri, Fiori, Flemming, Florenz, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, Gargani, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Hannan, Hansenne, Heaton-Harris, Hermange, Hernández Mollar, Hieronymi, Jarzembowski, Jeggler, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, Maat, Mann Thomas, Marini, Marques, Martens, Mauro, Mayer Hans-Peter, Mayer Xavier, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Scallan, Schierhuber, Schleicher, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenzel, Tajani, Theato, Varela Suanzes-Carpegna, Vatanen, Wenzel-Perillo, von Wogau, Wuermeling, Zappalà, Zimmerling, Zissener

**PSE:** Hume

**UEN:** Andrews, Berlato, Bigliardo, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Breyer, Echerer, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lannoye, Lipietz, McKenna, Mayol i Raynal, Onesta, Piétrasanta, Rod, Rühle, Schörling, Schroedter, Turmes, Voggenhuber, Wuori

**Against: 332**

**EDD:** Andersen, Bernié, Bonde, Butel, Esclopé, Mathieu, Raymond, Saint-Josse, Sandbæk

**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Cox, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Korakas, Koulourianos, Laguiller, Manisco, Marset Campos, Meijer, Morgantini, Naïr, Patakis, Puerta, Scarbonchi, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Vachetta, Vinci, Wurtz

**NI:** Beysen, Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Pannella, Turco

**PPE-DE:** Arvidsson, Atkins, Averoff, Avilés Perea, Balfe, Banotti, Bébéar, Bourlanges, Bowis, Bushill-Matthews, Callanan, Camisón Asensio, Cederschiöld, Chichester, Corrie, Cushnahan, Daul, Deprez, Descamps, De Veyrac, Doorn, Doyle, Elles, Folias, Foster, Fourtou, García-Orcoyen Tormo, Garriga Polledo, Goodwill, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Harboure, Hatzidakis, Helmer, Inglewood, Jean-Pierre, Kauppi, Kratsa-Tsagaropoulou, Lamassoure, McCartin, McMillan-Scott, Marinos, Martin Hugues, Matikainen-Kallström, Pacheco Pereira, Perry, Pex, Provan, Purvis, Schaffner, Smet, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Suominen, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wijkman, Zabell, Zacharakis

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**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, Hughes, van Hulten, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

**UEN:** Camre, Mussa

**Verts/ALE:** Bouwman, Buitenweg, Dhaene, Hudghton, Lagendijk, MacCormick, Maes, de Roo, Sörensen, Staes, Wyn

### **Abstention: 15**

**ELDR:** Gasòliba i Böhm

**PPE-DE:** Andria, Bradbourn, Cocilovo, Fernández Martín, Lombardo, Nicholson, Nisticò, Oomen-Ruijten, Schmitt, Tannock, Twinn

**PSE:** Rothley

**Verts/ALE:** Cohn-Bendit, Frassoni

## **15. Liece report A5-0369/2003**

### **Amendment 24, 1st part**

**For: 237**

**EDD:** Abitbol, Belder, Blokland, Booth, Coûteaux, van Dam, Farage, Kuntz, Titford

**ELDR:** Calò, Gasòliba i Böhm, Procacci

**GUE/NGL:** Fiebiger, Kaufmann, Markov, Modrow

**NI:** Berthu, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Mennea, Raschhofer, Souchet, Speroni, Stirbois, Varaut

**PPE-DE:** Almeida Garrett, Andria, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bowis, Bremmer, Brok, Brunetta, Callanan, Camisón Asensio, Cardoso, Cocilovo, Coelho, Costa Raffaele, Cushnahan, De Mita, Deva, Doorn, Dover, Doyle, Ebner, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Hannan, Hansenne, Heaton-Harris, Hermange, Hernández Mollar, Hieronymi, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, Mann Thomas, Marini, Marques, Martens, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Pex, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenzel, Sumberg, Tajani, Tannock, Theato, Twinn, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, van Velzen, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zabell, Zappalà, Zimmerling, Zissener

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**PSE:** Ceyhun, Désir, Gebhardt, Gröner, Hänsch, Haug, Hume, Kreissl-Dörfler, Kuhne, Lange, Martínez Martínez, Müller, Piecyk, Rothe, Schmid Gerhard, Stockmann, Walter, Weiler

**UEN:** Andrews, Berlato, Bigliardo, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Breyer, Echerer, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lannoye, Lipietz, McKenna, Piétrasanta, Rod, Rühle, Schörling, Schroedter, Voggenhuber, Wuori, Wyn

**Against: 295**

**EDD:** Andersen, Bernié, Bonde, Butel, Esclopé, Mathieu, Raymond, Saint-Josse, Sandbæk

**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Clegg, Cox, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Huhne, Jensen, Ludford, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Korakas, Koulourianos, Laguiller, Manisco, Marset Campos, Meijer, Morgantini, Naïr, Patakis, Puerta, Scarbonchi, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Vachetta, Vinci, Wurtz

**NI:** Beysen, Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Pannella, Turco

**PPE-DE:** Arvidsson, Atkins, Averoff, Avilés Perea, Balfe, Bébéar, Bourlanges, Bushill-Matthews, Cederschiöld, Chichester, Corrie, Daul, Deprez, Descamps, De Veyrac, Elles, Folias, Foster, Fourtou, Garriga Polledo, Goodwill, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Harbour, Hatzidakis, Helmer, Inglewood, Jean-Pierre, Kauppi, Kratsa-Tsagaropoulou, Lamassoure, McCartin, McMillan-Scott, Marinos, Martin Hugues, Matikainen-Kallström, Pacheco Pereira, Perry, Provan, Purvis, Schaffner, Smet, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Suominen, Thyssen, Trakatellis, Van Orden, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Zacharakis

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Ghilardotti, Gill, Gillig, Glante, Goebbels, Guy-Quint, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Lage, Lalumière, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Patrie, Pérez Royo, Pittella, Poos, Prets, Rapkay, Rocard, Rodríguez Ramos, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

**UEN:** Camre

**Verts/ALE:** Bouwman, Buitenweg, Dhaene, Hudghton, Lagendijk, MacCormick, Maes, Onesta, de Roo, Sörensen, Staes

**Abstention: 8**

**PPE-DE:** Bradbourn, Nicholson

**PSE:** Roth-Behrendt, Rothley

**Verts/ALE:** Cohn-Bendit, Frassoni, Mayol i Raynal, Turmes



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**16. Liese report A5-0369/2003****Amendment 24, 2nd part****For: 196****EDD:** Belder, Bernié, Blokland, Butel, van Dam, Esclopé, Mathieu, Raymond, Saint-Josse**ELDR:** Calò, Di Pietro, Gasòliba i Böhm, Lynne, Procacci**NI:** Borghezio, Gobbo, Mennea, Speroni

**PPE-DE:** Almeida Garrett, Andria, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Callanan, Camisón Asensio, Cardoso, Cocilovo, Coelho, Costa Raffaele, Cushnahan, Daul, De Mita, Descamps, Deva, Doyle, Ebner, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Flemming, Florenz, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Hannan, Hansenne, Heaton-Harris, Hermange, Hernández Mollar, Hieronymi, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rübig, Salafranca Sánchez-Neyra, Santini, Sartori, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenzel, Stevenson, Sudre, Sumberg, Tajani, Tannock, Theato, Twinn, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zabell, Zappalà, Zimmerling, Zissener

**PSE:** Ceyhun, Désir, Gebhardt, Gröner, Hänsch, Haug, Kreissl-Dörfler, Kuhne, Lange, Müller, Piecyk, Pittella, Rothe, Schmid Gerhard, Stockmann, Walter, Weiler

**UEN:** Mussa

**Verts/ALE:** Ahern, Bouwman, Buitenweg, Dhaene, Hudghton, Jonckheer, Lagendijk, MacCormick, Maes, de Roo, Sörensen, Staes

**Against: 338****EDD:** Abitbol, Andersen, Bonde, Booth, Coûteaux, Farage, Kuntz, Sandbæk, Titford

**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Clegg, Cox, Davies, De Clercq, Duff, Dybkjær, Flesch, Formentini, Huhne, Jensen, Ludford, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Plooi-jan Gorsel, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraise, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Näir, Patakis, Puerta, Scarbonchi, Seppänen, Sjöstedt, Sylla, Vachetta, Vinci, Wurtz

**NI:** Berthu, Beysen, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Garaud, de Gaulle, Gollnisch, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Pannella, Raschhofer, Souchet, Stirbois, Turco, Varaut

**PPE-DE:** Arvidsson, Atkins, Averoff, Avilés Perea, Balfe, Bourlanges, Bushill-Matthews, Cederschiöld, Chichester, Corrie, Deprez, De Veyrac, Doorn, Dover, Elles, Fiori, Folias, Foster, Garriga Polledo, Goodwill, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Harbour, Hatzidakis, Helmer, Inglewood, Jean-Pierre, Kauppi, Kratsa-Tsagaropoulou, Lamassoure, McCartin, McMillan-Scott, Marinos, Matikainen-Kallström, Mauro, Pacheco Pereira, Perry, Pex, Provan, Purvis, Sacrédeus, Scallon, Smet, Stenmarck, Stockton, Sturdy, Suominen, Thyssen, Trakatellis, Van Orden, van Velzen, Vidal-Quadras Roca, Villiers, Wachtmeister, Zacharakis

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**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Ghilardotti, Gill, Gillig, Glante, Goebbels, Guy-Quint, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Lage, Lalumière, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Patrie, Pérez Royo, Poos, Prets, Rapkay, Rocard, Rodríguez Ramos, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

**UEN:** Andrews, Berlato, Bigliardo, Camre, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

**Verts/ALE:** Aaltonen, Auroi, Boumediene-Thiery, Breyer, Echerer, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lannoye, Lipietz, McKenna, Onesta, Piétrasanta, Rod, Rühle, Schörling, Schroedter, Voggenhuber, Wuori, Wyn

**Abstention: 7**

**PPE-DE:** Nicholson

**PSE:** Roth-Behrendt, Rothley

**UEN:** Muscardini

**Verts/ALE:** Cohn-Bendit, Frassoni, Turmes

## **17. Lisee report A5-0369/2003**

### **Amendment 64**

**For: 206**

**EDD:** Abitbol, Belder, Blokland, Coûteaux, van Dam, Kuntz

**ELDR:** Di Pietro, Gasòliba i Böhm

**GUE/NGL:** Fiebiger, Kaufmann, Markov, Modrow, Schröder Ilka

**NI:** Berthu, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perrière, Mennea, Raschhofer, Souchet, Speroni, Stirbois, Varaut

**PPE-DE:** Almeida Garrett, Andria, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bremmer, Brok, Brunetta, Callanan, Camisón Asensio, Cardoso, Coelho, Costa Raffaele, De Mita, Dover, Ebner, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Graça Moura, Hannan, Hansenne, Hernández Mollar, Hieronymi, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, Mann Thomas, Marini, Marques, Martens, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Podestà, Poettering, Pomés Ruiz, Posselt, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafraña Sánchez-Neyra, Santini, Sartori, Scallon, Schierhuber, Schleicher, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenzel, Sumberg, Tajani, Theato, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, Wenzel-Perillo, von Wogau, Wuermeling, Zabell, Zappalà, Zimmerling, Zissener

**PSE:** Désir, Gebhardt, Gröner, Hänsch, Hume, Kreissl-Dörfler, Piecyk, Rothe, Schmid Gerhard

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**UEN:** Andrews, Berlato, Bigliardo, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Breyer, Echerer, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lannoye, Lipietz, McKenna, Onesta, Piétrasanta, Rod, Rühle, Schörling, Schroedter, Turmes, Wuori, Wyn

### **Against: 316**

**EDD:** Andersen, Bernié, Bonde, Butel, Esclopé, Mathieu, Raymond, Saint-Josse, Sandbæk

**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Clegg, Cox, Davies, De Clercq, Duff, Dybkjær, Flesch, Formentini, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Virrankoski, Wallis, Watson

**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Korakas, Koulourianos, Laguiller, Manisco, Marset Campos, Meijer, Morgantini, Naïr, Patakis, Puerta, Scarbonchi, Seppänen, Sjöstedt, Sylla, Vachetta, Vinci, Wurtz

**NI:** Beysen, Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Pannella, Turco

**PPE-DE:** Arvidsson, Atkins, Averoff, Avilés Perea, Balfe, Banotti, Bébéar, Bourlanges, Bowis, Bushill-Matthews, Cederschiöld, Chichester, Corrie, Cushnahan, Daul, Deprez, Descamps, De Veyrac, Doorn, Doyle, Elles, Florenz, Folias, Foster, Fourtou, Garriga Polledo, Goodwill, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Harbour, Hatzidakis, Helmer, Hermange, Inglewood, Jean-Pierre, Kauppi, Kratsa-Tsagaropoulou, Lamassoure, McCartin, McMillan-Scott, Marinos, Martin Hugues, Matikainen-Kallström, Menrad, Pacheco Pereira, Perry, Pex, Pronk, Provan, Purvis, Schaffner, Smet, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Suominen, Thyssen, Trakatellis, Van Orden, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wijkman, Zacharakis

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Ghilardotti, Gill, Gillig, Glante, Goebbels, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, Hughes, van Hulten, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Patrie, Pérez Royo, Pittella, Poos, Prets, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Skinner, Soares, Sornosa Martínez, Souladakakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

**UEN:** Camre, Mussa

**Verts/ALE:** Bouwman, Buitenweg, Dhaene, Hudghton, Lagendijk, MacCormick, Maes, de Roo, Sørensen, Staes, Voggenhuber

### **Abstention: 14**

**EDD:** Booth, Farage, Titford

**PPE-DE:** Bradbourn, Cocilovo, Deva, Heaton-Harris, Nicholson, Nisticò, Schmitt, Tannock, Twinn

**PSE:** Rothley

**Verts/ALE:** Cohn-Bendit

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**18. Lise report A5-0369/2003**

**Amendment 25**

**For: 231**

**EDD:** Abitbol, Belder, Blokland, Coûteaux, van Dam, Kuntz

**ELDR:** Calò, Gasòliba i Böhm, Procacci

**GUE/NGL:** Fiebiger, Kaufmann, Markov, Modrow, Schröder Ilka

**NI:** Berthu, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Mennea, Raschhofer, Souchet, Speroni, Stirbois, Varaut

**PPE-DE:** Almeida Garrett, Andria, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bowis, Bremmer, Brok, Brunetta, Callanan, Camisón Asensio, Cardoso, Cocilovo, Coelho, Costa Raffaele, De Mita, Deva, Dover, Ebner, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Hannan, Hansenne, Heaton-Harris, Hernández Mollar, Hieronymi, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, Mann Thomas, Marini, Marques, Martens, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Musotto, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenzel, Sumberg, Tajani, Tannock, Theato, Twinn, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zabell, Zappalà, Zimmerling, Zissener

**PSE:** Berger, Bösch, Ceyhun, Désir, Ettl, Gebhardt, Glante, Gröner, Hänsch, Haug, Hume, Kreissl-Dörfler, Kuhne, Lange, Leinen, Müller, Piecyk, Prets, Rothe, Scheele, Swoboda, Walter, Weiler

**UEN:** Andrews, Berlato, Bigliardo, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

**Verts/ALE:** Aaltonen, Ahern, Auroi, Breyer, Echerer, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lannoye, Lipietz, McKenna, Onesta, Piétrasanta, Rod, Rühle, Schörling, Schroedter, Turmes, Voggenhuber, Wuori

**Against: 296**

**EDD:** Andersen, Bernié, Bonde, Butel, Esclopé, Mathieu, Raymond, Saint-Josse, Sandbæk

**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Clegg, Cox, Davies, De Clercq, Duff, Dybkjær, Flesch, Formentini, Huhne, Jensen, Ludford, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Plooi-jan Gorsel, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Korakas, Koulourianos, Laguiller, Manisco, Marset Campos, Meijer, Morgantini, Nair, Patakis, Puerta, Scarbonchi, Seppänen, Sjöstedt, Sylla, Vachetta, Vinci, Wurtz

**NI:** Beysen, Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Pannella, Turco

**PPE-DE:** Arvidsson, Atkins, Averoff, Avilés Perea, Balfé, Banotti, Beazley, Bébéar, Bourlanges, Bushill-Matthews, Cederschiöld, Chichester, Corrie, Cushnahan, Daul, Deprez, Descamps, De Veyrac, Doorn, Doyle, Elles, Folias, Foster, Fourtou, Garriga Polledo, Goodwill, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Harbour, Hatzidakis, Helmer, Hermange, Inglewood, Jean-Pierre, Kauppi, Kratsa-Tsagaropoulou, Lamassoure, McCartin, McMillan-Scott, Marinos, Martin Hugues, Matikainen-Kallström, Mauro, Perry, Provan, Purvis, Schaffner, Smet, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Suominen, Thyssen, Van Orden, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Zacharakis

Wednesday 19 November 2003

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Ghilardotti, Gill, Gillig, Goebbels, Guy-Quint, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, Hughes, van Hulten, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Lage, Lalumière, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Patrie, Pérez Royo, Pittella, Poos, Rapkay, Rocard, Rodríguez Ramos, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Schmid Gerhard, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Terrón i Cusi, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

**UEN:** Camre, Mussa

**Verts/ALE:** Bouwman, Buitenweg, Dhaene, Hudghton, Lagendijk, MacCormick, Maes, Mayol i Raynal, de Roo, Sörensen, Staes, Wyn

### **Abstention: 11**

**EDD:** Booth, Farage, Titford

**PPE-DE:** Bradbourn, Morillon, Nicholson, Pex

**PSE:** Roth-Behrendt, Rothley

**Verts/ALE:** Cohn-Bendit, Frassoni

## **19. Lise report A5-0369/2003**

### **Amendment 10**

#### **For: 291**

**EDD:** Andersen, Bernié, Bonde, Butel, Esclopé, Mathieu, Raymond, Saint-Josse, Sandbæk

**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Clegg, Cox, Davies, De Clercq, Duff, Dybkjær, Flesch, Formentini, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Korakas, Koulourianos, Laguiller, Manisco, Marset Campos, Meijer, Morgantini, Patakis, Puerta, Seppänen, Sjöstedt, Sylla, Vachetta, Vinci, Wurtz

**NI:** Beysen, Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Pannella, Turco

**PPE-DE:** Arvidsson, Atkins, Averoff, Avilés Perea, Balfe, Bébéar, Bourlanges, Bowis, Bushill-Matthews, Cederschiöld, Chichester, Corrie, Cushnahan, Daul, Deprez, Descamps, De Veyrac, Doorn, Doyle, Elles, Ferri, Folias, Foster, Fourtou, Garriga Polledo, Goodwill, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Harbour, Hatzidakis, Helmer, Hermange, Inglewood, Jean-Pierre, Kauppi, Kratsa-Tsagaropoulou, Lamassoure, McCartin, McMillan-Scott, Marinos, Martin Hugues, Matikainen-Kallström, Musotto, Oomen-Ruijten, Pacheco Pereira, Perry, Pex, Pronk, Provan, Purvis, Schaffner, Smet, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Thyssen, Trakatellis, Van Orden, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, Zacharakis

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Bowe, Carlotti, Casaca, Cashman, Cerdeira Morterero, Colom i Naval, Corbey, Dehousse, De Keyser, De Rossa, Díez González, Duhamel, El Khadraoui, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Ghilardotti, Gill, Gillig, Goebbels, Guy-Quint, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, Hughes, van Hulten, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler,

**Wednesday 19 November 2003**

Kindermann, Kinnock, Koukiadis, Lage, Lalumière, Linkohr, Lund, McAvan, McCarthy, McNally, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Patrie, Pérez Royo, Poos, Rapkay, Rocard, Rodríguez Ramos, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Watts, Whitehead, Wiersma, Wynn, Zorba, Zrihen

**UEN:** Camre, Mussa

**Verts/ALE:** Bouwman, Buitenweg, Hudghton, Lagendijk, MacCormick, Maes, Mayol i Raynal, de Roo, Sörensen, Staes, Wyn

**Against: 235**

**EDD:** Abitbol, Belder, Blokland, Booth, Coûteaux, van Dam, Farage, Kuntz, Titford

**ELDR:** Calò, Di Pietro, Gasòliba i Böhm, Procacci

**GUE/NGL:** Fiebiger, Kaufmann, Markov, Modrow, Naïr, Scarbonchi, Schröder Ilka

**NI:** Berthu, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Mennea, Raschhofer, Souchet, Speroni, Stirbois, Varaut

**PPE-DE:** Almeida Garrett, Andria, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bremmer, Brok, Brunetta, Camisón Asensio, Cardoso, Coelho, Costa Raffaele, De Mita, Deva, Dover, Ebner, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Fiori, Flemming, Florenz, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Hannan, Hansenne, Heaton-Harris, Hernández Mollar, Hieronymi, Jarzembowski, Jeggel, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, Maat, Mann Thomas, Marini, Martens, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oostlander, Oreja Arburúa, Pack, Parish, Pérez Álvarez, Podestà, Poettering, Pomés Ruiz, Posselt, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenzel, Tajani, Theato, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, von Wogau, Wuermeling, Zabell, Zappalà, Zimmerling, Zissener

**PSE:** Berger, Bösch, van den Burg, Campos, Carnero González, Carrilho, Cercas, Ceyhun, Corbett, Désir, Dührkop Dührkop, Ettl, Gebhardt, Glante, Gröner, Hänsch, Haug, Hume, Kreissl-Dörfler, Kuhne, Lange, Leinen, Malliori, Müller, Piecyk, Pittella, Prets, Rothe, Scheele, Stockmann, Swoboda, Walter, Weiler, Zimeray

**UEN:** Andrews, Berlato, Bigliardo, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Breyer, Echerer, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lannoye, Lipietz, McKenna, Onesta, Piétrasanta, Rod, Rühle, Schörling, Schroedter, Turmes, Voggenhuber, Wuori

**Abstention: 12**

**PPE-DE:** Callanan, Cocilovo, Lombardo, Marques, Nicholson, Nisticò, Tannock, Twinn

**PSE:** Roth-Behrendt, Rothley

**Verts/ALE:** Cohn-Bendit, Frassoni

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**20. Liese report A5-0369/2003****Amendment 65****For: 241****EDD:** Abitbol, Andersen, Belder, Blokland, Bonde, Coûteaux, van Dam, Kuntz, Sandbæk**ELDR:** Calò, Di Pietro, Gasòliba i Böhm, Procacci**GUE/NGL:** Fiebiger, Kaufmann, Markov, Modrow, Schröder Ilka**NI:** Berthu, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Mennea, Raschhofer, Souchet, Speroni, Stirbois, Varaut**PPE-DE:** Almeida Garrett, Andria, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébear, Berend, Bodrato, Böge, von Boetticher, Bradbourn, Bremmer, Brok, Brunetta, Callanan, Camisón Asensio, Cardoso, Cocilovo, Coelho, Costa Raffaele, Daul, De Mita, Descamps, Deva, De Veyrac, Doorn, Ebner, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Flemming, Florenz, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyo Tormo, Gargani, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Hannan, Hansenne, Heaton-Harris, Hermange, Hernández Mollar, Hieronymi, Jarzembowski, Jean-Pierre, Jeggler, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Korhola, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Pex, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stevenson, Stockton, Sudre, Sumberg, Tajani, Tannock, Theato, Twinn, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wenzel-Perillo, von Wogau, Wuermeling, Zabell, Zappalà, Zimmerling, Zissener**PSE:** van den Burg, Ceyhun, Désir, Gebhardt, Gröner, Hänsch, Haug, Hume, Kreissl-Dörfler, Lange, Müller, Piecyk, Rothe, Stockmann, Weiler**UEN:** Andrews, Berlato, Bigliardo, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Breyer, Echerer, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lannoye, Lipietz, McKenna, Onesta, Piétrasanta, Rod, Rühle, Schörling, Schroedter, Turmes, Wuori**Against: 295****EDD:** Bernié, Booth, Butel, Esclopé, Farage, Mathieu, Raymond, Saint-Josse, Titford**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerdt-Quaak, Busk, Clegg, Cox, Davies, De Clercq, Duff, Dybkjær, Flesch, Formentini, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Plooi-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Alavanos, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Koulourianos, Laguiller, Manisco, Marset Campos, Meijer, Morgantini, Nair, Puerta, Scarbonchi, Seppänen, Sjöstedt, Sylla, Vachetta, Vinci, Wurtz**NI:** Beysen, Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Pannella, Turco**PPE-DE:** Arvidsson, Atkins, Averoff, Avilés Perea, Balfe, Banotti, Bourlanges, Bowis, Bushill-Matthews, Cederschiöld, Chichester, Corrie, Cushnahan, Deprez, Dover, Doyle, Elles, Fiori, Folias, Foster, Garriga Polledo, Goodwill, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Harbour, Hatzidakis, Helmer, Inglewood, Kauppi, Konrad, Kratsa-Tsagaropoulou, McCartin, McMillan-Scott, Marinos, Matikainen-Kallström, Pacheco Pereira, Perry, Pomés Ruiz, Provan, Purvis, Scallon, Smet, Stenmarck, Sturdy, Suominen, Thyssen, Trakatellis, Van Orden, van Velzen, Villiers, Wachtmeister, Wijkman, Zacharakis

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**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Ghilardotti, Gill, Gillig, Glante, Goebbels, Guy-Quint, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, Hughes, van Hulten, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kuhne, Lage, Lalumière, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Patrie, Pérez Royo, Pittella, Poos, Prets, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

**UEN:** Camre, Mussa

**Verts/ALE:** Bouwman, Buitenweg, Dhaene, Frassoni, Hudghton, Lagendijk, MacCormick, Maes, de Roo, Sörensen, Staes, Voggenhuber, Wyn

**Abstention: 6**

**GUE/NGL:** Alyssandrakis, Korakas, Patakis

**PSE:** Rothley

**Verts/ALE:** Cohn-Bendit, Mayol i Raynal

## **21. Lisee report A5-0369/2003**

### **Amendment 18, 1st part**

**For: 488**

**EDD:** Abitbol, Andersen, Belder, Bernié, Blokland, Bonde, Butel, Coûteaux, van Dam, Esclopé, Kuntz, Mathieu, Raymond, Saint-Josse, Sandbæk

**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Cox, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Plooi-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

**GUE/NGL:** Alyssandrakis, Caudron, Dary, Korakas, Meijer, Naïr, Patakis, Scarbonchi, Sylla

**NI:** Berthu, Beysen, Borghezio, Gobbo, Hager, Ilgenfritz, Kronberger, de La Perriere, Mennea, Raschhofer, Souchet, Speroni, Varaut

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Corrie, Costa Raffaele, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Hieronymi, Inglewood, Jarzembowski, Jean-Pierre, Jeggel, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Kirkhope, Klamt, Klab, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Podestà, Poettering,



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Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Skinner, Soares, Sornosa Martínez, Souladakakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

**UEN:** Andrews, Berlato, Bigliardo, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Pasqua, Queiró, Thomas-Mauro, Turchi

**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Echerer, Frasson, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lannoye, Lipietz, McCormick, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

### **Against: 11**

**EDD:** Booth, Farage, Titford

**NI:** Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Pannella, Turco

**UEN:** Ribeiro e Castro

### **Abstention: 38**

**GUE/NGL:** Ainardi, Alavanos, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Cauquil, Di Lello Finuoli, Eriksson, Fiebig, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Laguiller, Manisco, Markov, Marset Campos, Modrow, Morgantini, Puerta, Seppänen, Sjöstedt, Vachetta, Vinci, Wurtz

**NI:** Claeys, Dillen, Garaud, de Gaulle, Gollnisch, Lang, Stirbois

**UEN:** Camre

## **22. Lise report A5-0369/2003**

### **Amendment 18, 2nd part**

### **For: 314**

**EDD:** Andersen, Bernié, Bonde, Butel, Esclopé, Mathieu, Raymond, Saint-Josse, Sandbæk

**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerdt-Quaak, Busk, Clegg, Cox, Davies, De Clercq, Duff, Dybkjær, Fleisch, Formentini, Gasòliba i Böhm, Hühne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Plooi-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

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**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Korakas, Koulourianos, Laguiller, Manisco, Marset Campos, Meijer, Morgantini, Nair, Patakis, Puerta, Scarbonchi, Seppänen, Sjöstedt, Sylla, Vachetta, Vinci, Wurtz

**NI:** Beysen, Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Mennea, Pannella, Speroni, Turco

**PPE-DE:** Arvidsson, Atkins, Averoff, Avilés Perea, Balfe, Banotti, Bourlanges, Bowis, Bradbourn, Bushill-Matthews, Callanan, Cederschiöld, Chichester, Corrie, Costa Raffaele, Cushnahan, Deprez, Doorn, Doyle, Elles, Ferrer, Folias, Foster, Garriga Polledo, Goodwill, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Harbour, Hatzidakis, Helmer, Inglewood, Kauppi, Kratsa-Tsagaropoulou, McCartin, McMillan-Scott, Marinos, Pacheco Pereira, Perry, Pex, Provan, Purvis, Smet, Stenmarck, Stevenson, Sturdy, Suominen, Trakatellis, Van Orden, van Velzen, Villiers, Wachtmeister, Wijkman, Zacharakis

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rosa, Désir, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, Hughes, van Hulten, Iivari, Imbeni, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napolitano, Napolitano, O'Toole, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Rapkay, Rocard, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

**UEN:** Berlato, Bigliardo, Camre, Muscardini, Mussa, Nobilia, Turchi

**Verts/ALE:** Bouwman, Buitenweg, Dhaene, Hudghton, Jonckheer, MacCormick, Maes, de Roo, Sörensen, Staes, Wyn

### **Against: 211**

**EDD:** Abitbol, Belder, Blokland, Booth, Coûteaux, van Dam, Farage, Kuntz, Titford

**ELDR:** Calò, Di Pietro

**GUE/NGL:** Schröder Ilka

**NI:** Berthu, Claeys, Dillen, Garaud, de Gaulle, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perrière, Raschhofer, Souchet, Stirbois, Varaut

**PPE-DE:** Almeida Garrett, Andria, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébear, Berend, Bodrato, Böge, von Boetticher, Bremmer, Brok, Brunetta, Camisón Asensio, Cardoso, Coelho, Daul, De Mita, Descamps, Deva, De Veyrac, Dover, Ebner, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferri, Fiori, Flemming, Florenz, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Hannan, Hansenne, Heaton-Harris, Hermange, Hernández Mollar, Hieronymi, Jarzembowski, Jean-Pierre, Jeggler, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, Mann Thomas, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Podestà, Poettering, Pomés Ruiz, Posselt, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenzel, Stockton, Sudre, Sumberg, Tajani, Tannock, Theato, Thyssen, Twinn, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wenzel-Perillo, von Wogau, Wuermeling, Zabell, Zappalà, Zimmerling, Zissener

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**PSE:** Hume, Schmid Gerhard, Stockmann

**UEN:** Andrews, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro

**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Breyer, Echerer, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lagendijk, Lannoye, Lipietz, McKenna, Onesta, Piétrasanta, Rod, Rühle, Schörling, Schroedter, Turmes, Voggenhuber, Wuori

### **Abstention: 11**

**GUE/NGL:** Fiebiger, Kaufmann, Markov, Modrow

**NI:** Borghezio

**PPE-DE:** Cocilovo, Nicholson

**PSE:** Rothley

**Verts/ALE:** Cohn-Bendit, Frassoni, Mayol i Raynal

## **23. Lise report A5-0369/2003**

### **Amendment 18, 3rd part**

#### **For: 486**

**EDD:** Abitbol, Andersen, Belder, Bernié, Blokland, Bonde, Butel, Coûteaux, van Dam, Esclopé, Kuntz, Mathieu, Raymond, Saint-Josse, Sandbæk

**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Cox, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Gasóliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Korakas, Koulourianos, Laguiller, Manisco, Marset Campos, Meijer, Naïr, Patakis, Puerta, Scarbonchi, Seppänen, Sjøstedt, Sylla, Vinci, Wurtz

**NI:** Berthu, Beysen, Cappato, Dell'Alba, Della Vedova, Dupuis, Garaud, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Souchet, Speroni, Turco, Varaut

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Bodrato, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Corrie, Costa Raffaele, Cushnahan, Daul, De Mita, Deprez, Descamps, De Veyrac, Doorn, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hansenne, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Hieronymi, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Kastler, Kauppi, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Podestà, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Sacrédeus, Salafraña Sánchez-Neyra, Santini, Sartori, Schaffner, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

**Wednesday 19 November 2003**

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Napoletano, Napolitano, O'Toole, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

**UEN:** Andrews, Berlato, Bigliardo, Camre, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Pasqua, Queiró, Thomas-Mauro, Turchi

**Verts/ALE:** Aaltonen, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Echerer, Frassonni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lannoye, Lipietz, McCormick, McKenna, Maes, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sørensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

#### **Against: 39**

**EDD:** Booth, Farage, Titford

**GUE/NGL:** Fiebig, Kaufmann, Markov, Modrow, Schröder Ilka

**NI:** Claeys, Dillen, de Gaulle, Gollnisch, Lang, de La Perrière, Mennea, Stirbois

**PPE-DE:** Beazley, Berend, Böge, von Boetticher, Deva, Dover, Doyle, Flemming, García-Orcoyen Tormo, Gutiérrez-Cortines, Hannan, Heaton-Harris, Karas, Mauro, Nicholson, Pomés Ruiz, Provan, Rübig, Scallon, Schierhuber, Stenzel

**PSE:** Schmid Gerhard

**UEN:** Ribeiro e Castro

#### **Abstention: 4**

**NI:** Borghezio

**PPE-DE:** Oomen-Ruijten

**PSE:** Rothley

**Verts/ALE:** Mayol i Raynal

### **24. Lisee report A5-0369/2003**

#### **Amendment 18, 4th part**

#### **For: 281**

**EDD:** Bernié, Butel, Esclopé, Mathieu, Raymond, Saint-Josse

**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerdt-Quaak, Busk, Calò, Clegg, Cox, Davies, De Clercq, Duff, Dybkjær, Flesch, Formentini, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Plooi-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

Wednesday 19 November 2003

**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Korakas, Koulourianos, Laguiller, Manisco, Marset Campos, Meijer, Morgantini, Naïr, Patakis, Puerta, Scarbonchi, Seppänen, Sjöstedt, Sylla, Vachetta, Vinci, Wurtz

**NI:** Beysen, Borghezio, Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Pannella, Speroni, Turco

**PPE-DE:** Averoff, Cocilovo, Fernández Martín, Folias, Foster, Glase, Goodwill, Grossetête, Hansenne, Hatzidakis, Helmer, Kratsa-Tsagaropoulou, Lamassoure, Lulling, Marinos, Matikainen-Kallström, Pacheco Pereira, Smet, Stevenson, Trakatellis, Vidal-Quadras Roca, Wijkman, Zacharakis

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rosa, Désir, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, Hughes, van Hulten, Ivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napolitano, Napolitano, O'Toole, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

**UEN:** Camre, Mussa

**Verts/ALE:** Bouwman, Buitenweg, Dhaene, Frassoni, Jonckheer, Lagendijk, Lannoye, MacCormick, Maes, Mayol i Raynal, de Roo, Schroedter, Sörensen, Staes, Voggenhuber, Wyn

### **Against: 248**

**EDD:** Abitbol, Andersen, Belder, Blokland, Bonde, Booth, Coûteaux, van Dam, Farage, Kuntz, Sandbæk, Titford

**ELDR:** Di Pietro

**GUE/NGL:** Fiebiger, Kaufmann, Markov, Modrow, Schröder Ilka

**NI:** Berthu, Claeys, Dillen, Garaud, de Gaulle, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Mennea, Raschhofer, Souchet, Stirbois, Varaut

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Coelho, Corrie, Costa Raffaele, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Ferrer, Ferri, Fiori, Flemming, Florenz, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcyoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Gutiérrez-Cortines, Hannan, Harbour, Heaton-Harris, Hermange, Hernández Mollar, Hieronymi, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Kauppi, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lombardo, Maat, McCartin, McMillan-Scott, Mann Thomas, Marques, Martens, Martin Hugues, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennitti, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenmarck, Stenzel, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Zabell, Zappalà, Zimmerling, Zissener

**Wednesday 19 November 2003**

**PSE:** Hume, Schmid Gerhard

**UEN:** Berlato, Bigliardo, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro, Turchi

**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Breyer, Echerer, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lipietz, McKenna, Piétrasanta, Rod, Rühle, Schörling, Turmes, Wuori

**Abstention: 3**

**PPE-DE:** Bradbourn

**PSE:** Rothley

**Verts/ALE:** Cohn-Bendit

**25. Lise report A5-0369/2003**

**Amendments 28 + 46 + 60**

**For: 112**

**EDD:** Abitbol, Andersen, Belder, Blokland, Bonde, Booth, Coûteaux, van Dam, Farage, Kuntz, Sandbæk, Titford

**ELDR:** Calò

**GUE/NGL:** Fiebiger, Kaufmann, Markov, Modrow

**NI:** Berthu, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perrière, Mennea, Raschhofer, Souchet, Speroni, Stirbois, Varaut

**PPE-DE:** Bastos, Bayona de Perogordo, Beazley, Berend, Camisón Asensio, Cardoso, Coelho, Descamps, Dover, Ferber, Fiori, Gawronski, Gouveia, Graça Moura, Hansenne, Heaton-Harris, Hermange, Kauppi, Lisi, Montfort, Ojeda Sanz, Oreja Arburúa, Pastorelli, Pérez Álvarez, Sacrédeus, Scallon, Vlasto

**PSE:** Bösch, Désir, Ford, Gebhardt, Gröner, Hume, Kreissl-Dörfler, Marinho, Müller, Piecyk, Pittella, Rothe, Scheele, Schmid Gerhard

**UEN:** Andrews, Berlato, Bigliardo, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro, Turchi

**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Breyer, Echerer, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lannoye, Lipietz, McKenna, Piétrasanta, Rod, Rühle, Schörling, Schroedter, Turmes, Voggenhuber, Wuori

**Against: 409**

**EDD:** Bernié, Butel, Esclopé, Mathieu, Raymond, Saint-Josse

**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Clegg, Cox, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Korakas, Koulourianos, Laguiller, Manisco, Marset Campos, Meijer, Morgantini, Naïr, Patakis, Puerta, Scarbonchi, Seppänen, Sjöstedt, Sylla, Vachetta, Vinci, Wurtz

**NI:** Beysen, Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Pannella, Turco

Wednesday 19 November 2003

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bébéar, Bodrato, Böge, von Boetticher, Bourlanges, Bowis, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Cederschiöld, Chichester, Cocilovo, Corrie, Cushnahan, Daul, De Mita, Deprez, De Veyrac, Doorn, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Fernández Martín, Ferrer, Flemming, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Harbour, Hatzidakis, Helmer, Hernández Mollar, Hieronymi, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lombardo, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Morillon, Musotto, Naranjo Escobar, Nicholson, Niebler, Oomen-Ruijten, Oostlander, Pacheco Pereira, Pack, Parish, Perry, Pex, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rübig, Salafranca Sánchez-Neyra, Santini, Sartori, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Theato, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Wachtmeister, Wenzel-Perillo, Wijkman, von Wogau, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Fruteau, Ghilardotti, Gill, Gillig, Goebbels, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, Hughes, van Hulten, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Kindermann, Kinnock, Koukiadis, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Patrie, Pérez Royo, Poos, Prets, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusi, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

**UEN:** Camre, Mussa

**Verts/ALE:** Bouwman, Buitenweg, Dhaene, Hudghton, Lagendijk, MacCormick, Maes, Onesta, de Roo, Sörensen, Staes, Wyn

### **Abstention: 11**

**PPE-DE:** Bradbourn, Hannan, Kastler, Mombaur, Nisticò, Tannock

**PSE:** Rothley

**Verts/ALE:** Cohn-Bendit, Frassoni, Jonckheer, Mayol i Raynal

## **26. Lisee report A5-0369/2003**

### **Amendments 29 + 47**

### **For: 194**

**EDD:** Abitbol, Belder, Blokland, Booth, Coûteaux, van Dam, Farage, Kuntz, Titford

**ELDR:** Di Pietro, Gasdliba i Böhm

**GUE/NGL:** Fiebig, Kaufmann, Markov, Modrow

**NI:** Berthu, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perrière, Mennea, Raschhofer, Souchet, Speroni, Stirbois, Varaut

Wednesday 19 November 2003

**PPE-DE:** Almeida Garrett, Andria, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Böge, von Boetticher, Bremmer, Brok, Brunetta, Camisón Asensio, Cardoso, Coelho, Deva, Dover, Ebner, Evans Jonathan, Fatuzzo, Ferber, Ferrer, Fiori, Flemming, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Hannan, Hansenne, Heaton-Harris, Hermange, Hernández Mollar, Hieronymi, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klamt, Knolle, Koch, Korhola, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, Mann Thomas, Marques, Martens, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Pack, Parish, Pastorelli, Pérez Álvarez, Podestà, Poettering, Pomés Ruiz, Posselt, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenzel, Tajani, Tannock, Theato, Twinn, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, Vidal-Quadras Roca, Vlasto, Wenzel-Perillo, von Wogau, Wuermeling, Zabell, Zappalà, Zimmerling, Zissener

**PSE:** Hume

**UEN:** Andrews, Berlato, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro, Turchi

**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Breyer, Echerer, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lannoye, Lipietz, McKenna, Piétrasanta, Rod, Rühle, Schörling, Schroedter, Turmes, Voggenhuber, Wuori

### **Against: 328**

**EDD:** Andersen, Bernié, Bonde, Butel, Esclopé, Mathieu, Raymond, Saint-Josse, Sandbæk

**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Cox, Davies, De Clercq, Duff, Dybkjær, Fleisch, Formentini, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

**GUE/NGL:** Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraise, Herzog, Jové Peres, Korakas, Koulourianos, Laguiller, Manisco, Marset Campos, Meijer, Morgantini, Naïr, Patakis, Puerta, Scarbonchi, Seppänen, Sjöstedt, Sylla, Vachetta, Vinci, Wurtz

**NI:** Beysen, Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Pannella, Turco

**PPE-DE:** Arvidsson, Atkins, Averoff, Avilés Perea, Balfe, Banotti, Bébéar, Bourlanges, Bowis, Bushill-Matthews, Callanan, Cederschiöld, Chichester, Corrie, Cushnahan, Daul, De Mita, Deprez, Descamps, De Veyrac, Doorn, Doyle, Elles, Fernández Martín, Florenz, Folias, Foster, Fourtou, Garriga Polledo, Goodwill, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Harbour, Hatzidakis, Helmer, Inglewood, Jean-Pierre, Kauppi, Klauf, Konrad, Kratsa-Tsagaropoulou, Lamassoure, McCartin, McMillan-Scott, Marinos, Martin Hugues, Matikainen-Kallström, Pacheco Pereira, Perry, Pex, Pronk, Provan, Purvis, Schaffner, Smet, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Thyssen, Trakatellis, Van Orden, van Velzen, de Veyrinas, Villiers, Wachtmeister, Wijkman, Zacharakis

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, Hughes, van Hulten, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Skinner, Soares, Sornosa Martínez, Soulidakis,



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Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

**UEN:** Camre, Mussa

**Verts/ALE:** Bouwman, Buitenweg, Dhaene, Lagendijk, MacCormick, Maes, Onesta, de Roo, Sörensen, Staes, Wyn

### **Abstention: 11**

**PPE-DE:** Bodrato, Bradbourn, Cocilovo, Mombaur, Nicholson

**PSE:** Rothley, Schmid Gerhard

**UEN:** Marchiani

**Verts/ALE:** Cohn-Bendit, Frassoni, Mayol i Raynal

## **27. Lise report A5-0369/2003**

### **Commission proposal**

**For: 298**

**EDD:** Andersen, Bonde, Butel, Mathieu, Raymond, Saint-Josse, Sandbæk

**ELDR:** Andreassen, André-Léonard, Attwooll, Boogerdt-Quaak, Busk, Clegg, Cox, Davies, De Clercq, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

**GUE/NGL:** Ainardi, Alavanos, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Koulourianos, Laguiller, Manisco, Marset Campos, Meijer, Morgantini, Nair, Puerta, Scarbonchi, Seppänen, Sjöstedt, Sylla, Vachetta, Vinci, Wurtz

**NI:** Beysen, Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Pannella, Turco

**PPE-DE:** Arvidsson, Atkins, Averoff, Avilés Perea, Balfe, Banotti, Bébéar, Boursanges, Bowis, Brunetta, Bushill-Matthews, Cederschiöld, Chichester, Corrie, Cushnahan, Daul, Deprez, Descamps, De Veyrac, Doorn, Doyle, Elles, Folias, Foster, Fourtou, Garriga Polledo, Goodwill, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Harbour, Hatzidakis, Helmer, Inglewood, Jean-Pierre, Kauppi, Kratsa-Tsagaropoulou, Lamassoure, McCartin, McMillan-Scott, Marinos, Martin Hugues, Matikainen-Kallström, Oomen-Ruijten, Pacheco Pereira, Perry, Pex, Provan, Purvis, Schaffner, Smet, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tannock, Thyssen, Trakatellis, Van Orden, van Velzen, Vidal-Quadras Roca, Villiers, Wachtmeister, Zacharakis

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Ghilardotti, Gill, Gillig, Glante, Goebbels, Guy-Quint, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Lage, Lalumière, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Murphy, Myller, Napolitano, Napolitano, O'Toole, Paasilinna, Patrie, Pérez Royo, Pittella, Poos, Prets, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Ruffolo, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Skinner, Soares, Sornosa Martínez, Soulidakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

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**UEN:** Camre, Mussa

**Verts/ALE:** Bouwman, Buitenweg, Dhaene, Lagendijk, McCormick, Maes, de Roo, Sørensen, Wyn

**Against: 214**

**EDD:** Abitbol, Belder, Blokland, Booth, Coûteaux, van Dam, Farage, Kuntz, Titford

**ELDR:** Calò, Di Pietro, Gasòliba i Böhm

**GUE/NGL:** Fiebiger, Kaufmann, Markov, Modrow, Schröder Ilka

**NI:** Berthu, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perrière, Mennea, Raschhofer, Souchet, Speroni, Stirbois, Varaut

**PPE-DE:** Almeida Garrett, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bremmer, Brok, Camisón Asensio, Cardoso, Coelho, De Mita, Deva, Dover, Ebner, Evans Jonathan, Fatuzzo, Ferber, Ferrer, Fiori, Flemming, Florenz, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Hannan, Hansenne, Heaton-Harris, Hernández Mollar, Hieronymi, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, Mann Thomas, Marques, Martens, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schierhuber, Schleicher, Schmitt, Schwaiger, Sommer, Stauner, Stenzel, Tajani, Theato, Twinn, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, Wenzel-Perillo, von Wogau, Wuermeling, Zabell, Zappalà, Zimmerling, Zissener

**PSE:** Ceyhun, Désir, Gebhardt, Gröner, Hänsch, Haug, Hume, Kreissl-Dörfler, Kuhne, Lange, Müller, Piecyk, Rothe, Sakellariou, Schmid Gerhard, Stockmann, Walter, Weiler

**UEN:** Andrews, Berlato, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro, Turchi

**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Breyer, Echerer, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lannoye, Lipietz, McKenna, Onesta, Piétrasanta, Rod, Rühle, Schörling, Schroedter, Turmes, Voggenhuber, Wuori

**Abstention: 21**

**EDD:** Bernié, Esclopé

**GUE/NGL:** Alyssandrakis, Korakas, Patakis

**PPE-DE:** Andria, Bradbourn, Callanan, Cocilovo, Fernández Martín, Hermange, Nicholson, Rübig, de Veyrinas, Vlasto, Wijkman

**Verts/ALE:** Cohn-Bendit, Frassoni, Jonckheer, Mayol i Raynal, Staes

**28. Lise report A5-0369/2003**

**Amendments 36 + 54**

**For: 92**

**EDD:** Abitbol, Belder, Blokland, Coûteaux, van Dam, Kuntz

**ELDR:** Gasòliba i Böhm

**GUE/NGL:** Fiebiger, Kaufmann, Markov, Modrow, Schröder Ilka

**NI:** Berthu, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Hager, Kronberger, Lang, de La Perrière, Mennea, Raschhofer, Souchet, Speroni, Stirbois, Varaut

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**PPE-DE:** Bastos, Beazley, Cardoso, Cocilovo, Coelho, Dover, Evans Jonathan, Ferrer, Garriga Polledo, Gouveia, Graça Moura, Heaton-Harris, Karas, Kauppi, Mombaur, Sacrédeus, Scallon

**PSE:** Dehousse

**UEN:** Andrews, Berlato, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro, Turchi

**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Dhaene, Echerer, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lannoye, Lipietz, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori

### Against: 425

**EDD:** Andersen, Bernié, Bonde, Booth, Butel, Esclopé, Farage, Raymond, Saint-Josse, Sandbæk, Titford

**ELDR:** Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Cox, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Korakas, Koulourianos, Laguiller, Manisco, Marset Campos, Meijer, Morgantini, Nair, Patakis, Puerta, Scarbonchi, Seppänen, Sjöstedt, Sylla, Vachetta, Vinci, Wurtz

**NI:** Beysen, Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Ilgenfritz, Pannella, Turco

**PPE-DE:** Almeida Garrett, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bayona de Perogordo, Bébear, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cederschiöld, Chichester, Corrie, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Doorn, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Hieronymi, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Kastler, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rübig, Salafranca Sánchez-Neyra, Santini, Sartori, Schaffner, Schierhuber, Schleicher, Schmitt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, von Wogau, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Skinner, Soares, Sornosa Martínez, Soulidakis,

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Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

**UEN:** Camre

**Verts/ALE:** Maes

**Abstention: 10**

**EDD:** Mathieu

**PPE-DE:** Andria, Fernández Martín, Gawronski, Nicholson, Sumberg

**PSE:** Schmid Gerhard

**Verts/ALE:** Cohn-Bendit, McCormick, Mayol i Raynal

## **29. Lise report A5-0369/2003**

### **Resolution**

**For: 300**

**EDD:** Andersen, Bonde, Butel, Mathieu, Raymond, Saint-Josse, Sandbæk

**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerdt-Quaak, Busk, Clegg, Cox, Davies, De Clercq, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

**GUE/NGL:** Ainardi, Alavanos, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraise, Herzog, Jové Peres, Koulourianos, Laguiller, Manisco, Marset Campos, Meijer, Morgantini, Nair, Puerta, Scarbonchi, Seppänen, Sjöstedt, Sylla, Vachetta, Vinci, Wurtz

**NI:** Beysen, Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Pannella, Turco

**PPE-DE:** Arvidsson, Atkins, Averoff, Avilés Perea, Balfe, Banotti, Bébear, Boursanges, Bowis, Brunetta, Bushill-Matthews, Cederschiöld, Chichester, Cushnahan, Daul, Deprez, Descamps, De Veyrac, Doorn, Doyle, Elles, Folias, Foster, Fourtou, Garriga Polledo, Goodwill, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Harbour, Hatzidakis, Helmer, Inglewood, Jean-Pierre, Kauppi, Kratsa-Tsagaropoulou, Lamassoure, McCartin, McMillan-Scott, Marinos, Martin Hugues, Matikainen-Kallström, Oomen-Ruijten, Pacheco Pereira, Perry, Pex, Provan, Purvis, Schaffner, Smet, Stenmarck, Stevenson, Sturdy, Sudre, Sumberg, Suominen, Tannock, Thyssen, Trakatellis, Twinn, Van Orden, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Wachtmeister, Zacharakis

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, Désir, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Ghilardotti, Gill, Gillig, Glante, Goebbels, Guy-Quint, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Ivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Lage, Lalumière, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Murphy, Myller, Napolitano, Napolitano, O'Toole, Paasilinna, Patrie, Pérez Royo, Pittella, Poos, Prets, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Ruffolo, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Watts, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

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**UEN:** Camre, Mussa**Verts/ALE:** Bouwman, Buitenweg, Dhaene, Lagendijk, MacCormick, Maes, Mayol i Raynal, de Roo, Sörensen, Staes, Voggenhuber, Wyn**Against: 210****EDD:** Abitbol, Belder, Blokland, Booth, Coûteaux, van Dam, Farage, Kuntz, Titford**ELDR:** Calò, Di Pietro, Gasòliba i Böhm**GUE/NGL:** Fiebiger, Kaufmann, Markov, Modrow, Schröder Ilka**NI:** Berthu, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perrière, Mennea, Raschhofer, Souchet, Stirbois, Varaut**PPE-DE:** Almeida Garrett, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Böge, von Boetticher, Bremmer, Brok, Camisón Asensio, Cardoso, Coelho, De Mita, Deva, Dover, Ebner, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Fiori, Flemming, Florenz, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóyen Tormo, Gargani, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Hannan, Hansenne, Heaton-Harris, Hernández Mollar, Hieronymi, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klamt, Klab, Knolle, Koch, Konrad, Korhola, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, Mann Thomas, Marques, Martens, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Musotto, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Scallan, Schierhuber, Schleicher, Schmitt, Schwaiger, Sommer, Stauner, Stenzel, Tajani, Theato, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, Wenzel-Perillo, von Wogau, Wuermeling, Zabell, Zappalà, Zimmerling, Zissener**PSE:** Ceyhun, De Rossa, Gebhardt, Gröner, Hänsch, Haug, Hume, Kreissl-Dörfler, Kuhne, Lange, Müller, Piecyk, Rothe, Sakellariou, Schmid Gerhard, Stockmann, Walter, Weiler**UEN:** Andrews, Berlato, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro, Turchi**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Breyer, Echerer, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lannoye, Lipietz, McKenna, Piétrasanta, Rod, Rühle, Schörling, Schroedter, Turmes, Wuori**Abstention: 19****EDD:** Bernié, Esclopé**GUE/NGL:** Alyssandrakis, Korakas, Patakis**PPE-DE:** Andria, Bradbourn, Callanan, Cocilovo, Corrie, Hermange, Nicholson, Vlasto, Wijkman**PSE:** Hoff**Verts/ALE:** Cohn-Bendit, Frassoni, Jonckheer, Onesta**30. Blokland report A5-0394/2003****Amendment 1/rev.****For: 212****EDD:** Abitbol, Andersen, Belder, Bernié, Blokland, Bonde, van Dam, Esclopé, Saint-Josse, Sandbæk**ELDR:** Boogerd-Quaak, Di Pietro**GUE/NGL:** Ainardi, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Laguiller, Manisco, Markov, Maset Campos, Meijer, Modrow, Patakis, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Vinci, Wurtz**NI:** Borghezio, Gorostiaga Atxalandabaso

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**PPE-DE:** Langenhagen

**PSE:** Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Gröner, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Müller, Myller, Napolitano, Napolitano, O'Toole, Pérez Royo, Piecyk, Poos, Prets, Rapkay, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

**UEN:** Camre

**Verts/ALE:** Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Cohn-Bendit, Dhaene, Echerer, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lannoye, Lipietz, MacCormick, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Wuori, Wyn

### **Against: 215**

**EDD:** Booth, Farage, Titford

**ELDR:** Andreasen, André-Léonard, Busk, Calò, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Plooi-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

**NI:** Beysen, Claeys, Dillen, de Gaulle, Gollnisch, Ilgenfritz, Lang, Mennea, Stirbois

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bayona de Perogordo, Bébér, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bremmer, Brok, Callanan, Camisón Asensio, Cederschiöld, Chichester, Cocilovo, Cushnahan, Daul, De Mita, Deprez, Descamps, De Veyrac, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Fernández Martín, Ferrer, Fiori, Florenz, Folias, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, Gargani, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Harbour, Hatzidakis, Hermange, Hernández Mollar, Inglewood, Jean-Pierre, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Lehne, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marinos, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Morillon, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Scallan, Schaffner, Schierhuber, Schleicher, Schmitt, Schwaiger, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zacharakis, Zappalà

**UEN:** Collins, Crowley, Fitzsimons, Hyland, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro

### **Abstention: 9**

**EDD:** Mathieu

**NI:** Berthu, Hager, Kronberger, de La Perriere, Raschhofer, Souchet, Varaut

**PPE-DE:** Oomen-Ruijten

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**TEXTS ADOPTED****P5\_TA(2003)0497****Violations of women's rights****European Parliament resolution on violation of women's rights and EU international relations (2002/2286(INI))***The European Parliament,*

- having regard to EU external relations, as defined in particular in Articles 11, 177, 178 and 181 of the EC Treaty,
- having regard to the human rights clause in EU association agreements and in particular Article 25 of the Cotonou Agreement,
- having regard to Articles 4, 5, 6, 20 and 21(1) of the EU Charter of Fundamental Rights,
- having regard to the EU Annual report on human rights 2001 (12141/2001) and its resolution of 25 April 2002 thereon <sup>(1)</sup>,
- having regard to Recommendation (2002)5 of the Committee of Ministers of the Council of Europe to Member States on the protection of women against violence, which was adopted on 30 April 2002,
- having regard to Resolution 2003/44 on the integration of women's rights in the UN system and Resolution 2003/45 on violence against women of the UN Commission on Human Rights <sup>(2)</sup>,
- having regard to the 1979 UN Convention on the elimination of all forms of discrimination against women (CEDAW), and to General Recommendations Nos 12, 14 and 19 of the CEDAW Committee <sup>(3)</sup>,
- having regard to the Vienna Declaration and Programme of Action, as adopted by the World Conference on Human Rights on 25 June 1993 <sup>(4)</sup>,
- having regard to the outcome document on the Beijing Plus 5 Review on the follow-up to the Beijing Action Platform (130a) <sup>(5)</sup>,
- having regard to the declarations of the Greek Presidency of the EU Council according to which a sustained effort is undertaken to make gender aspects an integral part of the work of the General Affairs Councils; having regard to the worrying fact that women continue to be subjected to violence in many areas of the world,
- having regard to its resolution of 20 September 2001 on female genital mutilation <sup>(6)</sup>,
- having regard to its resolution of 7 February 2002 on EU policy towards Mediterranean countries in relation to the promotion of women's rights and equal opportunities in these countries <sup>(7)</sup>,
- having regard to Rule 163 of its Rules of Procedure,
- having regard to the report of the Committee on Women's Rights and Equal Opportunities (A5-0334/2003),

<sup>(1)</sup> OJ C 131 E, 5.6.2003, p. 138.

<sup>(2)</sup> <http://www.un.org/>

<sup>(3)</sup> <http://www.unifem.org/>

<sup>(4)</sup> [http://www.unhchr.ch/huridoca.nsf/\(Symbol/A.CONF.157.23](http://www.unhchr.ch/huridoca.nsf/(Symbol/A.CONF.157.23)

<sup>(5)</sup> <http://www.unifem.org/>

<sup>(6)</sup> OJ C 77 E, 28.03.2002, p. 126.

<sup>(7)</sup> OJ C 284 E, 21.11.2002, p. 337.

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- A. aware that, as stated by the CEDAW Committee in its General Recommendation No 19<sup>(1)</sup>, violence against women constitutes a form of discrimination, as, by undermining women's physical and psychological integrity, it compromises women's full enjoyment of universal and basic human rights, such as the right to life and the right to security and integrity of the person, as set out in Universal and European human rights instruments,
- B. recalling that, as stated in the Declaration from the 1993 Vienna World Conference on Human Rights, 'the human rights of women and the girl-child are an inalienable, integral and indivisible part of universal human rights', and that, as reaffirmed by the 1995 Beijing Declaration and Platform of Action, action has to be taken 'towards the elimination of violence against women in public and private life',
- C. aware that victims of violence are both women and men; however, international implementation of human rights in practice tends to take less into consideration violence against women, which stems from the unequal nature of the relations between men and women which is a feature of most societies, and unacceptable references to culture and tradition,
- D. taking into account the fact that, based on its mandate to respect and protect human rights in international policy, the EU should positively contribute and undertake actions aimed at eliminating violence in all its varied forms; until this final goal is achieved, however, eliminating the more serious, degrading and/or life-threatening forms of violence against women should constitute the first essential step,
- E. whereas practices such as genital mutilation, stoning, public castigation, burning, raping, mutilation with acid, crimes of honour, forced marriages, enslavement and sexual exploitation constitute particularly horrific and unacceptable forms of violence perpetrated against women and girls,
- F. whereas, although the individual and collective rights of women are formally enshrined in international law, many EU partner countries have drawn up various provisos to that legislation, thus legally preventing a large part thereof from being implemented; whereas, however, important international agreements which are signed and ratified without proviso are difficult to implement due to inadequate mechanisms and traditional or religious stereotypes, while positive measures are rarely taken to defend the rights of women and to integrate them into economic and social life,
- G. firmly believing that such practices are neither tolerable nor justifiable on the basis of their inscription in tradition, and that no cultural relativism is to be invoked and accepted when gross human rights violations are at stake,
- H. is concerned by the fact that women are constantly the subject of different forms of violence in many countries which are EU partners in trade and development agreements; believes, therefore, there should be an integrated approach towards the social, cultural, economic and legal factors which keep women far from the centres of power and relegate them to an inferior social and economic position,
- I. whereas the Council has already set out in development and trade agreements a series of legal and political instruments aiming to secure the respect of human rights, democracy and the rule of law<sup>(2)</sup> in partner countries,
- J. whereas women are specifically the victims of poverty and violence but whereas they are also essential participants in the development (and essential contributors to the social cohesion) of their country, and whereas these two considerations should be taken into account in the EU's cooperation and development policy,

<sup>(1)</sup> In its different forms such as 'physical, mental or sexual harm or suffering, threats of such acts, coercion or deprivations of liberty'.

<sup>(2)</sup> COM(95) 216; Council Regulation (EC) No 975/1999; Council Regulation (EC) No 976/1999.



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1. Welcomes the communication from the Commission on the programme of action for the mainstreaming of gender equality in Community Development Cooperation (COM(2001) 295), while stressing the need for a more straightforward and pressing action to fight violence against women;
2. Welcomes the inclusion in the Cotonou Agreement of provisions addressing the issue of gender as part of the political dialogue (Article 8), of equality between men and women and gender mainstreaming (Article 31) and of genital mutilation (Article 25) <sup>(1)</sup>;
3. Recalls its initiative in the relevant lines of the 2003 budget to include a clause providing that 'lack of action to prevent and combat severe violence against women (stoning, public castigation, genital mutilation, burning or rape) will constitute a reason to suspend EU assistance';
4. Welcomes the implementation of the EU's new programme launched in January 2003 on the sexual and reproductive health of women in 22 ACP countries and calls for further expansion and strengthening of that programme;
5. Calls for greater participation of women in international organisations, official diplomatic missions and international initiatives in order to take account of the experience, the perspective and the needs of 50 % of the population, which will contribute towards resolving problems and towards the long-term sustainability of decisions concerning women, given that gender is an important but neglected variable in the conduct of foreign policy;
6. Stresses the need for a comprehensive definition of violence, whether private or public, along the lines provided by the CEDAW and by the Beijing Action Programme to be included in trade and development agreements, and calls on third States to sign that instrument and to incorporate it into their internal legal order;
7. Urges the Council and the Commission to include in future trade and development agreements, irrespective of, and in addition to, the clause for the respect of human rights, a specific clause providing for the imposition of sanctions and, ultimately, the suspension of the agreement in cases of serious and repeated violations of women's rights (meaning widespread episodes of violence such as genital mutilation, mutilation with acid, public castigation, burning, blood feuds, stoning, raping and trafficking in women, murders of honour, forced marriages and slavery);
8. Considers that sanctions or the suspension of the agreement should be enacted in cases where, despite evidence of expanding and serious violence against women, the partner country's government systematically refrains from positively reacting to these phenomena at legislative, administrative and judicial level; points out that in any event, the impact of sanctions or suspension of the agreement on the population, and in particular on children and women, should be carefully studied and evaluated;
9. Asks the Commission to involve in its actions local women's organisations from partner countries active in the fight against violence to women;
10. Invites the Commission to establish favourable or unfavourable trade terms for partner countries according to their record for fighting violence against women, as well as to establish incentives for partner countries according to their achievements in the fields of democratisation and the rule of law;
11. Calls upon the Commission and the Member States to ensure that their development-aid programmes include projects specifically designed to combat violence against women and to promote female emancipation; similarly, calls upon the Commission and the Member States to tailor a significant percentage of their aid projects exclusively to women and to women's welfare and development; emphasises the need to ensure that such projects include active participation by local women;

<sup>(1)</sup> <http://www.eurosur.org/wide/EU/Cotonou/newcotonou.htm>

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12. Urges the Commission to take into account the status and progression of women's situation in the economic, legal, social and cultural fields (in particular the stage reached in the ratification of the CEDAW and the Additional Protocol thereto) and to initiate discussion with partner countries on certain sensitive areas such as discriminatory provisions in family law and criminal law, domestic violence, discrimination in access to health and education services and legal aid; underlines the necessity to adequately use existing EU funds to finance positive actions in countries where strong imbalances of power between the sexes inhibit women's emancipation, participation in society and education, thus putting women at special risk of violence;
13. Calls upon the Member States, when considering applications for, and possible recognition of, refugee status, to take into account persecution and/or the fear of persecution which may be suffered by women on account of their sex;
14. Stresses the need to fully include issues of violence against women and to impress upon the Iranian Government the importance of ratifying the CEDAW in the current negotiations on the conclusion of a trade and cooperation agreement;
15. Appeals to the governments of the partner countries to:
  - show the necessary political will and step up the legal, administrative and other reforms to establish the equality of men and women in law and to incorporate gender equality into all their policies, giving particular encouragement to the participation of women in decision-making processes,
  - develop information campaigns and policies to combat violence against women, promoting special training for police and the judiciary, encouraging equal opportunities in education (in particular by deterring girls from suspending or abandoning their studies) and strengthening health programmes;
16. Suggests the establishment of permanent contacts through Commission delegations with the relevant local, national and international institutions and NGOs working in partner countries, in order to collect all available and useful data on issues relating to gender and violence and the situation of women in third countries and to issue a yearly Communication on the data thus collected and the general information supplied by third countries;
17. Calls for participation by women to be made an integral part of the process of concluding agreements with third countries, so that the gender dimension can be systematically incorporated and the impact on the lives and the status of women be taken into account;
18. Encourages the Commission to train and recruit personnel with expertise in the field of gender theories and mainstreaming, enabling the Commission to provide data desegregated by gender in Country and Regional Strategy Papers, to coordinate EU action to combat violence against women when necessary and to evaluate its impact;
19. Asks the Commission to raise issues relating to violence against women in all relevant international contexts, conferences and organisations, such as G8 meetings and WTO rounds, and to accordingly propose anti-violence measures and clauses in multilateral agreements;
20. Urges Member States to fully support all present and future EU measures aiming to combat violence against women, at all levels of negotiation and implementation, within bilateral and multilateral agreements;
21. Urges Member States to pass legislation — or to ensure that existing legislation is more strictly complied with — prohibiting and imposing penalties for genital mutilation in their own country, and at the same time to develop national prevention programmes in order to ultimately eradicate the practice of genital mutilation;

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22. Urges again Member States and the Commission to take concrete and coordinated action against women trafficking in Europe in cooperation with Europol, Interpol and Eurojust, in line with its position of 12 June 2001 on the proposal for a Council framework decision on combating trafficking in human beings <sup>(1)</sup>, and to ratify the UN's New Protocol on Trafficking in Human Beings;

23. Instructs its President to forward this resolution to the Commission, the Council, the governments of the Member States and of the accession countries as well as the EU trade and association partners.

<sup>(1)</sup> OJ C 53 E, 28.2.2002, p. 114.

P5\_TA(2003)0498

### Major-accident hazards involving dangerous substances \*\*\*III

**European Parliament legislative resolution on the joint text approved by the Conciliation Committee for a European Parliament and Council directive on amending Council Directive 96/82/EC on the control of major-accident hazards involving dangerous substances (PE-CONS 3665/2003 – C5-0435/2003 – 2001/0257(COD))**

(Codecision procedure: third reading)

*The European Parliament,*

- having regard to the joint text approved by the Conciliation Committee (PE-CONS 3665/2003 – C5-0435/2003),
- having regard to its position at first reading <sup>(1)</sup> on the Commission proposal to Parliament and the Council (COM(2001) 624) <sup>(2)</sup>,
- having regard to the amended proposal (COM(2002) 540) <sup>(3)</sup>,
- having regard to its position at second reading <sup>(4)</sup> on the Council common position <sup>(5)</sup>,
- having regard to the Commission's opinion on Parliament's amendments to the common position (COM(2003) 460 – C5-0352/2003) <sup>(6)</sup>,
- 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 (A5-0365/2003),

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.

<sup>(1)</sup> OJ C 271 E, 12.11.2003, p. 315.

<sup>(2)</sup> OJ C 75 E, 26.3.2002, p. 357.

<sup>(3)</sup> OJ C 20 E, 28.1.2003, p. 255.

<sup>(4)</sup> 'Texts Adopted', 19.6.2003, P5\_TA(2003)0285.

<sup>(5)</sup> OJ C 102 E, 29.4.2003, p. 1.

<sup>(6)</sup> Not yet published in the OJ.

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P5\_TA(2003)0499

## Enhancing ship and port facility security \*\*\*I

**European Parliament legislative resolution on the proposal for a European Parliament and Council regulation on enhancing ship and port facility security (COM(2003) 229 – C5-0218/2003 – 2003/0089(COD))**

(Codecision procedure: first reading)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 229) <sup>(1)</sup>,
- having regard to Articles 251(2) and 80(2) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0218/2003),
- having regard to Rule 67 of its Rules of Procedure,
- having regard to the report of the Committee on Regional Policy, Transport and Tourism and the opinions of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs and the Committee on Industry, External Trade, Research and Energy (A5-0385/2003),

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 Commission.

<sup>(1)</sup> Not yet published in the OJ.

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**P5\_TC1-COD(2003)0089**

**Position of the European Parliament adopted at first reading on 19 November 2003 with a view to the adoption of European Parliament and Council Regulation (EC) No .../2004 on enhancing ship and port facility security**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 80(2) thereof,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Economic and Social Committee <sup>(1)</sup>,

Having consulted the Committee of the Regions,

Acting in accordance with the procedure laid down in Article 251 of the Treaty <sup>(2)</sup>,

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<sup>(1)</sup> OJ C 32, 5.2.2004, p. 21.

<sup>(2)</sup> Position of the European Parliament of 19 November 2003.

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Whereas:

- (1) Intentional unlawful acts and especially terrorism are among the greatest threats to the ideals of democracy and freedom and to the values of peace, which are the very essence of the European Union.
- (2) The security of European Community shipping and of citizens using it and of the environment in the face of threats of intentional unlawful acts such as acts of terrorism, acts of piracy or similar, should be ensured at all times.
- (3) In connection with the transport of goods containing especially dangerous substances, such as chemical and radioactive substances, the potential consequences of the threats posed by intentional unlawful acts for Union citizens and the environment are very serious.
- (4) On 12 December 2002 the Diplomatic Conference of the International Maritime Organisation (IMO) adopted amendments to the 1974 International Convention for the Safety of Life at Sea (SOLAS Convention) and an International Ship and Port Facility Security Code (ISPS Code). These instruments are intended to enhance the security of ships used in international trade and associated port facilities; they comprise mandatory provisions, the scope of some of which in the Community should be clarified, and recommendations, some of which should be made mandatory within the Community.
- (5) Without prejudice to the rules of the Member States in the field of national security and measures which might be taken on the basis of Title VI of the Treaty on European Union, the security objective described in recital 2 should be achieved by adopting appropriate measures in the field of maritime transport policy establishing joint standards for the interpretation, implementation and monitoring within the Community of the provisions adopted by the Diplomatic Conference of the IMO on 12 December 2002. Implementing powers should be conferred on the Commission to adopt detailed implementing provisions.
- (6) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union.
- (7) Security should be enhanced not only for ships used in international shipping and the port facilities which serve them, but also for ships operating domestic services within the Community and their port facilities, in particular passenger ships, on account of the number of human lives which such trade puts at risk.
- (8) Part B of the ISPS Code comprises a number of recommendations which should be made mandatory within the Community in order to make uniform progress towards achievement of the security objective described in recital 2.
- (9) In order to contribute to the recognised and necessary objective of promoting intra-Community short-sea traffic, the Member States should be asked to conclude, in the light of regulation 11 of the special measures to enhance maritime security of the SOLAS Convention, the agreements on security arrangements for scheduled maritime traffic within the Community on fixed routes using dedicated port facilities, without this compromising the general standard of security sought.
- (10) *Permanently* applying all the security rules provided for in this Regulation to port facilities situated in ports which only occasionally serve international shipping might be disproportionate. The Member States should determine, on the basis of the security assessments which they are to conduct, which ports are concerned and which alternative measures provide an adequate level of protection.
- (11) Member States should vigorously monitor compliance with the security rules by ships intending to enter a Community port, whatever their origin. The Member State concerned should appoint a 'competent authority for maritime security' responsible for coordinating, implementing and monitoring

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the application of the security measures laid down in this Regulation as they apply to ships and port facilities. This authority should require each ship intending to enter the port to provide in advance information concerning its international ship security certificate and the levels of safety at which it operates and has previously operated, and any other practical information concerning security.

- (12) Member States should be permitted to grant exemptions from the systematic requirement to provide the information referred to in recital 11 in the case of intra-Community or domestic scheduled shipping services, provided the companies operating such services are able to provide such information at any time on request by the competent authorities of the Member States.
- (13) Security checks in the port may be carried out by the competent authorities for maritime security of the Member States, but also, as regards the international ship security certificate, by inspectors acting in the framework of port State control, as provided for in Council Directive 95/21/EC of 19 June 1995 concerning the enforcement, in respect of shipping using Community ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions (port State control) <sup>(1)</sup>. Where different authorities are concerned, provision must therefore be made for them to complement each other.
- (14) In view of the number of parties involved in the implementation of security measures, each Member State should appoint a single competent authority responsible for coordinating and monitoring the application of shipping security measures at national level. Member States should put in place the necessary resources and draw up a national plan for the implementation of this Regulation in order to achieve the security objective described in recital 2, in particular by establishing a timetable for the early implementation of certain measures in accordance with the terms of Resolution 6 adopted by the Diplomatic Conference of the IMO on 12 December 2002. The effectiveness of the checks on the implementation of each national system should be the subject of inspections supervised by the Commission.
- (15) The effective and standard application of measures under this policy raises important questions in relation to its funding. Funding certain additional security measures ought not to give rise to distortions of competition. To this end, the Commission should immediately undertake a study (intended to address in particular the way financing is shared between the public authorities and the operators, without prejudice to the distribution of competences between the Member States and the European Community) and to submit the results and, if appropriate, any proposals to the European Parliament and the Council.
- (16) The measures needed to implement 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 <sup>(2)</sup>. A procedure should be defined for the adaptation of this Regulation in the light of experience, to make mandatory further provisions of Part B of the ISPS Code not initially made mandatory by this Regulation.
- (17) Since the objectives of this Regulation, namely the introduction and implementation of appropriate measures in the field of maritime transport policy, cannot be sufficiently achieved by the Member States and can therefore, by reason of the European scale of this Regulation, 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:

Article 1

Objectives

1. The main objective of this Regulation is to introduce and implement Community measures aimed at enhancing the security of ships used in international trade and domestic shipping and associated port facilities in the face of threats of intentional unlawful acts.

<sup>(1)</sup> OJ L 157, 7.7.1995, p. 1. Directive as last amended by Directive 2002/84/EC of the European Parliament and of the Council (OJ L 324, 29.11.2002, p. 53).

<sup>(2)</sup> OJ L 184, 17.7.1999, p. 23.

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2. The Regulation is also intended to provide a basis for the harmonised interpretation and implementation and Community monitoring of the special measures to enhance maritime security adopted by the Diplomatic Conference of the IMO on 12 December 2002, which amended the 1974 International Convention for the Safety of Life at Sea (SOLAS Convention) and established the International Ship and Port Facility Security Code (ISPS Code).

## Article 2

### Definitions

For the purposes of this Regulation:

- 1) 'special measures to enhance maritime security of the SOLAS Convention' means the amendments, as attached as Annex I to this Regulation, inserting the new Chapter XI-2 into the Annex to the SOLAS Convention of the IMO, in its up-to-date version,
- 2) 'ISPS Code' means the International Ship and Port Facility Security Code of the IMO, in its up-to-date version,
- 3) 'Part A of the ISPS Code' means the Preamble and the mandatory requirements forming Part A of the ISPS Code, as attached as Annex II to this Regulation, concerning the provisions of Chapter XI-2 of the Annex to the SOLAS Convention in its up-to-date version,,
- 4) 'Part B of the ISPS Code' means the guidelines forming Part B of the ISPS Code, as attached as Annex III to this Regulation, regarding the provisions of chapter XI-2 of the Annex to the SOLAS Convention, as amended, and of Part A of the ISPS Code, in its up-to-date version,
- 5) 'maritime security' means the combination of preventive measures intended to protect shipping and port facilities against threats of intentional unlawful acts,
- 6) 'focal point for maritime security' means the body designated by each Member State to serve as a contact point for the Commission and other Member States and to facilitate, follow up and inform on the application of the maritime security measures laid down in this Regulation,
- 7) 'competent authority for maritime security' means an authority designated by a Member State to coordinate, implement and monitor the application of the security measures laid down in this Regulation in respect of ships and/or one or more port facilities. The competences of this authority may differ depending on the tasks assigned to it,
- 8) 'international shipping' means any maritime transport service by ship from a port facility of a Member State to a port facility outside that Member State, or conversely;
- 9) 'domestic shipping' means any transport service by ship in sea areas from a port facility of a Member State to the same port facility or another port facility within that Member State,
- 10) 'scheduled service' means a series of sailings organised in such a way as to provide a service linking two or more port facilities:
  - (a) either on the basis of a published timetable;
  - (b) or with a regularity or frequency such as to constitute a recognisable systematic service,
- 11) 'port facility' means a location where the ship/port interface takes place; this includes areas such as anchorages, waiting berths and approaches from seaward, as appropriate,
- 12) 'ship/port interface' means the interactions that occur when a ship is directly and immediately affected by actions involving the movement of persons or goods or the provision of port services to or from the ship,
- 13) 'intentional unlawful act' means a deliberate act, which, by its nature or context, could harm the vessels used for international or national maritime traffic, their passengers or their cargoes, or the port facilities connected therewith.

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Article 3

Joint measures and scope

1. In respect of international shipping, Member States shall apply in full, by 1 July 2004, the special measures to enhance maritime security of the SOLAS Convention and Part A of the ISPS Code, in accordance with the conditions and with respect to the ships, companies and port facilities referred to therein.

2. In respect of domestic shipping, Member States shall apply, by 1 July 2005, the special measures to enhance maritime security of the SOLAS Convention and Part A of the ISPS Code to Class A passenger ships within the meaning of Article 4 of Council Directive 98/18/EC of 17 March 1998 on safety rules and standards for passenger ships<sup>(1)</sup> operating domestic services and to their companies, as defined in regulation IX-1 of the SOLAS Convention, and to the port facilities serving them.

3. Member States shall, after a mandatory security risk assessment, decide the extent to which they will apply, by 1 July 2007, the provisions of this Regulation to different categories of ships operating domestic services other than those referred to in paragraph 2, their companies and the port facilities serving them. The overall level of security should not be compromised by such a decision.

Member States shall notify the Commission of such decisions when they are adopted, as well as of the periodic review, which must take place at intervals of no more than five years.

4. When implementing the provisions required pursuant to paragraphs 1, 2 and 3, Member States shall take fully into account the guidelines contained in Part B of the ISPS Code.

5. Member States shall conform to the following paragraphs of Part B of the ISPS Code as if they were mandatory:

1. 1.12 (revision of ship security plans),
2. 1.16 (port facility security assessment),
3. 4.1 (protection of the confidentiality of security plans and assessments),
4. 4.4 (recognised security organisations),
5. 4.5 (minimum competencies of recognised security organisations),
6. 4.8. (setting the security level),
7. 4.14, 4.15, 4.16 (contact points and information on port facility security plans),
8. 4.18 (identification documents),
9. 4.24 (ships' application of the security measures recommended by the State in whose territorial waters they are sailing),
10. 4.28 (manning level),
11. 4.41 (communication of information when entry into port is denied or the ship is expelled from port),
12. 4.45 (ships from a State which is not party to the Convention),
13. 6.1 (company's obligation to provide the master with information on the ship's operators),
14. 8.3 to 8.10 (minimum standards for the ship security assessment),
15. 9.2 (minimum standards for the ship security plan),
16. 9.4 (independence of recognised security organisations),
17. 13.6 and 13.7 (frequency of security drills and exercises for ships' crews and for company and ship security officers),

<sup>(1)</sup> OJ L 144, 15.5.1998, p. 1. Directive as last amended by Commission Directive 2003/75/EC (OJ L 190, 30.7.2003, p. 6).



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18. 15.3 to 15.4 (minimum standards for the port facility security assessment),
  19. 16.3 and 16.8 (minimum standards for the port facility security plan),
  20. 18.5. and 18.6 (frequency of security drills and exercises in port facilities and for port facility security officers).
6. Notwithstanding the provisions of paragraph 15.4 of Part A of the ISPS Code, the periodic review of the port facility security assessments provided for in paragraph 1.16 of Part B of the ISPS Code shall be carried out at the latest five years after the assessments were carried out or last reviewed.
7. This Regulation shall not apply to ships of war and troopships, cargo ships of less than 500 gross tonnage, ships not propelled by mechanical means, wooden ships of primitive build, fishing vessels or vessels not engaged in commercial activities.
8. Notwithstanding the provisions of paragraphs 2 and 3, Member States shall ensure, when ship security plans and port facility security plans are approved, that such plans contain appropriate provisions to ensure that the security of ships to which this Regulation applies is not compromised by any ship or port interface or ship-to-ship activity with any ships not subject to this Regulation.

#### Article 4

##### Communication of information

1. Each Member State shall communicate to the IMO, the Commission and the other Member States the information required pursuant to regulation 13 (Communication of information) of the special measures to enhance maritime security of the SOLAS Convention.
2. Each Member State shall communicate to the Commission and the other Member States the contact details of the contact officials referred to in paragraph 4.16 of Part B of the ISPS Code and the information provided for in paragraph 4.41 of Part B of the ISPS Code when a ship is expelled from or refused entry to a Community port.
3. Each Member State shall draw up the list of port facilities concerned on the basis of the port facility security assessments carried out, and establish the scope of the measures taken to apply the provisions of paragraph 2 of regulation 2 (extent of application to port facilities which occasionally serve international voyages) of the special measures to enhance maritime security of the SOLAS Convention.

Each Member State shall communicate the said list to the other Member States and to the Commission by 1 July 2004 at the latest. The Commission and any Member State concerned shall also be given sufficient details of the measures taken.

#### Article 5

##### Alternative security agreements or equivalent security arrangements

1. For the purposes of this Regulation, regulation 11 (Alternative security agreements) of the special measures to enhance maritime security of the SOLAS Convention may also apply to scheduled intra-Community shipping operating on fixed routes and using associated port facilities.
2. To that end, Member States may conclude among themselves, each acting on its own behalf, the bilateral or multilateral agreements provided for in the said SOLAS regulation. Member States may, in particular, consider such agreements in order to promote intra-Community short sea shipping.

The Member States concerned shall notify the agreements to the Commission and provide sufficient details of the measures to allow the Commission to consider whether the agreements compromise the level of security of other ships or port facilities not covered by the agreements. The details of the measures directly linked to national security, if any, may be omitted from the notification to the Commission.

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The Commission shall examine whether the agreements guarantee an adequate level of protection, in particular as regards the requirements of paragraph 2 of the abovementioned SOLAS regulation 11, and whether they conform with Community law and are in accordance with the proper functioning of the internal market. If the agreements do not meet these criteria, the Commission shall within four months adopt a decision in accordance with the procedure referred to in Article 11(3); in such cases, the Member States concerned shall revoke or adapt the agreements accordingly.

3. The periodic review of such agreements provided for in paragraph 4 of regulation 11 of the special measures to enhance maritime security must take place at intervals of no more than five years.

4. Member States may adopt, for domestic shipping and the port facilities as referred to in Articles 3(2) and 3(3) of this Regulation, equivalent security arrangements as provided for in regulation 12 (equivalent security arrangements) of the special measures to enhance maritime security of the SOLAS Convention, provided such security arrangements are as least as effective as those prescribed in Chapter XI-2 of the SOLAS Convention and the relevant mandatory provisions of the ISPS Code.

The Member State concerned shall communicate to the Commission sufficient details of such arrangements when they are adopted, and the outcome of periodic reviews thereof, at the latest five years after they were adopted or last reviewed.

The conditions of application of such arrangements shall be subject to the Commission inspections provided for in Article 9(4), (5) and (6) of this Regulation under the procedures defined therein.

#### Article 6

##### Provision of security information prior to entry into a port of a Member State

1. When a ship which is subject to the requirements of the special measures to enhance maritime security of the SOLAS Convention and of the ISPS Code or of Article 3 of this Regulation announces its intention to enter a port of a Member State, the competent authority for maritime security of that Member State shall require that the information referred to in paragraph 2.1 of regulation 9 (Ships intending to enter a port of another Contracting Government) of the special measures to enhance maritime security of the SOLAS Convention be provided. The said authority shall analyse, as far as necessary, the information provided and, where necessary, apply the procedure provided for in paragraph 2 of that SOLAS regulation.

2. The information referred to in paragraph 1 shall be provided:

- (a) at least twenty-four hours in advance; or
- (b) at the latest, at the time the ship leaves the previous port, if the voyage time is less than twenty-four hours; or
- (c) if the port of call is not known or if it is changed during the voyage, as soon as the port of call becomes known.

3. A report shall be kept of the procedure followed in respect of each ship subject to a security incident, as defined in paragraph 1.13 of regulation 1 (definitions) of the special measures to enhance maritime security of the SOLAS Convention.

#### Article 7

##### Exemptions from the provision of security information prior to entry into a port

1. Member States may exempt scheduled services performed between port facilities located on their territory from the requirement laid down in Article 6 where the following conditions are met:

- (a) the company operating the scheduled services referred to above keeps and updates a list of the ships concerned and sends it to the competent authority for maritime security for the port concerned,

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- (b) for each voyage performed, the information referred to in paragraph 2.1 of regulation 9 of the special measures to enhance maritime security of the SOLAS Convention is kept available for the competent authority for maritime security upon request. The company must establish an internal system to ensure that, upon request 24 hours a day and without delay, the said information can be sent to the competent authority for maritime security.
2. When an international scheduled service is operated between two or more Member States, any of the Member States involved may request of the other Member States that an exemption be granted to that service, in accordance with the conditions laid down in paragraph 1.
3. Member States shall periodically check that the conditions laid down in paragraphs 1 and 2 are being met. Where at least one of these conditions is no longer being met, Member States shall immediately withdraw the privilege of the exemption from the company concerned.
4. Member States shall draw up a list of companies and ships granted exemption under this Article, and shall update that list. They shall communicate the list and updates thereof to the Commission and any Member State concerned.
5. Notwithstanding the provisions of paragraphs 1 and 2, a Member State may, on security grounds and on a case-by-case basis, request the provision of the information referred to in paragraph 2.1 of regulation 9 of the special measures to enhance maritime security of the SOLAS Convention prior to entry into a port.

#### Article 8

##### Security checks in Member State ports

1. Certificate verification, as defined in paragraph 1.1 of regulation 9 (Control of ships in port) of the special measures to enhance maritime security of the SOLAS Convention, shall be carried out in the port either by the competent authority for maritime security defined in Article 2(7) of this Regulation or by the inspectors defined in Article 2(5) of Directive 95/21/EC.
2. Where the officer conducting the certificate verification referred to in paragraph 1 has clear grounds for believing that the ship is not in compliance with the requirements of the special measures to enhance maritime security of the SOLAS Convention and of the ISPS Code, but does not belong to an authority which in that Member State is responsible for carrying out the measures provided for in paragraphs 1.2 and 1.3 of regulation 9 of the special measures to enhance maritime security of the SOLAS Convention, she/he shall immediately refer the matter to the said authority.

#### Article 9

##### Implementation and conformity checking

1. Member States shall carry out the administrative and control tasks required pursuant to the provisions of the special measures to enhance maritime security of the SOLAS Convention and of the ISPS Code. They shall ensure that all necessary means are allocated and effectively provided for the implementation of the provisions of this Regulation.
2. Member States shall designate a focal point for maritime security by 1 July 2004.
3. Each Member State shall adopt a national programme for the implementation of this Regulation.
4. Six months after the date of application of the relevant measures referred to in Article 3, the Commission, in cooperation with the focal point referred to in paragraph 2, shall start a series of inspections, including inspections of a suitable sample of port facilities and relevant companies, to monitor the application by Member States of this Regulation. These inspections shall take account of the data supplied by the focal point referred to in paragraph 2, including monitoring reports. The procedures for conducting such inspections shall be adopted in accordance with the procedure referred to in Article 11(2).

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5. The officials mandated by the Commission to conduct such inspections in accordance with paragraph 4 shall exercise their powers upon production of an authorisation in writing issued by the Commission and specifying the subject-matter, the purpose of the inspection and the date on which it is to begin. The Commission shall in good time before inspections inform the Member States concerned by the inspections.

The Member State concerned shall submit to such inspections and shall ensure that bodies or persons concerned also submit to those inspections.

6. The Commission shall communicate the inspection reports to the Member State concerned, which shall indicate sufficient details of the measures taken to remedy any shortcomings within three months of receipt of the report. The report and the list of measures taken shall be communicated to the Committee referred to in Article 11(1).

#### Article 10

##### Integration of amendments to international instruments

1. The applicable international instruments referred to in Article 2, which are applied in accordance with Article 3(1), shall be those which have entered into force, including the most recent amendments thereto, with the exception of the amendments excluded from the scope of this Regulation resulting from the conformity checking procedure established by paragraph 5.

2. The integration of amendments to the international instruments referred to in Article 2 in respect of ships operating domestic services and the port facilities serving them to which this Regulation applies, in so far as they constitute a technical update of the provisions of the SOLAS Convention and the ISPS Code, shall be decided in accordance with the procedure referred to in Article 11(2). The procedure for checking conformity established by paragraph 5 shall not apply in these cases.

3. In accordance with the procedure referred to in Article 11(2), provisions may be adopted in order to define harmonised procedures for the application of the mandatory provisions of the ISPS Code, without broadening the scope of this Regulation.

4. For the purposes of this Regulation and with a view to reducing the risks of conflict between Community maritime legislation and international instruments, Member States and the Commission shall cooperate, through coordination meetings and/or any other appropriate means, in order to define, as appropriate, a common position or approach in the competent international fora.

5. A procedure for checking conformity is hereby established in order to exclude from the scope of this Regulation any amendment to an international instrument only if, on the basis of an evaluation by the Commission, there is a manifest risk that such an amendment will lower the standard of maritime security or be incompatible with Community legislation.

The procedure for checking conformity may be used solely to make amendments to this Regulation in the fields expressly covered by the procedure referred to in Article 11(2) and strictly within the framework of exercise of implementing powers conferred on the Commission.

6. In the circumstances referred to in paragraph 5, the procedure for checking conformity shall be initiated by the Commission, which, where appropriate, may act at the request of a Member State.

The Commission shall submit to the Committee set up in Article 11(1), without delay, after the adoption of an amendment to an international instrument, a proposal for measures with the aim of excluding the amendment in question from this Regulation.

The procedure for checking conformity, including, if applicable, the procedures set up in Article 5(6) of Decision 1999/468/EC, shall be completed at least one month before the expiration of the period established internationally for the tacit acceptance of the amendment concerned or the envisaged date for the entry into force of said amendment.

7. In the event of a risk as referred to in the first subparagraph of paragraph 5, Member States shall refrain, during the course of the procedure for checking conformity, from taking any initiative intended to integrate the amendment in national legislation or to apply the amendment to the international instrument concerned.

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8. All relevant amendments to international instruments that are integrated in Community maritime legislation, in accordance with paragraphs 5 and 6, shall be published, for information purposes, in the Official Journal of the European Union.

#### Article 11

##### 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 one month.

3. Where reference is made to this paragraph, Articles 6 and 7 of Decision 1999/468/EC shall apply having regard to the provisions of Article 8 thereof.

The periods laid down in Article 6(b) and (c) respectively of Decision 1999/468/EC shall be set at one month.

4. The Committee shall adopt its Rules of Procedure.

#### Article 12

##### Confidentiality

In applying this Regulation, the Commission shall take, in accordance with the provisions of Commission Decision 2001/844/EC, ECSC, Euratom of 29 November 2001 amending its internal Rules of Procedure<sup>(1)</sup>, appropriate measures to protect information subject to the requirement of confidentiality to which it has access or which is communicated to it by Member States.

The Member States shall take equivalent measures in accordance with relevant national legislation.

Any personnel carrying out security inspections, or handling confidential information related to this Regulation, must have an appropriate level of security vetting by the Member State of the nationality of the personnel concerned.

#### Article 13

##### Dissemination of information

1. Without prejudice to the public right of access to documents as laid down in Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents<sup>(2)</sup>, the inspection reports and the answers of the Member States referred to in Articles 4(3), 5(2), 5(4) and 9(6) shall be secret and shall not be published. They shall only be available to the relevant authorities, which shall communicate them only to interested parties on a need-to-know basis, in accordance with applicable national rules for dissemination of sensitive information.

2. Member States shall, as far as possible and in accordance with applicable national law, treat as confidential information arising from inspection reports and answers of Member States when it relates to other Member States

3. Unless it is clear that the inspection reports and answers shall or shall not be disclosed, Member States or the Commission shall consult with the Member State concerned.

<sup>(1)</sup> OJ L 317, 3.12.2001, p. 1.

<sup>(2)</sup> OJ L 145, 31.5.2001, p. 43.

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Article 14

Sanctions

Member States shall ensure that effective, proportionate and dissuasive sanctions for breaching the provisions of this Regulation are introduced.

Article 15

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 July 2004, apart from the provisions of Articles 3(2) and (3), and 9(4), which shall enter into force on and apply from the dates specified therein.

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*

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ANNEX I

AMENDMENTS TO THE ANNEX TO THE INTERNATIONAL CONVENTION  
FOR THE SAFETY OF LIFE AT SEA, 1974, AS AMENDED

CHAPTER XI-2

SPECIAL MEASURES TO ENHANCE MARITIME SECURITY

Regulation 1

Definitions

1. For the purpose of this chapter, unless expressly provided otherwise:
  1. *Bulk carrier* means a bulk carrier as defined in regulation IX/1.6.
  2. *Chemical tanker* means a chemical tanker as defined in regulation VII/8.2.
  3. *Gas carrier* means a gas carrier as defined in regulation VII/11.2.
  4. *High-speed craft* means a craft as defined in regulation X/1.2.
  5. *Mobile offshore drilling unit* means a mechanically propelled mobile offshore drilling unit, as defined in regulation IX/1, not on location.
  6. *Oil tanker* means an oil tanker as defined in regulation II-1/2.12.
  7. *Company* means a Company as defined in regulation IX/1.
  8. *Ship/port interface* means the interactions that occur when a ship is directly and immediately affected by actions involving the movement of persons, goods or the provisions of port services to or from the ship.

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9. *Port facility* is a location, as determined by the Contracting Government or by the Designated Authority, where the ship/port interface takes place. This includes areas such as anchorages, waiting berths and approaches from seaward, as appropriate.
  10. *Ship to ship activity* means any activity not related to a port facility that involves the transfer of goods or persons from one ship to another.
  11. *Designated Authority* means the organisation(s) or the administration(s) identified, within the Contracting Government, as responsible for ensuring the implementation of the provisions of this chapter pertaining to port facility security and ship/port interface, from the point of view of the port facility.
  12. *International Ship and Port Facility Security (ISPS) Code* means the International Code for the Security of Ships and of Port Facilities consisting of Part A (the provisions of which shall be treated as mandatory) and part B (the provisions of which shall be treated as recommendatory), as adopted, on 12 December 2002, by resolution 2 of the Conference of Contracting Governments to the International Convention for the Safety of Life at Sea, 1974 as may be amended by the Organisation, provided that:
    1. amendments to part A of the Code are adopted, brought into force and take effect in accordance with article VIII of the present Convention concerning the amendment procedures applicable to the Annex other than chapter I; and
    2. amendments to part B of the Code are adopted by the Maritime Safety Committee in accordance with its Rules of Procedure.
  13. *Security incident* means any suspicious act or circumstance threatening the security of a ship, including a mobile offshore drilling unit and a high speed craft, or of a port facility or of any ship/port interface or any ship to ship activity.
  14. *Security level* means the qualification of the degree of risk that a security incident will be attempted or will occur.
  15. *Declaration of security* means an agreement reached between a ship and either a port facility or another ship with which it interfaces specifying the security measures each will implement.
  16. *Recognised security organisation* means an organisation with appropriate expertise in security matters and with appropriate knowledge of ship and port operations authorised to carry out an assessment, or a verification, or an approval or a certification activity, required by this chapter or by part A of the ISPS Code.
2. The term 'ship', when used in regulations 3 to 13, includes mobile offshore drilling units and high-speed craft.
  3. The term 'all ships', when used in this chapter, means any ship to which this chapter applies.
  4. The term 'Contracting Government', when used in regulations 3, 4, 7, 10, 11, 12 and 13 includes a reference to the 'Designated Authority'.

## Regulation 2

## Application

1. This chapter applies to:
  1. the following types of ships engaged on international voyages:
    - 1.1. passenger ships, including high-speed passenger craft;
    - 1.2. cargo ships, including high-speed craft, of 500 gross tonnage and upwards; and
    - 1.3. mobile offshore drilling units; and
  2. port facilities serving such ships engaged on international voyages.

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2. Notwithstanding the provisions of paragraph 1.2, Contracting Governments shall decide the extent of application of this chapter and of the relevant sections of part A of the ISPS Code to those port facilities within their territory which, although used primarily by ships not engaged on international voyages, are required, occasionally, to serve ships arriving or departing on an international voyage.

2.1. Contracting Governments shall base their decisions, under paragraph 2, on a port facility security assessment carried out in accordance with the provisions of part A of the ISPS Code.

2.2. Any decision which a Contracting Government makes, under paragraph 2, shall not compromise the level of security intended to be achieved by this chapter or by part A of the ISPS Code.

3. This chapter does not apply to warships, naval auxiliaries or other ships owned or operated by a Contracting Government and used only on Government non-commercial service.

4. Nothing in this chapter shall prejudice the rights or obligations of States under international law.

### Regulation 3

#### Obligations of Contracting Governments with respect to security

1. Administrations shall set security levels and ensure the provision of security level information to ships entitled to fly their flag. When changes in security level occur, security level information shall be updated as the circumstance dictates.

2. Contracting Governments shall set security levels and ensure the provision of security level information to port facilities within their territory, and to ships prior to entering a port or whilst in a port within their territory. When changes in security level occur, security level information shall be updated as the circumstance dictates.

### Regulation 4

#### Requirements for Companies and ships

1. Companies shall comply with the relevant requirements of this chapter and of part A of the ISPS Code, taking into account the guidance given in part B of the ISPS Code.

2. Ships shall comply with the relevant requirements of this chapter and of part A of the ISPS Code, taking into account the guidance given in part B of the ISPS Code, and such compliance shall be verified and certified as provided for in part A of the ISPS Code.

3. Prior to entering a port or whilst in a port within the territory of a Contracting Government, a ship shall comply with the requirements for the security level set by that Contracting Government, if such security level is higher than the security level set by the Administration for that ship.

4. Ships shall respond without undue delay to any change to a higher security level.

5. Where a ship is not in compliance with the requirements of this chapter or of part A of the ISPS Code, or cannot comply with the requirements of the security level set by the Administration or by another Contracting Government and applicable to that ship, then the ship shall notify the appropriate competent authority prior to conducting any ship/port interface or prior to entry into port, whichever occurs earlier.



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## Regulation 5

## Specific responsibility of Companies

The Company shall ensure that the master has available on board, at all times, information through which officers duly authorised by a Contracting Government can establish:

1. who is responsible for appointing the members of the crew or other persons currently employed or engaged on board the ship in any capacity on the business of that ship;
2. who is responsible for deciding the employment of the ship; and
3. in cases where the ship is employed under the terms of charter party(ies), who are the parties to such charter party(ies).

## Regulation 6

## Ship security alert system

1. All ships shall be provided with a ship security alert system, as follows:
  1. ships constructed on or after 1 July 2004;
  2. passenger ships, including high-speed passenger craft, constructed before 1 July 2004, not later than the first survey of the radio installation after 1 July 2004;
  3. oil tankers, chemical tankers, gas carriers, bulk carriers and cargo high speed craft, of 500 gross tonnage and upwards constructed before 1 July 2004, not later than the first survey of the radio installation after 1 July 2004; and
  4. other cargo ships of 500 gross tonnage and upward and mobile offshore drilling units constructed before 1 July 2004, not later than the first survey of the radio installation after 1 July 2006.
2. The ship security alert system, when activated, shall:
  1. initiate and transmit a ship-to-shore security alert to a competent authority designated by the Administration, which in these circumstances may include the Company, identifying the ship, its location and indicating that the security of the ship is under threat or it has been compromised;
  2. not send the ship security alert to any other ships;
  3. not raise any alarm on-board the ship; and
  4. continue the ship security alert until deactivated and/or reset.
3. The ship security alert system shall:
  1. be capable of being activated from the navigation bridge and in at least one other location; and
  2. conform to performance standards not inferior to those adopted by the Organisation.
4. The ship security alert system activation points shall be designed so as to prevent the inadvertent initiation of the ship security alert.
5. The requirement for a ship security alert system may be complied with by using the radio installation fitted for compliance with the requirements of chapter IV, provided all requirements of this regulation are complied with.
6. When an Administration receives notification of a ship security alert, that Administration shall immediately notify the State(s) in the vicinity of which the ship is presently operating.
7. When a Contracting Government receives notification of a ship security alert from a ship which is not entitled to fly its flag, that Contracting Government shall immediately notify the relevant Administration and, if appropriate, the State(s) in the vicinity of which the ship is presently operating.

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## 1. Regulation 7

### Threats to ships

1. Contracting Governments shall set security levels and ensure the provision of security level information to ships operating in their territorial sea or having communicated an intention to enter their territorial sea.
2. Contracting Governments shall provide a point of contact through which such ships can request advice or assistance and to which such ships can report any security concerns about other ships, movements or communications.
3. Where a risk of attack has been identified, the Contracting Government concerned shall advise the ships concerned and their Administrations of:
  1. the current security level;
  2. any security measures that should be put in place by the ships concerned to protect themselves from attack, in accordance with the provisions of part A of the ISPS Code; and
  3. security measures that the coastal State has decided to put in place, as appropriate.

## Regulation 8

### Master's discretion for ship safety and security

1. The master shall not be constrained by the Company, the charterer or any other person from taking or executing any decision which, in the professional judgement of the master, is necessary to maintain the safety and security of the ship. This includes denial of access to persons (except those identified as duly authorised by a Contracting Government) or their effects and refusal to load cargo, including containers or other closed cargo transport units.
2. If, in the professional judgement of the master, a conflict between any safety and security requirements applicable to the ship arises during its operations, the master shall give effect to those requirements necessary to maintain the safety of the ship. In such cases, the master may implement temporary security measures and shall forthwith inform the Administration and, if appropriate, the Contracting Government in whose port the ship is operating or intends to enter. Any such temporary security measures under this regulation shall, to the highest possible degree, be commensurate with the prevailing security level. When such cases are identified, the Administration shall ensure that such conflicts are resolved and that the possibility of recurrence is minimised.

## Regulation 9

### Control and compliance measures

1. Control of ships in port
  - 1.1. For the purpose of this chapter, every ship to which this chapter applies is subject to control when in a port of another Contracting Government by officers duly authorised by that Government, who may be the same as those carrying out the functions of regulation I/19. Such control shall be limited to verifying that there is onboard a valid International Ship Security Certificate or a valid Interim International Ship Security Certificate issued under the provisions of part A of the ISPS Code (Certificate), which if valid shall be accepted, unless there are clear grounds for believing that the ship is not in compliance with the requirements of this chapter or part A of the ISPS Code.

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- 1.2. When there are such clear grounds, or when no valid Certificate is produced when required, the officers duly authorised by the Contracting Government shall impose any one or more control measures in relation to that ship as provided in paragraph 1.3. Any such measures imposed must be proportionate, taking into account the guidance given in part B of the ISPS Code.
  - 1.3. Such control measures are as follows: inspection of the ship, delaying the ship, detention of the ship, restriction of operations including movement within the port, or expulsion of the ship from port. Such control measures may additionally or alternatively include other lesser administrative or corrective measures.
2. Ships intending to enter a port of another Contracting Government
- 2.1. For the purpose of this chapter, a Contracting Government may require that ships intending to enter its ports provide the following information to officers duly authorised by that Government to ensure compliance with this chapter prior to entry into port with the aim of avoiding the need to impose control measures or steps:
    1. that the ship possesses a valid Certificate and the name of its issuing authority;
    2. the security level at which the ship is currently operating;
    3. the security level at which the ship operated in any previous port where it has conducted a ship/port interface within the timeframe specified in paragraph 2.3;
    4. any special or additional security measures that were taken by the ship in any previous port where it has conducted a ship/port interface within the timeframe specified in paragraph 2.3;
    5. that the appropriate ship security procedures were maintained during any ship to ship activity within the timeframe specified in paragraph 2.3; or
    6. other practical security related information (but not details of the ship security plan), taking into account the guidance given in part B of the ISPS Code.

If requested by the Contracting Government, the ship or the Company shall provide confirmation, acceptable to that Contracting Government, of the information required above.
  - 2.2. Every ship to which this chapter applies intending to enter the port of another Contracting Government shall provide the information described in paragraph 2.1 on the request of the officers duly authorised by that Government. The master may decline to provide such information on the understanding that failure to do so may result in denial of entry into port.
  - 2.3. The ship shall keep records of the information referred to in paragraph 2.1 for the last 10 calls at port facilities.
  - 2.4. If, after receipt of the information described in paragraph 2.1, officers duly authorised by the Contracting Government of the port in which the ship intends to enter have clear grounds for believing that the ship is in non-compliance with the requirements of this chapter or part A of the ISPS Code, such officers shall attempt to establish communication with and between the ship and the Administration in order to rectify the non-compliance. If such communication does not result in rectification, or if such officers have clear grounds otherwise for believing that the ship is in non-compliance with the requirements of this chapter or part A of the ISPS Code, such officers may take steps in relation to that ship as provided in paragraph 2.5. Any such steps taken must be proportionate, taking into account the guidance given in part B of the ISPS Code.
  - 2.5. Such steps are as follows:
    1. a requirement for the rectification of the non-compliance;
    2. a requirement that the ship proceed to a location specified in the territorial sea or internal waters of that Contracting Government;

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3. inspection of the ship, if the ship is in the territorial sea of the Contracting Government the port of which the ship intends to enter; or
4. denial of entry into port.

Prior to initiating any such steps, the ship shall be informed by the Contracting Government of its intentions. Upon this information the master may withdraw the intention to enter that port. In such cases, this regulation shall not apply.

3. Additional provisions

3.1. In the event:

1. of the imposition of a control measure, other than a lesser administrative or corrective measure, referred to in paragraph 1.3; or
2. any of the steps referred to in paragraph 2.5 are taken, an officer duly authorised by the Contracting Government shall forthwith inform in writing the Administration specifying which control measures have been imposed or steps taken and the reasons thereof. The Contracting Government imposing the control measures or steps shall also notify the recognised security organisation, which issued the Certificate relating to the ship concerned and the Organisation when any such control measures have been imposed or steps taken.

3.2. When entry into port is denied or the ship is expelled from port, the authorities of the port State should communicate the appropriate facts to the authorities of the State of the next appropriate ports of call, when known, and any other appropriate coastal States, taking into account guidelines to be developed by the Organisation. Confidentiality and security of such notification shall be ensured.

3.3. Denial of entry into port, pursuant to paragraphs 2.4 and 2.5, or expulsion from port, pursuant to paragraphs 1.1 to 1.3, shall only be imposed where the officers duly authorised by the Contracting Government have clear grounds to believe that the ship poses an immediate threat to the security or safety of persons, or of ships or other property and there are no other appropriate means for removing that threat.

3.4. The control measures referred to in paragraph 1.3 and the steps referred to in paragraph 2.5 shall only be imposed, pursuant to this regulation, until the non-compliance giving rise to the control measures or steps has been corrected to the satisfaction of the Contracting Government, taking into account actions proposed by the ship or the Administration, if any.

3.5. When Contracting Governments exercise control under paragraph 1 or take steps under paragraph 2:

1. all possible efforts shall be made to avoid a ship being unduly detained or delayed. If a ship is thereby unduly detained, or delayed, it shall be entitled to compensation for any loss or damage suffered; and
2. necessary access to the ship shall not be prevented for emergency or humanitarian reasons and for security purposes.

## Regulation 10

### Requirements for port facilities

1. Port facilities shall comply with the relevant requirements of this chapter and part A of the ISPS Code, taking into account the guidance given in part B of the ISPS Code.

2. Contracting Governments with a port facility or port facilities within their territory, to which this regulation applies, shall ensure that:

1. port facility security assessments are carried out, reviewed and approved in accordance with the provisions of part A of the ISPS Code; and
2. port facility security plans are developed, reviewed, approved and implemented in accordance with the provisions of part A of the ISPS Code.

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3. Contracting Governments shall designate and communicate the measures required to be addressed in a port facility security plan for the various security levels, including when the submission of a Declaration of Security will be required.

#### Regulation 11

##### Alternative security agreements

1. Contracting Governments may, when implementing this chapter and part A of the ISPS Code, conclude in writing bilateral or multilateral agreements with other Contracting Governments on alternative security arrangements covering short international voyages on fixed routes between port facilities located within their territories.

2. Any such agreement shall not compromise the level of security of other ships or of port facilities not covered by the agreement.

3. No ship covered by such an agreement shall conduct any ship-to-ship activities with any ship not covered by the agreement.

4. Such agreements shall be reviewed periodically, taking into account the experience gained as well as any changes in the particular circumstances or the assessed threats to the security of the ships, the port facilities or the routes covered by the agreement.

#### Regulation 12

##### Equivalent security arrangements

1. An Administration may allow a particular ship or a group of ships entitled to fly its flag to implement other security measures equivalent to those prescribed in this chapter or in part A of the ISPS Code, provided such security measures are at least as effective as those prescribed in this chapter or part A of the ISPS Code. The Administration, which allows such security measures, shall communicate to the Organisation particulars thereof.

2. When implementing this chapter and part A of the ISPS Code, a Contracting Government may allow a particular port facility or a group of port facilities located within its territory, other than those covered by an agreement concluded under regulation 11, to implement security measures equivalent to those prescribed in this chapter or in Part A of the ISPS Code, provided such security measures are at least as effective as those prescribed in this chapter or part A of the ISPS Code. The Contracting Government, which allows such security measures, shall communicate to the Organisation particulars thereof.

#### Regulation 13

##### Communication of information

1. Contracting Governments shall, not later than 1 July 2004, communicate to the Organisation and shall make available for the information of Companies and ships:

1. the names and contact details of their national authority or authorities responsible for ship and port facility security;
2. the locations within their territory covered by the approved port facility security plans;
3. the names and contact details of those who have been designated to be available at all times to receive and act upon the ship-to-shore security alerts, referred to in regulation 6.2.1;

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4. the names and contact details of those who have been designated to be available, at all times to receive and act upon any communications from Contracting Governments exercising control and compliance measures, referred to in regulation 9.3.1; and
  5. the names and contact details of those who have been designated to be available at all times to provide advice or assistance to ships and to whom ships can report any security concerns, referred to in regulation 7.2; and thereafter update such information as and when changes relating thereto occur. The Organisation shall circulate such particulars to other Contracting Governments for the information of their officers.
2. Contracting Governments shall, not later than 1 July 2004, communicate to the Organisation the names and contact details of any recognised security organisations authorised to act on their behalf together with details of the specific responsibility and conditions of authority delegated to such organisations. Such information shall be updated as and when changes relating thereto occur. The Organisation shall circulate such particulars to other Contracting Governments for the information of their officers.
3. Contracting Governments shall, not later than 1 July 2004 communicate to the Organisation a list showing the approved port facility security plans for the port facilities located within their territory together with the location or locations covered by each approved port facility security plan and the corresponding date of approval and thereafter shall further communicate when any of the following changes take place:
1. changes in the location or locations covered by an approved port facility security plan are to be introduced or have been introduced. In such cases the information to be communicated shall indicate the changes in the location or locations covered by the plan and the date as of which such changes are to be introduced or were implemented;
  2. an approved port facility security plan, previously included in the list submitted to the Organisation, is to be withdrawn or has been withdrawn. In such cases, the information to be communicated shall indicate the date on which the withdrawal will take effect or was implemented. In these cases, the communication shall be made to the Organisation as soon as is practically possible; and
  3. additions are to be made to the list of approved port facility security plans. In such cases, the information to be communicated shall indicate the location or locations covered by the plan and the date of approval.
4. Contracting Governments shall, at five year intervals after 1 July 2004, communicate to the Organisation a revised and updated list showing all the approved port facility security plans for the port facilities located within their territory together with the location or locations covered by each approved port facility security plan and the corresponding date of approval (and the date of approval of any amendments thereto) which will supersede and replace all information communicated to the Organisation, pursuant to paragraph 3, during the preceding five years.
5. Contracting Governments shall communicate to the Organisation information that an agreement under regulation 11 has been concluded. The information communicated shall include:
1. the names of the Contracting Governments which have concluded the agreement;
  2. the port facilities and the fixed routes covered by the agreement;
  3. the periodicity of review of the agreement;
  4. the date of entry into force of the agreement; and
  5. information on any consultations which have taken place with other Contracting Governments; and thereafter shall communicate, as soon as practically possible, to the Organisation information when the agreement has been amended or has ended.

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6. Any Contracting Government which allows, under the provisions of regulation 12, any equivalent security arrangements with respect to a ship entitled to fly its flag or with respect to a port facility located within its territory, shall communicate to the Organisation particulars thereof.
7. The Organisation shall make available the information communicated under paragraph 3 to other Contracting Governments upon request.

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## ANNEX II

### INTERNATIONAL CODE FOR THE SECURITY OF SHIPS AND OF PORT FACILITIES

#### PREAMBLE

1. The Diplomatic Conference on Maritime Security held in London in December 2002 adopted new provisions in the International Convention for the Safety of Life at Sea, 1974 and this Code to enhance maritime security. These new requirements form the international framework through which ships and port facilities can cooperate to detect and deter acts which threaten security in the maritime transport sector.
2. Following the tragic events of 11th September 2001, the twenty-second session of the Assembly of the International Maritime Organisation ('the Organisation'), in November 2001, unanimously agreed to the development of new measures relating to the security of ships and of port facilities for adoption by a Conference of Contracting Governments to the International Convention for the Safety of Life at Sea, 1974 (known as the Diplomatic Conference on Maritime Security) in December 2002. Preparation for the Diplomatic Conference was entrusted to the Organisation's Maritime Safety Committee (MSC) on the basis of submissions made by Member States, intergovernmental organisations and non-governmental organisations in consultative status with the Organisation.
3. The MSC, at its first extraordinary session, held also in November 2001, in order to accelerate the development and the adoption of the appropriate security measures, established an MSC Intersessional Working Group on Maritime Security. The first meeting of the MSC Intersessional Working Group on Maritime Security was held in February 2002 and the outcome of its discussions was reported to, and considered by, the seventy-fifth session of the MSC in May 2002, when an *ad hoc* Working Group was established to further develop the proposals made. The seventy-fifth session of the MSC considered the report of that Working Group and recommended that work should be taken forward through a further MSC Intersessional Working Group, which was held in September 2002. The seventy-sixth session of the MSC considered the outcome of the September 2002 session of the MSC Intersessional Working Group and the further work undertaken by the MSC Working Group held in conjunction with the Committee's seventy-sixth session in December 2002, immediately prior to the Diplomatic Conference, and agreed the final version of the proposed texts to be considered by the Diplomatic Conference.
4. The Diplomatic Conference (9 to 13 December 2002) also adopted amendments to the existing provisions of the International Convention for the Safety of Life at Sea, 1974 (SOLAS 74) accelerating the implementation of the requirement to fit Automatic Identification Systems and adopted new regulations in chapter XI-1 of SOLAS 74 covering marking of the Ship Identification Number and the carriage of a Continuous Synopsis Record. The Diplomatic Conference also adopted a number of Conference resolutions, including those covering implementation and revision of this Code, technical cooperation, and cooperative work with the International Labour Organisation and World Customs Organisation. It was recognised that review and amendment of certain of the new provisions regarding maritime security may be required on completion of the work of these two Organisations.
5. The provisions of chapter XI-2 of SOLAS 74 and this Code apply to ships and to port facilities. The extension of SOLAS 74 to cover port facilities was agreed on the basis that SOLAS 74 offered the speediest means of ensuring the necessary security measures entered into force and given effect quickly. How-

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ever, it was further agreed that the provisions relating to port facilities should relate solely to the ship/port interface. The wider issue of the security of port areas will be the subject of further joint work between the International Maritime Organisation and the International Labour Organisation. It was also agreed that the provisions should not extend to the actual response to attacks or to any necessary clear-up activities after such an attack.

6. In drafting the provision, care has been taken to ensure compatibility with the provisions of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended, the International Safety Management (ISM) Code and the harmonised system of survey and certification.

7. The provisions represent a significant change in the approach of the international maritime industries to the issue of security in the maritime transport sector. It is recognised that they may place a significant additional burden on certain Contracting Governments. The importance of technical cooperation to assist Contracting Governments implement the provisions is fully recognised.

8. Implementation of the provisions will require continuing effective cooperation and understanding between all those involved with, or using, ships and port facilities, including ship's personnel, port personnel, passengers, cargo interests, ship and port management and those in National and Local Authorities with security responsibilities. Existing practices and procedures will have to be reviewed and changed if they do not provide an adequate level of security. In the interests of enhanced maritime security, additional responsibilities will have to be carried by the shipping and port industries and by National and Local Authorities.

9. The guidance given in part B of this Code should be taken into account when implementing the security provisions set out in chapter XI-2 of SOLAS 74 and in part A of this Code. However, it is recognised that the extent to which the guidance applies may vary depending on the nature of the port facility and of the ship, its trade and/or cargo.

10. Nothing in this Code shall be interpreted or applied in a manner inconsistent with the proper respect of fundamental rights and freedoms as set out in international instruments, particularly those relating to maritime workers and refugees, including the International Labour Organisation Declaration of Fundamental Principles and Rights at Work as well as international standards concerning maritime and port workers.

11. Recognising that the Convention on the Facilitation of Maritime Traffic, 1965, as amended, provides that foreign crew members shall be allowed ashore by the public authorities while the ship on which they arrive is in port, provided that the formalities on arrival of the ship have been fulfilled and the public authorities have no reason to refuse permission to come ashore for reasons of public health, public safety or public order, Contracting Governments, when approving ship and port facility security plans, should pay due cognisance to the fact that ship's personnel live and work on the vessel and need shore leave and access to shore-based seafarer welfare facilities, including medical care.

## PART A

### MANDATORY REQUIREMENTS REGARDING THE PROVISIONS OF CHAPTER XI-2 OF THE ANNEX TO THE INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974, AS AMENDED

#### 1. General

##### 1.1. Introduction

This part of the International Code for the Security of Ships and of Port Facilities contains mandatory provisions to which reference is made in chapter XI-2 of the International Convention for the Safety of Life at Sea, 1974, as amended.



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## 1.2. Objectives

The objectives of this Code are:

1. to establish an international framework involving cooperation between Contracting Governments, Government agencies, local administrations and the shipping and port industries to detect security threats and take preventive measures against security incidents affecting ships or port facilities used in international trade;
2. to establish the respective roles and responsibilities of the Contracting Governments, Government agencies, local administrations and the shipping and port industries, at the national and international level, for ensuring maritime security;
3. to ensure the early and efficient collection and exchange of security-related information;
4. to provide a methodology for security assessments so as to have in place plans and procedures to react to changing security levels; and
5. to ensure confidence that adequate and proportionate maritime security measures are in place.

## 1.3. Functional requirements

In order to achieve its objectives, this Code embodies a number of functional requirements. These include, but are not limited to:

1. gathering and assessing information with respect to security threats and exchanging such information with appropriate Contracting Governments;
2. requiring the maintenance of communication protocols for ships and port facilities;
3. preventing unauthorised access to ships, port facilities and their restricted areas;
4. preventing the introduction of unauthorised weapons, incendiary devices or explosives to ships or port facilities;
5. providing means for raising the alarm in reaction to security threats or security incidents;
6. requiring ship and port facility security plans based upon security assessments; and
7. equipping training, drills and exercises to ensure familiarity with security plans and procedures.

## 2. DEFINITIONS

## 2.1. For the purpose of this part, unless expressly provided otherwise:

1. *Convention* means the International Convention for the Safety of Life at Sea, 1974, as amended.
2. *Regulation* means a regulation of the Convention.
3. *Chapter* means a chapter of the Convention.
4. *Ship security plan* means a plan developed to ensure the application of measures on board the ship designed to protect persons on board, cargo, cargo transport units, ship's stores or the ship from the risks of a security incident.
5. *Port facility security plan* means a plan developed to ensure the application of measures designed to protect the port facility and ships, persons, cargo, cargo transport units and ship's stores within the port facility from the risks of a security incident.

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6. *Ship security officer* means the person on board the ship, accountable to the master, designated by the Company as responsible for the security of the ship, including implementation and maintenance of the ship security plan, and for liaison with the company security officer and port facility security officers.
  7. *Company security officer* means the person designated by the Company for ensuring that a ship security assessment is carried out; that a ship security plan is developed, submitted for approval, and thereafter implemented and maintained, and for liaison with port facility security officers and the ship security officer.
  8. *Port facility security officer* means the person designated as responsible for the development, implementation, revision and maintenance of the port facility security plan and for liaison with the ship security officers and company security officers.
  9. *Security level 1* means the level for which minimum appropriate protective security measures shall be maintained at all times.
  10. *Security level 2* means the level for which appropriate additional protective security measures shall be maintained for a period of time as a result of heightened risk of a security incident.
  11. *Security level 3* means the level for which further specific protective security measures shall be maintained for a limited period of time when a security incident is probable or imminent, although it may not be possible to identify the specific target.
- 2.2. The term 'ship', when used in this Code, includes mobile offshore drilling units and high-speed craft as defined in regulation XI-2/1.
  - 2.3. The term 'Contracting Government' in connection with any reference to a port facility, when used in sections 14 to 18, includes a reference to the Designated Authority.
  - 2.4. Terms not otherwise defined in this part shall have the same meaning as the meaning attributed to them in chapters I and XI-2.
3. APPLICATION
- 3.1. This Code applies to:
    1. the following types of ships engaged on international voyages:
      1. *passenger ships, including high-speed passenger craft;*
      2. *cargo ships, including high-speed craft, of 500 gross tonnage and upwards; and*
      3. *mobile offshore drilling units; and*
    2. *port facilities serving such ships engaged on international voyages.*
  - 3.2. Notwithstanding the provisions of section 3.1.2, Contracting Governments shall decide the extent of application of this Part of the Code to those port facilities within their territory which, although used primarily by ships not engaged on international voyages, are required, occasionally, to serve ships arriving or departing on an international voyage.
    - 3.2.1. Contracting Governments shall base their decisions, under section 3.2, on a port facility security assessment carried out in accordance with this Part of the Code.
    - 3.2.2. Any decision which a Contracting Government makes, under section 3.2, shall not compromise the level of security intended to be achieved by chapter XI-2 or by this Part of the Code.

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- 3.3. This Code does not apply to warships, naval auxiliaries or other ships owned or operated by a Contracting Government and used only on Government non-commercial service.
- 3.4. Sections 5 to 13 and 19 of this part apply to Companies and ships as specified in regulation XI-2/4.
- 3.5. Sections 5 and 14 to 18 of this part apply to port facilities as specified in regulation XI-2/10.
- 3.6. Nothing in this Code shall prejudice the rights or obligations of States under international law.

#### 4. RESPONSIBILITIES OF CONTRACTING GOVERNMENTS

- 4.1. Subject to the provisions of regulation XI-2/3 and XI-2/7, Contracting Governments shall set security levels and provide guidance for protection from security incidents. Higher security levels indicate greater likelihood of occurrence of a security incident. Factors to be considered in setting the appropriate security level include:

- 1. the degree that the threat information is credible;
- 2. the degree that the threat information is corroborated;
- 3. the degree that the threat information is specific or imminent; and
- 4. the potential consequences of such a security incident.

- 4.2. Contracting Governments, when they set security level 3, shall issue, as necessary, appropriate instructions and shall provide security-related information to the ships and port facilities that may be affected.

- 4.3. Contracting Governments may delegate to a recognised security organisation certain of their security-related duties under chapter XI-2 and this Part of the Code with the exception of:

- 1. setting of the applicable security level;
- 2. approving a port facility security assessment and subsequent amendments to an approved assessment;
- 3. determining the port facilities which will be required to designate a port facility security officer;
- 4. approving a port facility security plan and subsequent amendments to an approved plan;
- 5. exercising control and compliance measures pursuant to regulation XI-2/9; and
- 6. establishing the requirements for a Declaration of Security.

- 4.4. Contracting Governments shall, to the extent they consider appropriate, test the effectiveness of the ship security plans or the port facility security plans, or of amendments to such plans, they have approved, or, in the case of ships, of plans which have been approved on their behalf.

#### 5. DECLARATION OF SECURITY

- 5.1. Contracting Governments shall determine when a Declaration of Security is required by assessing the risk the ship/port interface or ship-to-ship activity poses to persons, property or the environment.

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- 5.2. A ship can request completion of a Declaration of Security when:
1. the ship is operating at a higher security level than the port facility or another ship it is interfacing with;
  2. there is an agreement on a Declaration of Security between Contracting Governments covering certain international voyages or specific ships on those voyages;
  3. there has been a security threat or a security incident involving the ship or involving the port facility, as applicable;
  4. the ship is at a port which is not required to have and implement an approved port facility security plan; or
  5. the ship is conducting ship-to-ship activities with another ship not required to have and implement an approved ship security plan.
- 5.3. Requests for the completion of a Declaration of Security, under this section, shall be acknowledged by the applicable port facility or ship.
- 5.4. The Declaration of Security shall be completed by:
1. the master or the ship security officer on behalf of the ship(s); and, if appropriate,
  2. the port facility security officer or, if the Contracting Government determines otherwise, by any other body responsible for shore-side security, on behalf of the port facility.
- 5.5. The Declaration of Security shall address the security requirements that could be shared between a port facility and a ship (or between ships) and shall state the responsibility for each.
- 5.6. Contracting Governments shall specify, bearing in mind the provisions of regulation XI-2/9.2.3, the minimum period for which Declarations of Security shall be kept by the port facilities located within their territory.
- 5.7. Administrations shall specify, bearing in mind the provisions of regulation XI-2/9.2.3, the minimum period for which Declarations of Security shall be kept by ships entitled to fly their flag.
6. OBLIGATIONS OF THE COMPANY
- 6.1. The Company shall ensure that the ship security plan contains a clear statement emphasising the master's authority. The Company shall establish in the ship security plan that the master has the overriding authority and responsibility to make decisions with respect to the safety and security of the ship and to request the assistance of the Company or of any Contracting Government as may be necessary.
- 6.2. The Company shall ensure that the company security officer, the master and the ship security officer are given the necessary support to fulfil their duties and responsibilities in accordance with chapter XI-2 and this Part of the Code.
7. SHIP SECURITY
- 7.1. A ship is required to act upon the security levels set by Contracting Governments as set out below.

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- 7.2. At security level 1, the following activities shall be carried out, through appropriate measures, on all ships, taking into account the guidance given in part B of this Code, in order to identify and take preventive measures against security incidents:
1. ensuring the performance of all ship security duties;
  2. controlling access to the ship;
  3. controlling the embarkation of persons and their effects;
  4. monitoring restricted areas to ensure that only authorised persons have access;
  5. monitoring of deck areas and areas surrounding the ship;
  6. supervising the handling of cargo and ship's stores; and
  7. ensuring that security communication is readily available.
- 7.3. At security level 2, additional protective measures, specified in the ship security plan, shall be implemented for each activity detailed in section 7.2, taking into account the guidance given in part B of this Code.
- 7.4. At security level 3, further specific protective measures, specified in the ship security plan, shall be implemented for each activity detailed in section 7.2, taking into account the guidance given in part B of this Code.
- 7.5. Whenever security level 2 or 3 is set by the Administration, the ship shall acknowledge receipt of the instructions on change of the security level.
- 7.6. Prior to entering a port or whilst in a port within the territory of a Contracting Government that has set security level 2 or 3, the ship shall acknowledge receipt of this instruction and shall confirm to the port facility security officer the initiation of the implementation of the appropriate measures and procedures as detailed in the ship security plan, and in the case of security level 3, in instructions issued by the Contracting Government which has set security level 3. The ship shall report any difficulties in implementation. In such cases, the port facility security officer and ship security officer shall liaise and coordinate the appropriate actions.
- 7.7. If a ship is required by the Administration to set, or is already at, a higher security level than that set for the port it intends to enter or in which it is already located, then the ship shall advise, without delay, the competent authority of the Contracting Government within whose territory the port facility is located and the port facility security officer of the situation.
- 7.7.1. In such cases, the ship security officer shall liaise with the port facility security officer and coordinate appropriate actions, if necessary.
- 7.8. An Administration requiring ships entitled to fly its flag to set security level 2 or 3 in a port of another Contracting Government shall inform that Contracting Government without delay.
- 7.9. When Contracting Governments set security levels and ensure the provision of security-level information to ships operating in their territorial sea, or having communicated an intention to enter their territorial sea, such ships shall be advised to maintain vigilance and report immediately to their Administration and any nearby coastal States any information that comes to their attention that might affect maritime security in the area.

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- 7.9.1. When advising such ships of the applicable security level, a Contracting Government shall, taking into account the guidance given in part B of this Code, also advise those ships of any security measure that they should take and, if appropriate, of measures that have been taken by the Contracting Government to provide protection against the threat.

8. SHIP SECURITY ASSESSMENT

- 8.1. The ship security assessment is an essential and integral part of the process of developing and updating the ship security plan.

- 8.2. The company security officer shall ensure that the ship security assessment is carried out by persons with appropriate skills to evaluate the security of a ship, in accordance with this section, taking into account the guidance given in part B of this Code.

- 8.3. Subject to the provisions of section 9.2.1, a recognised security organisation may carry out the ship security assessment of a specific ship.

- 8.4. *The ship security assessment shall include an on-scene security survey and, at least, the following elements:*

1. identification of existing security measures, procedures and operations;
2. identification and evaluation of key shipboard operations that it is important to protect;
3. identification of possible threats to the key shipboard operations and the likelihood of their occurrence, in order to establish and prioritise security measures; and
4. identification of weaknesses, including human factors, in the infrastructure, policies and procedures.

- 8.5. The ship security assessment shall be documented, reviewed, accepted and retained by the Company.

9. SHIP SECURITY PLAN

- 9.1. Each ship shall carry on board a ship security plan approved by the Administration. The plan shall make provisions for the three security levels as defined in this Part of the Code.

- 9.1.1. Subject to the provisions of section 9.2.1, a recognised security organisation may prepare the ship security plan for a specific ship.

- 9.2. The Administration may entrust the review and approval of ship security plans, or of amendments to a previously approved plan, to recognised security organisations.

- 9.2.1. In such cases, the recognised security organisation undertaking the review and approval of a ship security plan, or its amendments, for a specific ship shall not have been involved in either the preparation of the ship security assessment or of the ship security plan, or of the amendments, under review.

- 9.3. The submission of a ship security plan, or of amendments to a previously approved plan, for approval shall be accompanied by the security assessment on the basis of which the plan, or the amendments, has been developed.

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- 9.4. Such a plan shall be developed, taking into account the guidance given in part B of this Code, and shall be written in the working language or languages of the ship. If the language or languages used is not English, French or Spanish, a translation into one of these languages shall be included. The plan shall address, at least, the following:
1. measures designed to prevent weapons, dangerous substances and devices intended for use against persons, ships or ports and the carriage of which is not authorised from being taken on board the ship;
  2. identification of the restricted areas and measures for the prevention of unauthorised access to them;
  3. measures for the prevention of unauthorised access to the ship;
  4. procedures for responding to security threats or breaches of security, including provisions for maintaining critical operations of the ship or ship/port interface;
  5. procedures for responding to any security instructions Contracting Governments may give at security level 3;
  6. procedures for evacuation in case of security threats or breaches of security;
  7. duties of shipboard personnel assigned security responsibilities and of other shipboard personnel on security aspects;
  8. procedures for auditing the security activities;
  9. procedures for training, drills and exercises associated with the plan;
  10. procedures for interfacing with port facility security activities;
  11. procedures for the periodic review of the plan and for updating;
  12. procedures for reporting security incidents;
  13. identification of the ship security officer;
  14. identification of the company security officer, including 24-hour contact details;
  15. procedures to ensure the inspection, testing, calibration, and maintenance of any security equipment provided on board;
  16. frequency for testing or calibration of any security equipment provided on board;
  17. identification of the locations where the ship security alert system activation points are provided (Administrations may allow, in order to avoid compromising in any way the objective of providing on board the ship security alert system, this information to be kept elsewhere on board in a document known to the master, the ship security officer and other senior shipboard personnel as may be decided by the Company); and
  18. procedures, instructions and guidance on the use of the ship security alert system, including the testing, activation, deactivation and resetting and to limit false alerts.
- 9.4.1. Personnel conducting internal audits of the security activities specified in the plan or evaluating its implementation shall be independent of the activities being audited unless this is impracticable due to the size and the nature of the Company or of the ship.
- 9.5. The Administration shall determine which changes to an approved ship security plan or to any security equipment specified in an approved plan shall not be implemented unless the relevant amendments to the plan are approved by the Administration. Any such changes shall be at least as effective as those measures prescribed in chapter XI-2 and this Part of the Code.

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- 9.5.1. The nature of the changes to the ship security plan or the security equipment that have been specifically approved by the Administration, pursuant to section 9.5, shall be documented in a manner that clearly indicates such approval. This approval shall be available on board and shall be presented together with the International Ship Security Certificate (or the Interim International Ship Security Certificate). If these changes are temporary, once the original approved measures or equipment are reinstated, this documentation no longer needs to be retained by the ship.
- 9.6. The plan may be kept in an electronic format. In such a case, it shall be protected by procedures aimed at preventing its unauthorised deletion, destruction or amendment.
- 9.7. The plan shall be protected from unauthorised access or disclosure.
- 9.8. Ship security plans are not subject to inspection by officers duly authorised by a Contracting Government to carry out control and compliance measures in accordance with regulation XI-2/9, save in circumstances specified in section 9.8.1.
- 9.8.1. If the officers duly authorised by a Contracting Government have clear grounds to believe that the ship is not in compliance with the requirements of chapter XI-2 or part A of this Code, and the only means to verify or rectify the non-compliance is to review the relevant requirements of the ship security plan, limited access to the specific sections of the plan relating to the non-compliance is exceptionally allowed, but only with the consent of the Contracting Government of, or the master of, the ship concerned. Nevertheless, the provisions in the plan relating to section 9.4 subsections 2, 4, 5, 7, 15, 17 and 18 of this Part of the Code are considered as confidential information, and cannot be subject to inspection unless otherwise agreed by the Contracting Governments concerned.
10. RECORDS
- 10.1. Records of the following activities addressed in the ship security plan shall be kept on board for at least the minimum period specified by the Administration, bearing in mind the provisions of regulation XI-2/9.2.3:
1. training, drills and exercises;
  2. security threats and security incidents;
  3. breaches of security;
  4. changes in security level;
  5. communications relating to the direct security of the ship such as specific threats to the ship or to port facilities the ship is, or has been, in;
  6. internal audits and reviews of security activities;
  7. periodic review of the ship security assessment;
  8. periodic review of the ship security plan;
  9. implementation of any amendments to the plan; and
  10. maintenance, calibration and testing of any security equipment provided on board, including testing of the ship security alert system.
- 10.2. The records shall be kept in the working language or languages of the ship. If the language or languages used are not English, French or Spanish, a translation into one of these languages shall be included.



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10.3. The records may be kept in an electronic format. In such a case, they shall be protected by procedures aimed at preventing their unauthorised deletion, destruction or amendment.

10.4. The records shall be protected from unauthorised access or disclosure.

#### 11. COMPANY SECURITY OFFICER

11.1. The Company shall designate a company security officer. A person designated as the company security officer may act as the company security officer for one or more ships, depending on the number or types of ships the Company operates, provided it is clearly identified for which ships this person is responsible. A Company may, depending on the number or types of ships they operate, designate several persons as company security officers provided it is clearly identified for which ships each person is responsible.

11.2. In addition to those specified elsewhere in this Part of the Code, the duties and responsibilities of the company security officer shall include, but are not limited to:

1. advising the level of threats likely to be encountered by the ship, using appropriate security assessments and other relevant information;
2. ensuring that ship security assessments are carried out;
3. ensuring the development, the submission for approval, and thereafter the implementation and maintenance of the ship security plan;
4. ensuring that the ship security plan is modified, as appropriate, to correct deficiencies and satisfy the security requirements of the individual ship;
5. arranging for internal audits and reviews of security activities;
6. arranging for the initial and subsequent verifications of the ship by the Administration or the recognised security organisation;
7. ensuring that deficiencies and non-conformities identified during internal audits, periodic reviews, security inspections and verifications of compliance are promptly addressed and dealt with;
8. enhancing security awareness and vigilance;
9. ensuring adequate training for personnel responsible for the security of the ship;
10. ensuring effective communication and cooperation between the ship security officer and the relevant port facility security officers;
11. ensuring consistency between security requirements and safety requirements;
12. ensuring that, if sister-ship or fleet security plans are used, the plan for each ship reflects the ship-specific information accurately; and
13. ensuring that any alternative or equivalent arrangements approved for a particular ship or group of ships are implemented and maintained.

#### 12. SHIP SECURITY OFFICER

12.1. A ship security officer shall be designated on each ship.

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- 12.2. In addition to those specified elsewhere in this Part of the Code, the duties and responsibilities of the ship security officer shall include, but are not limited to:
1. undertaking regular security inspections of the ship to ensure that appropriate security measures are maintained;
  2. maintaining and supervising the implementation of the ship security plan, including any amendments to the plan;
  3. coordinating the security aspects of the handling of cargo and ship's stores with other shipboard personnel and with the relevant port facility security officers;
  4. proposing modifications to the ship security plan;
  5. reporting to the company security officer any deficiencies and non-conformities identified during internal audits, periodic reviews, security inspections and verifications of compliance and implementing any corrective actions;
- 6. *enhancing security awareness and vigilance on board;***
7. ensuring that adequate training has been provided to shipboard personnel, as appropriate;
  8. reporting all security incidents;
  9. coordinating implementation of the ship security plan with the company security officer and the relevant port facility security officer; and
  10. ensuring that security equipment is properly operated, tested, calibrated and maintained, if any.
13. TRAINING, DRILLS AND EXERCISES ON SHIP SECURITY
- 13.1. The company security officer and appropriate shore-based personnel shall have knowledge and have received training, taking into account the guidance given in part B of this Code.
- 13.2. The ship security officer shall have knowledge and have received training, taking into account the guidance given in part B of this Code.
- 13.3. Shipboard personnel having specific security duties and responsibilities shall understand their responsibilities for ship security as described in the ship security plan and shall have sufficient knowledge and ability to perform their assigned duties, taking into account the guidance given in part B of this Code.
- 13.4. To ensure the effective implementation of the ship security plan, drills shall be carried out at appropriate intervals taking into account the ship type, ship personnel changes, port facilities to be visited and other relevant circumstances, taking into account the guidance given in part B of this Code.
- 13.5. The company security officer shall ensure the effective coordination and implementation of ship security plans by participating in exercises at appropriate intervals, taking into account the guidance given in part B of this Code.
14. PORT FACILITY SECURITY
- 14.1. A port facility is required to act upon the security levels set by the Contracting Government within whose territory it is located. Security measures and procedures shall be applied at the port facility in such a manner as to cause a minimum of interference with, or delay to, passengers, ship, ship's personnel and visitors, goods and services.

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- 14.2. At security level 1, the following activities shall be carried out through appropriate measures in all port facilities, taking into account the guidance given in part B of this Code, in order to identify and take preventive measures against security incidents:
1. ensuring the performance of all port facility security duties;
  2. controlling access to the port facility;
  3. monitoring of the port facility, including anchoring and berthing area(s);
  4. monitoring restricted areas to ensure that only authorised persons have access;
  5. supervising the handling of cargo;
  6. supervising the handling of ship's stores; and
  7. ensuring that security communication is readily available.
- 14.3. At security level 2, additional protective measures, specified in the port facility security plan, shall be implemented for each activity detailed in section 14.2, taking into account the guidance given in part B of this Code.
- 14.4. At security level 3, further specific protective measures, specified in the port facility security plan, shall be implemented for each activity detailed in section 14.2, taking into account the guidance given in part B of this Code.
- 14.4.1. In addition, at security level 3, port facilities are required to respond to and implement any security instructions given by the Contracting Government within whose territory the port facility is located.
- 14.5. When a port facility security officer is advised that a ship encounters difficulties in complying with the requirements of chapter XI-2 or this part or in implementing the appropriate measures and procedures as detailed in the ship security plan, and in the case of security level 3 following any security instructions given by the Contracting Government within whose territory the port facility is located, the port facility security officer and the ship security officer shall liaise and coordinate appropriate actions.
- 14.6. When a port facility security officer is advised that a ship is at a security level which is higher than that of the port facility, the port facility security officer shall report the matter to the competent authority and shall liaise with the ship security officer and coordinate appropriate actions, if necessary.
15. PORT FACILITY SECURITY ASSESSMENT
- 15.1. The port facility security assessment is an essential and integral part of the process of developing and updating the port facility security plan.
- 15.2. The port facility security assessment shall be carried out by the Contracting Government within whose territory the port facility is located. A Contracting Government may authorise a recognised security organisation to carry out the port facility security assessment of a specific port facility located within its territory.
- 15.2.1. When the port facility security assessment has been carried out by a recognised security organisation, the security assessment shall be reviewed and approved for compliance with this section by the Contracting Government within whose territory the port facility is located.

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- 15.3. The persons carrying out the assessment shall have appropriate skills to evaluate the security of the port facility in accordance with this section, taking into account the guidance given in part B of this Code.
- 15.4. *The port facility security assessments shall periodically be reviewed and updated, taking account of changing threats and/or minor changes in the port facility, and shall always be reviewed and updated when major changes to the port facility take place.*
- 15.5. *The port facility security assessment shall include, at least, the following elements:*
1. identification and evaluation of important assets and infrastructure it is important to protect;
  2. identification of possible threats to the assets and infrastructure and the likelihood of their occurrence, in order to establish and prioritise security measures;
  3. identification, selection and prioritisation of countermeasures and procedural changes and their level of effectiveness in reducing vulnerability; and
  4. identification of weaknesses, including human factors, in the infrastructure, policies and procedures.
- 15.6. The Contracting Government may allow a port facility security assessment to cover more than one port facility if the operator, location, operation, equipment, and design of these port facilities are similar. Any Contracting Government which allows such an arrangement shall communicate to the Organisation particulars thereof.
- 15.7. Upon completion of the port facility security assessment, a report shall be prepared, consisting of a summary of how the assessment was conducted, a description of each vulnerability found during the assessment and a description of countermeasures that could be used to address each vulnerability. The report shall be protected from unauthorised access or disclosure.
16. PORT FACILITY SECURITY PLAN
- 16.1. A port facility security plan shall be developed and maintained, on the basis of a port facility security assessment for each port facility, adequate for the ship/port interface. The plan shall make provisions for the three security levels, as defined in this Part of the Code.
- 16.1.1. Subject to the provisions of section 16.2, a recognised security organisation may prepare the port facility security plan of a specific port facility.
- 16.2. The port facility security plan shall be approved by the Contracting Government in whose territory the port facility is located.
- 16.3. Such a plan shall be developed taking into account the guidance given in part B of this Code and shall be in the working language of the port facility. The plan shall address, at least, the following:
1. measures designed to prevent weapons or any other dangerous substances and devices intended for use against persons, ships or ports, and the carriage of which is not authorised, from being introduced into the port facility or on board a ship;
  2. measures designed to prevent unauthorised access to the port facility, to ships moored at the facility, and to restricted areas of the facility;
  3. procedures for responding to security threats or breaches of security, including provisions for maintaining critical operations of the port facility or ship/port interface;

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4. procedures for responding to any security instructions the Contracting Government in whose territory the port facility is located may give at security level 3;
  5. procedures for evacuation in case of security threats or breaches of security;
  6. duties of port facility personnel assigned security responsibilities and of other facility personnel on security aspects;
  7. procedures for interfacing with ship security activities;
  8. procedures for the periodic review of the plan and updating;
  9. procedures for reporting security incidents;
  10. identification of the port facility security officer, including 24-hour contact details;
  11. measures to ensure the security of the information contained in the plan;
  12. measures designed to ensure effective security of cargo and the cargo handling equipment at the port facility;
  13. procedures for auditing the port facility security plan;
  14. procedures for responding in case the ship security alert system of a ship at the port facility has been activated; and
  15. procedures for facilitating shore leave for ship's personnel or personnel changes, as well as access of visitors to the ship, including representatives of seafarers' welfare and labour organisations.
- 16.4. Personnel conducting internal audits of the security activities specified in the plan or evaluating its implementation shall be independent of the activities being audited unless this is impracticable due to the size and the nature of the port facility.
- 16.5. The port facility security plan may be combined with, or be part of, the port security plan or any other port emergency plan or plans.
- 16.6. The Contracting Government in whose territory the port facility is located shall determine which changes to the port facility security plan shall not be implemented unless the relevant amendments to the plan are approved by them.
- 16.7. The plan may be kept in an electronic format. In such a case, it shall be protected by procedures aimed at preventing its unauthorised deletion, destruction or amendment.
- 16.8. The plan shall be protected from unauthorised access or disclosure.
- 16.9. Contracting Governments may allow a port facility security plan to cover more than one port facility if the operator, location, operation, equipment, and design of these port facilities are similar. Any Contracting Government which allows such an alternative arrangement shall communicate to the Organisation particulars thereof.
17. PORT FACILITY SECURITY OFFICER
- 17.1. A port facility security officer shall be designated for each port facility. A person may be designated as the port facility security officer for one or more port facilities.

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- 17.2. In addition to those specified elsewhere in this Part of the Code, the duties and responsibilities of the port facility security officer shall include, but are not limited to:
1. conducting an initial comprehensive security survey of the port facility, taking into account the relevant port facility security assessment;
  2. ensuring the development and maintenance of the port facility security plan;
  3. implementing and exercising the port facility security plan;
  4. undertaking regular security inspections of the port facility to ensure the continuation of appropriate security measures;
  5. recommending and incorporating, as appropriate, modifications to the port facility security plan in order to correct deficiencies and to update the plan to take into account relevant changes to the port facility;
  6. enhancing security awareness and vigilance of the port facility personnel;
  7. ensuring adequate training has been provided to personnel responsible for the security of the port facility;
  8. reporting to the relevant authorities and maintaining records of occurrences which threaten the security of the port facility;
  9. coordinating implementation of the port facility security plan with the appropriate Company and ship security officer(s);
  10. coordinating with security services, as appropriate;
  11. ensuring that standards for personnel responsible for security of the port facility are met;
  12. ensuring that security equipment is properly operated, tested, calibrated and maintained, if any; and
  13. assisting ship security officers in confirming the identity of those seeking to board the ship when requested.
- 17.3. The port facility security officer shall be given the necessary support to fulfil the duties and responsibilities imposed by chapter XI-2 and this Part of the Code.
18. TRAINING, DRILLS AND EXERCISES ON PORT FACILITY SECURITY
- 18.1. The port facility security officer and appropriate port facility security personnel shall have knowledge and have received training, taking into account the guidance given in part B of this Code.
- 18.2. Port facility personnel having specific security duties shall understand their duties and responsibilities for port facility security, as described in the port facility security plan, and shall have sufficient knowledge and ability to perform their assigned duties, taking into account the guidance given in part B of this Code.
- 18.3. To ensure the effective implementation of the port facility security plan, drills shall be carried out at appropriate intervals, taking into account the types of operation of the port facility, port facility personnel changes, the type of ship the port facility is serving and other relevant circumstances, taking into account guidance given in part B of this Code.

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- 18.4. The port facility security officer shall ensure the effective coordination and implementation of the port facility security plan by participating in exercises at appropriate intervals, taking into account the guidance given in part B of this Code.
19. VERIFICATION AND CERTIFICATION FOR SHIPS
- 19.1. Verifications
- 19.1.1. Each ship to which this Part of the Code applies shall be subject to the verifications specified below:
1. an initial verification before the ship is put in service or before the certificate required under section 19.2 is issued for the first time, which shall include a complete verification of its security system and any associated security equipment covered by the relevant provisions of chapter XI-2, of this Part of the Code and of the approved ship security plan. This verification shall ensure that the security system and any associated security equipment of the ship fully complies with the applicable requirements of chapter XI-2 and this Part of the Code, is in satisfactory condition and fit for the service for which the ship is intended;
  2. a renewal verification at intervals specified by the Administration, but not exceeding five years, except where section 19.3 is applicable. This verification shall ensure that the security system and any associated security equipment of the ship fully complies with the applicable requirements of chapter XI-2, this Part of the Code and the approved ship security plan, is in satisfactory condition and fit for the service for which the ship is intended;
  3. at least one intermediate verification. If only one intermediate verification is carried out it shall take place between the second and third anniversary date of the certificate as defined in regulation I/2(n). The intermediate verification shall include inspection of the security system and any associated security equipment of the ship to ensure that it remains satisfactory for the service for which the ship is intended. Such intermediate verification shall be endorsed on the certificate;
  4. any additional verifications as determined by the Administration.
- 19.1.2. The verifications of ships shall be carried out by officers of the Administration. The Administration may, however, entrust the verifications to a recognised security organisation referred to in regulation XI-2/1.
- 19.1.3. In every case, the Administration concerned shall fully guarantee the completeness and efficiency of the verification and shall undertake to ensure the necessary arrangements to satisfy this obligation.
- 19.1.4. The security system and any associated security equipment of the ship after verification shall be maintained to conform with the provisions of regulations XI-2/4.2 and XI-2/6, of this Part of the Code and of the approved ship security plan. After any verification under section 19.1.1 has been completed, no changes shall be made in the security system and in any associated security equipment or the approved ship security plan without the sanction of the Administration.
- 19.2. Issue or endorsement of Certificate
- 19.2.1. An International Ship Security Certificate shall be issued after the initial or renewal verification in accordance with the provisions of section 19.1.
- 19.2.2. Such Certificate shall be issued or endorsed either by the Administration or by a recognised security organisation acting on behalf of the Administration.

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- 19.2.3. Another Contracting Government may, at the request of the Administration, cause the ship to be verified and, if satisfied that the provisions of section 19.1.1. are complied with, shall issue or authorise the issue of an International Ship Security Certificate to the ship and, where appropriate, endorse or authorise the endorsement of that Certificate on the ship, in accordance with this Code.
- 19.2.3.1. A copy of the Certificate and a copy of the verification report shall be transmitted as soon as possible to the requesting Administration.
- 19.2.3.2. A Certificate so issued shall contain a statement to the effect that it has been issued at the request of the Administration and it shall have the same force and receive the same recognition as the Certificate issued under section 19.2.2.
- 19.2.4. The International Ship Security Certificate shall be drawn up in a form corresponding to the model given in the appendix to this Code. If the language used is not English, French or Spanish, the text shall include a translation into one of these languages.
- 19.3. Duration and validity of Certificate
- 19.3.1. An International Ship Security Certificate shall be issued for a period specified by the Administration, which shall not exceed five years.
- 19.3.2. When the renewal verification is completed within three months before the expiry date of the existing Certificate, the new Certificate shall be valid from the date of completion of the renewal verification to a date not exceeding five years from the date of expiry of the existing Certificate.
- 19.3.2.1. When the renewal verification is completed after the expiry date of the existing Certificate, the new Certificate shall be valid from the date of completion of the renewal verification to a date not exceeding five years from the date of expiry of the existing Certificate.
- 19.3.2.2. When the renewal verification is completed more than three months before the expiry date of the existing Certificate, the new Certificate shall be valid from the date of completion of the renewal verification to a date not exceeding five years from the date of completion of the renewal verification.
- 19.3.3. If a Certificate is issued for a period of less than five years, the Administration may extend the validity of the Certificate beyond the expiry date to the maximum period specified in section 19.3.1, provided that the verifications referred to in section 19.1.1. applicable when a Certificate is issued for a period of five years are carried out as appropriate.
- 19.3.4. If a renewal verification has been completed and a new Certificate cannot be issued or placed on board the ship before the expiry date of the existing Certificate, the Administration or recognised security organisation acting on behalf of the Administration may endorse the existing Certificate and such a Certificate shall be accepted as valid for a further period which shall not exceed five months from the expiry date.
- 19.3.5. If a ship, at the time when a Certificate expires, is not in a port in which it is to be verified, the Administration may extend the period of validity of the Certificate but this extension shall be granted only for the purpose of allowing the ship to complete its voyage to the port in which it is to be verified, and then only in cases where it appears proper and reasonable to do so. No Certificate shall be extended for a period longer than three months, and the ship to which an extension is granted shall not, on its arrival in the port in which it is to be verified, be entitled by virtue of such extension to leave that port without having a new Certificate. When the renewal verification is completed, the new Certificate shall be valid to a date not exceeding five years from the expiry date of the existing Certificate before the extension was granted.



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- 19.3.6. A Certificate issued to a ship engaged on short voyages which has not been extended under the foregoing provisions of this section may be extended by the Administration for a period of grace of up to one month from the date of expiry stated on it. When the renewal verification is completed, the new Certificate shall be valid to a date not exceeding five years from the date of expiry of the existing Certificate before the extension was granted.
- 19.3.7. If an intermediate verification is completed before the period specified in section 19.1.1, then:
1. the expiry date shown on the Certificate shall be amended by endorsement to a date which shall not be more than three years later than the date on which the intermediate verification was completed;
  2. the expiry date may remain unchanged provided one or more additional verifications are carried out so that the maximum intervals between the verifications prescribed by section 19.1.1. are not exceeded.
- 19.3.8. A Certificate issued under section 19.2 shall cease to be valid in any of the following cases:
1. if the relevant verifications are not completed within the periods specified under section 19.1.1;
  2. if the Certificate is not endorsed in accordance with section 19.1.1.3 and 19.3.7.1, if applicable;
  3. when a Company assumes the responsibility for the operation of a ship not previously operated by that Company; and
  4. upon transfer of the ship to the flag of another State.
- 19.3.9. In the case of:
1. a transfer of a ship to the flag of another Contracting Government, the Contracting Government whose flag the ship was formerly entitled to fly shall, as soon as possible, transmit to the receiving Administration copies of, or all information relating to, the International Ship Security Certificate carried by the ship before the transfer and copies of available verification reports, or
  2. a Company that assumes responsibility for the operation of a ship not previously operated by that Company, the previous Company shall, as soon as possible, transmit to the receiving Company copies of any information related to the International Ship Security Certificate or to facilitate the verifications described in section 19.4.2.
- 19.4. Interim certification
- 19.4.1. The Certificates specified in section 19.2 shall be issued only when the Administration issuing the Certificate is fully satisfied that the ship complies with the requirements of section 19.1. However, after 1 July 2004, for the purposes of:
1. a ship without a Certificate, on delivery or prior to its entry or re-entry into service;
  2. transfer of a ship from the flag of a Contracting Government to the flag of another Contracting Government;

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3. transfer of a ship to the flag of a Contracting Government from a State which is not a Contracting Government; or
4. a Company assuming the responsibility for the operation of a ship not previously operated by that Company

until the Certificate referred to in section 19.2 is issued, the Administration may cause an Interim International Ship Security Certificate to be issued, in a form corresponding to the model given in the appendix to this Part of the Code.

19.4.2. An Interim International Ship Security Certificate shall only be issued when the Administration or recognised security organisation, on behalf of the Administration, has verified that:

1. the ship security assessment required by this Part of the Code has been completed;
2. a copy of the ship security plan meeting the requirements of chapter XI-2 and part A of this Code is provided on board, has been submitted for review and approval, and is being implemented on the ship;
3. the ship is provided with a ship security alert system meeting the requirements of regulation XI-2/6, if required;
4. the company security officer:
  1. has ensured:
    - the review of the ship security plan for compliance with this Part of the Code;
    - that the plan has been submitted for approval; and
    - that the plan is being implemented on the ship; and
  2. has established the necessary arrangements, including arrangements for drills, exercises and internal audits, through which the company security officer is satisfied that the ship will successfully complete the required verification in accordance with section 19.1.1.1, within six months;
5. arrangements have been made for carrying out the required verifications under section 19.1.1.1;
6. the master, the ship security officer and other ship's personnel with specific security duties are familiar with their duties and responsibilities as specified in this Part of the Code; and with the relevant provisions of the ship security plan placed on board; and have been provided such information in the working language of the ship's personnel or languages understood by them; and
7. the ship security officer meets the requirements of this Part of the Code.

19.4.3. An Interim International Ship Security Certificate may be issued by the Administration or by a recognised security organisation authorised to act on its behalf.

19.4.4. An Interim International Ship Security Certificate shall be valid for six months, or until the Certificate required by section 19.2 is issued, whichever comes first, and may not be extended.

19.4.5. No Contracting Government shall cause a subsequent, consecutive Interim International Ship Security Certificate to be issued to a ship if, in the judgement of the Administration or the recognised security organisation, one of the purposes of the ship or a Company in requesting such certificate is to avoid full compliance with chapter XI-2 and this Part of the Code beyond the period of the initial Interim Certificate as specified in section 19.4.4.

19.4.6. For the purposes of regulation XI-2/9, Contracting Governments may, prior to accepting an Interim International Ship Security Certificate as a valid Certificate, ensure that the requirements of sections 19.4.2.4 to 19.4.2.6 have been met.

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## Appendix to PART A

## APPENDIX 1

## Form of the International Ship Security Certificate

## INTERNATIONAL SHIP SECURITY CERTIFICATE

(Official seal)

(State)

Certificate Number .....

Issued under the provisions of the  
INTERNATIONAL CODE FOR THE SECURITY OF SHIPS  
AND OF PORT FACILITIES (ISPS CODE)

Under the authority of the Government of .....  
(Name of State)

by .....  
(Person(s) or organisation authorised)

Name of ship: .....

Distinctive number or letters: .....

Port of registry: .....

Type of ship: .....

Gross tonnage: .....

IMO Number: .....

Name and address of the Company: .....

## THIS IS TO CERTIFY:

1. that the security system and any associated security equipment of the ship has been verified in accordance with section 19.1 of part A of the ISPS Code;
2. 2 that the verification showed that the security system and any associated security equipment of the ship is in all respects satisfactory and that the ship complies with the applicable requirements of chapter XI-2 of the Convention and part A of the ISPS Code;
3. that the ship is provided with an approved ship security plan.

Date of initial/renewal verification  
on which this Certificate is based .....

This Certificate is valid until .....  
subject to verifications in accordance with section 19.1.1 of part A of the ISPS Code.

Issued at .....  
(Place of issue of the Certificate)

On .....  
(Date of issue) (Signature of the duly authorised official issuing the Certificate)

(Seal or stamp of issuing authority, as appropriate)

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## ENDORSEMENT FOR INTERMEDIATE VERIFICATION

THIS IS TO CERTIFY that at an intermediate verification required by section 19.1.1 of part A of the ISPS Code the ship was found to comply with the relevant provisions of chapter XI-2 of the Convention and part A of the ISPS Code.

Intermediate verification Signed .....  
(Signature of authorised official)

Place .....

Date .....

(Seal or stamp of the authority, as appropriate)

## ENDORSEMENT FOR ADDITIONAL VERIFICATIONS

Additional verification Signed .....  
(Signature of authorised official)

Place .....

Date \_\_\_\_\_

(Seal or stamp of the authority, as appropriate)

Additional verification Signed .....  
(Signature of authorised official)

Place .....

Date \_\_\_\_\_

(Seal or stamp of the authority, as appropriate)

Additional verification Signed .....  
(Signature of authorised official)

Place

Date \_\_\_\_\_

(Seal or stamp of the authority, as appropriate)

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ADDITIONAL VERIFICATION  
IN ACCORDANCE WITH SECTION A/19.3.7.2 OF THE ISPS CODE

THIS IS TO CERTIFY that at an additional verification required by section 19.3.7.2 of part A of the ISPS Code the ship was found to comply with the relevant provisions of chapter XI-2 of the Convention and part A of the ISPS Code.

Signed .....  
(Signature of authorised official)

Place .....

Date .....

(Seal or stamp of the authority, as appropriate)

ENDORSEMENT TO EXTEND THE CERTIFICATE  
IF VALID FOR LESS THAN FIVE YEARS  
WHERE SECTION A/19.3.3 OF THE ISPS CODE APPLIES

The ship complies with the relevant provisions of part A of the ISPS Code, and the Certificate shall, in accordance with section 19.3.3 of part A of the ISPS Code, be accepted as valid until .....

Signed .....  
(Signature of authorised official)

Place .....

Date .....

(Seal or stamp of the authority, as appropriate)

ENDORSEMENT WHERE THE RENEWAL VERIFICATION  
HAS BEEN COMPLETED AND SECTION A/19.3.4  
OF THE ISPS CODE APPLIES

The ship complies with the relevant provisions of part A of the ISPS Code, and the Certificate shall, in accordance with section 19.3.4 of part A of the ISPS Code, be accepted as valid until .....

Signed .....  
(Signature of authorised official)

Place .....

Date .....

(Seal or stamp of the authority, as appropriate)

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ENDORSEMENT TO EXTEND THE VALIDITY OF THE CERTIFICATE  
UNTIL REACHING THE PORT OF VERIFICATION WHERE  
SECTION A/19.3.5 OF THE ISPS CODE APPLIES OR FOR  
A PERIOD OF GRACE WHERE SECTION A/19.3.6  
OF THE ISPS CODE APPLIES

This Certificate shall, in accordance with section 19.3.5/19.3.6 (\*) of part A of the ISPS Code, be accepted  
as valid until .....

Signed .....  
(Signature of authorised official)

Place .....

Date .....

(Seal or stamp of the authority, as appropriate)

ENDORSEMENT FOR ADVANCEMENT OF EXPIRY DATE  
WHERE SECTION A/19.3.7.1 OF THE ISPS CODE APPLIES

In accordance with section 19.3.7.1 of part A of the ISPS Code, the new expiry date (\*\*) is .....

Signed .....  
(Signature of authorised official)

Place .....

Date .....

(Seal or stamp of the authority, as appropriate)

(\*) Delete as appropriate.

(\*\*) In case of completion of this part of the Certificate, the expiry date shown on the front of the Certificate shall also be amended accordingly.

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## APPENDIX 2

## Form of the Interim International Ship Security Certificate

## INTERIM INTERNATIONAL SHIP SECURITY CERTIFICATE

(Official seal)

(State)

Certificate No .....

Issued under the provisions of the  
INTERNATIONAL CODE FOR THE SECURITY OF SHIPS  
AND OF PORT FACILITIES (ISPS CODE)

Under the authority of the Government of .....  
(Name of State)

by .....  
(Person(s) or organisation authorised)

Name of ship: .....

Distinctive number or letters: .....

Port of registry: .....

Type of ship: .....

Gross tonnage: .....

IMO Number: .....

Name and address of Company: .....

Is this a subsequent, consecutive Interim Certificate? Yes/No (\*)

If Yes, date of issue of initial Interim Certificate .....

THIS IS TO CERTIFY THAT the requirements of section A/19.4.2 of the ISPS Code have been complied with.

This Certificate is issued pursuant to section A/19.4 of the ISPS Code.

This Certificate is valid until .....

Issued at .....  
(Place of issue of the Certificate)

On .....  
(Date of issue) (Signature of the duly authorised official issuing the Certificate)

(Seal or stamp of issuing authority, as appropriate)

(\*) Delete as appropriate.

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ANNEX III

PART B

GUIDANCE REGARDING THE PROVISIONS  
OF CHAPTER XI-2 OF THE ANNEX TO THE INTERNATIONAL CONVENTION  
FOR THE SAFETY OF LIFE AT SEA, 1974, AS AMENDED  
AND PART A OF THIS CODE

1. INTRODUCTION

*General*

- 1.1. The preamble of this Code indicates that chapter XI-2 and part A of this Code establish the new international framework of measures to enhance maritime security and through which ships and port facilities can cooperate to detect and deter acts which threaten security in the maritime transport sector.
- 1.2. This introduction outlines, in a concise manner, the processes envisaged in establishing and implementing the measures and arrangements needed to achieve and maintain compliance with the provisions of chapter XI-2 and of part A of this Code and identifies the main elements on which guidance is offered. The guidance is provided in paragraphs 2 through to 19. It also sets down essential considerations which should be taken into account when considering the application of the guidance relating to ships and port facilities.
- 1.3. If the reader's interest relates to ships alone, it is strongly recommended that this Part of the Code is still read as a whole, particularly the paragraphs relating to port facilities. The same applies to those whose primary interest is port facilities; they should also read the paragraphs relating to ships.
- 1.4. The guidance provided in the following paragraphs relates primarily to protection of the ship when it is at a port facility. There could, however, be situations when a ship may pose a threat to the port facility, e.g. because, once within the port facility, it could be used as a base from which to launch an attack. When considering the appropriate security measures to respond to ship-based security threats, those completing the port facility security assessment or preparing the port facility security plan should consider making appropriate adaptations to the guidance offered in the following paragraphs.
- 1.5. The reader is advised that nothing in this Part of the Code should be read or interpreted in conflict with any of the provisions of either chapter XI-2 or part A of this Code and that the aforesaid provisions always prevail and override any unintended inconsistency which may have been inadvertently expressed in this Part of the Code. The guidance provided in this Part of the Code should always be read, interpreted and applied in a manner which is consistent with the aims, objectives and principles established in chapter XI-2 and part A of this Code.

Responsibilities of Contracting Governments

- 1.6. Contracting Governments have, under the provisions of chapter XI-2 and part A of this Code, various responsibilities, which, amongst others, include:
  - setting the applicable security level;
  - approving the ship security plan (SSP) and relevant amendments to a previously approved plan;
  - verifying the compliance of ships with the provisions of chapter XI-2 and part A of this Code and issuing to ships the International Ship Security Certificate;



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- determining which of the port facilities located within their territory are required to designate a port facility security officer (PFSO) who will be responsible for the preparation of the port facility security plan;
  - ensuring completion and approval of the port facility security assessment (PFSA) and of any subsequent amendments to a previously approved assessment;
  - approving the port facility security plan (PFSP) and any subsequent amendments to a previously approved plan;
  - exercising control and compliance measures;
  - testing approved plans; and
  - communicating information to the International Maritime Organisation and to the shipping and port industries.
- 1.7. Contracting Governments can designate, or establish, Designated Authorities within Government to undertake, with respect to port facilities, their security duties under chapter XI-2 and part A of this Code and allow recognised security organisations to carry out certain work with respect to port facilities, but the final decision on the acceptance and approval of this work should be given by the Contracting Government or the Designated Authority. Administrations may also delegate the undertaking of certain security duties, relating to ships, to recognised security organisations. The following duties or activities cannot be delegated to a recognised security organisation:
- setting of the applicable security level;
  - determining which of the port facilities located within the territory of a Contracting Government are required to designate a PFSO and to prepare a PFSP;
  - approving a PFSA or any subsequent amendments to a previously approved assessment;
  - approving a PFSP or any subsequent amendments to a previously approved plan;
  - exercising control and compliance measures; and
  - establishing the requirements for a Declaration of Security.

#### Setting the security level

- 1.8. The setting of the security level applying at any particular time is the responsibility of Contracting Governments and can apply to ships and port facilities. Part A of this Code defines three security levels for international use. These are:
- Security level 1, normal; the level at which ships and port facilities normally operate;
  - Security level 2, heightened; the level applying for as long as there is a heightened risk of a security incident; and
  - Security level 3, exceptional; the level applying for the period of time when there is the probable or imminent risk of a security incident.

#### The Company and the ship

- 1.9. Any Company operating ships to which chapter XI-2 and part A of this Code apply has to designate a CSO for the Company and a SSO for each of its ships. The duties, responsibilities and training requirements of these officers and requirements for drills and exercises are defined in part A of this Code.

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- 1.10. The company security officer's responsibilities include, in brief amongst others, ensuring that a ship security assessment (SSA) is properly carried out, that a SSP is prepared and submitted for approval by, or on behalf of, the Administration and thereafter is placed on board each ship to which part A of this Code applies and in respect of which that person has been appointed as the CSO.
- 1.11. The SSP should indicate the operational and physical security measures the ship itself should take to ensure it always operates at security level 1. The plan should also indicate the additional, or intensified, security measures the ship itself can take to move to and operate at security level 2 when instructed to do so. Furthermore, the plan should indicate the possible preparatory actions the ship could take to allow prompt response to the instructions that may be issued to the ship by those responding at security level 3 to a security incident or threat thereof.
- 1.12. The ships to which the requirements of chapter XI-2 and part A of this Code apply are required to have, and operated in accordance with, a SSP approved by, or on behalf of, the Administration. The CSO and the SSO should monitor the continuing relevance and effectiveness of the plan, including the undertaking of internal audits. Amendments to any of the elements of an approved plan, for which the Administration has determined that approval is required, have to be submitted for review and approval before their incorporation into the approved plan and their implementation by the ship.
- 1.13. The ship has to carry an International Ship Security Certificate indicating that it complies with the requirements of chapter XI-2 and part A of this Code. Part A of this Code includes provisions relating to the verification and certification of the ship's compliance with the requirements on an initial, renewal and intermediate verification basis.
- 1.14. When a ship is at a port or is proceeding to a port of a Contracting Government, the Contracting Government has the right, under the provisions of regulation XI-2/9, to exercise various control and compliance measures with respect to that ship. The ship is subject to port State control inspections but such inspections will not normally extend to examination of the SSP itself except in specific circumstances. The ship may also be subject to additional control measures if the Contracting Government exercising the control and compliance measures has reason to believe that the security of the ship has, or the port facilities it has served have, been compromised.
- 1.15. The ship is also required to have on board information, to be made available to Contracting Governments upon request, indicating who is responsible for deciding the employment of the ship's personnel and for deciding various aspects relating to the employment of the ship.

#### The port facility

- 1.16. Each Contracting Government has to ensure completion of a PFSA for each of the port facilities, located within its territory, serving ships engaged on international voyages. The Contracting Government, a Designated Authority or a recognised security organisation may carry out this assessment. The completed PFSA has to be approved by the Contracting Government or the Designated Authority concerned. This approval cannot be delegated. Port facility security assessments should be periodically reviewed.
- 1.17. The PFSA is fundamentally a risk analysis of all aspects of a port facility's operation in order to determine which part(s) of it are more susceptible, and/or more likely, to be the subject of attack. Security risk is a function of the threat of an attack coupled with the vulnerability of the target and the consequences of an attack.

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The assessment must include the following components:

- determination of the perceived threat to port installations and infrastructure;
- identification of the potential vulnerabilities; and
- calculation of the consequences of incidents.

On completion of the analysis, it will be possible to produce an overall assessment of the level of risk. The PFSA will help determine which port facilities are required to appoint a PFSO and prepare a PFSP.

- 1.18. The port facilities which have to comply with the requirements of chapter XI-2 and part A of this Code are required to designate a PFSO. The duties, responsibilities and training requirements of these officers and requirements for drills and exercises are defined in part A of this Code.
- 1.19. The PFSP should indicate the operational and physical security measures the port facility should take to ensure that it always operates at security level 1. The plan should also indicate the additional, or intensified, security measures the port facility can take to move to and operate at security level 2 when instructed to do so. Furthermore, the plan should indicate the possible preparatory actions the port facility could take to allow prompt response to the instructions that may be issued by those responding at security level 3 to a security incident or threat thereof.
- 1.20. The port facilities which have to comply with the requirements of chapter XI-2 and part A of this Code are required to have, and operate in accordance with, a PFSP approved by the Contracting Government or by the Designated Authority concerned. The PFSO should implement its provisions and monitor the continuing effectiveness and relevance of the plan, including commissioning internal audits of the application of the plan. Amendments to any of the elements of an approved plan, for which the Contracting Government or the Designated Authority concerned has determined that approval is required, have to be submitted for review and approval before their incorporation into the approved plan and their implementation at the port facility. The Contracting Government or the Designated Authority concerned may test the effectiveness of the plan. The PFSA covering the port facility or on which the development of the plan has been based should be regularly reviewed. All these activities may lead to amendment of the approved plan. Any amendments to specified elements of an approved plan will have to be submitted for approval by the Contracting Government or by the Designated Authority concerned.
- 1.21. Ships using port facilities may be subject to the port State control inspections and additional control measures outlined in regulation XI-2/9. The relevant authorities may request the provision of information regarding the ship, its cargo, passengers and ship's personnel prior to the ship's entry into port. There may be circumstances in which entry into port could be denied.

#### *Information and communication*

- 1.22. Chapter XI-2 and part A of this Code require Contracting Governments to provide certain information to the International Maritime Organisation and for information to be made available to allow effective communication between Contracting Governments and between company security officers/ship security officers and the port facility security officers.
2. DEFINITIONS
- 2.1. No guidance is provided with respect to the definitions set out in chapter XI-2 or part A of this Code.

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2.2. For the purpose of this Part of the Code:

1. 'section' means a section of part A of the Code and is indicated as 'section A/*<followed by the number of the section>*';
2. 'paragraph' means a paragraph of this Part of the Code and is indicated as 'paragraph *<followed by the number of the paragraph>*'; and
3. 'Contracting Government', when used in paragraphs 14 to 18, means the 'Contracting Government within whose territory the port facility is located' and includes a reference to the Designated Authority.

3. APPLICATION

General

- 3.1. The guidance given in this Part of the Code should be taken into account when implementing the requirements of chapter XI-2 and part A of this Code.
- 3.2. However, it should be recognised that the extent to which the guidance on ships applies will depend on the type of ship, its cargoes and/or passengers, its trading pattern and the characteristics of the port facilities visited by the ship.
- 3.3. Similarly, in relation to the guidance on port facilities, the extent to which this guidance applies will depend on the port facilities, the types of ships using the port facility, the types of cargo and/or passengers and the trading patterns of visiting ships.
- 3.4. The provisions of chapter XI-2 and part A of this Code are not intended to apply to port facilities designed and used primarily for military purposes.

4. RESPONSIBILITIES OF CONTRACTING GOVERNMENTS

Security of assessments and plans

- 4.1. Contracting Governments should ensure that appropriate measures are in place to avoid unauthorised disclosure of, or access to, security-sensitive material relating to ship security assessments (SSAs), ship security plans (SSPs), port facility security assessments (PFSAs) and port facility security plans (PFSPs), and to individual assessments or plans.

Designated Authorities

- 4.2. Contracting Governments may identify a Designated Authority within Government to undertake their security duties relating to port facilities as set out in chapter XI-2 or part A of this Code.

Recognised security organisations

- 4.3. Contracting Governments may authorise a recognised security organisation (RSO) to undertake certain security-related activities, including:
  1. approval of ship security plans, or amendments thereto, on behalf of the Administration;
  2. verification and certification of compliance of ships with the requirements of chapter XI-2 and part A of this Code on behalf of the Administration; and
  3. conducting port facility security assessments required by the Contracting Government.

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- 4.4. An RSO may also advise or provide assistance to Companies or port facilities on security matters, including ship security assessments, ship security plans, port facility security assessments and port facility security plans. This can include completion of a SSA or SSP or PFSA or PFSP. If an RSO has done so in respect of a SSA or SSP, that RSO should not be authorised to approve that SSP.
- 4.5. When authorising an RSO, Contracting Governments should give consideration to the competency of such an organisation. An RSO should be able to demonstrate:
1. expertise in relevant aspects of security;
  2. appropriate knowledge of ship and port operations, including knowledge of ship design and construction if providing services in respect of ships and of port design and construction if providing services in respect of port facilities;
  3. their capability to assess the likely security risks that could occur during ship and port facility operations, including the ship/port interface, and how to minimise such risks;
  4. their ability to maintain and improve the expertise of their personnel;
  5. their ability to monitor the continuing trustworthiness of their personnel;
  6. their ability to maintain appropriate measures to avoid unauthorised disclosure of, or access to, security-sensitive material;
  7. their knowledge of the requirements of chapter XI-2 and part A of this Code and relevant national and international legislation and security requirements;
  8. their knowledge of current security threats and patterns;
  9. their knowledge of recognition and detection of weapons, dangerous substances and devices;
  10. their knowledge of recognition, on a non-discriminatory basis, of characteristics and behavioural patterns of persons who are likely to threaten security;
  11. their knowledge of techniques used to circumvent security measures; and
  12. their knowledge of security and surveillance equipment and systems and their operational limitations.

When delegating specific duties to a RSO, Contracting Governments, including Administrations, should ensure that the RSO has the competencies needed to undertake the task.

- 4.6. A recognised organisation, as referred to in regulation I/6 and fulfilling the requirements of regulation XI-1/1, may be appointed as a RSO provided it has the appropriate security-related expertise listed in paragraph 4.5.
- 4.7. A port or harbour Authority or port facility operator may be appointed as a RSO provided it has the appropriate security-related expertise listed in paragraph 4.5.

#### Setting the security level

- 4.8. In setting the security level, Contracting Governments should take account of general and specific threat information. Contracting Governments should set the security level applying to ships or port facilities at one of three levels:
- Security level 1, normal; the level at which the ship or port facility normally operates;

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- Security level 2, heightened; the level applying for as long as there is a heightened risk of a security incident; and
  - Security level 3, exceptional; the level applying for the period of time when there is the probable or imminent risk of a security incident.
- 4.9. Setting security level 3 should be an exceptional measure applying only when there is credible information that a security incident is probable or imminent. Security level 3 should only be set for the duration of the identified security threat or actual security incident. While the security levels may change from security level 1, through security level 2 to security level 3, it is also possible that the security levels will change directly from security level 1 to security level 3.
- 4.10. At all times the master of a ship has the ultimate responsibility for the safety and security of the ship. Even at security level 3 a master may seek clarification or amendment of instructions issued by those responding to a security incident, or threat thereof, if there are reasons to believe that compliance with any instruction may imperil the safety of the ship.
- 4.11. The CSO or the SSO should liaise at the earliest opportunity with the PFSO of the port facility the ship is intended to visit to establish the security level applying for that ship at the port facility. Having established contact with a ship, the PFSO should advise the ship of any subsequent change in the port facility's security level and should provide the ship with any relevant security information.
- 4.12. While there may be circumstances when an individual ship may be operating at a higher security level than the port facility it is visiting, there will be no circumstances when a ship can have a lower security level than the port facility it is visiting. If a ship has a higher security level than the port facility it intends to use, the CSO or SSO should advise the PFSO without delay. The PFSO should undertake an assessment of the particular situation in consultation with the CSO or SSO and agree on appropriate security measures with the ship, which may include completion and signing of a Declaration of Security.
- 4.13. Contracting Governments should consider how information on changes in security levels should be promulgated rapidly. Administrations may wish to use Navtex messages or Notices to Mariners as the method for notifying such changes in security levels to the ship and to CSO and SSO. Or, they may wish to consider other methods of communication that provide equivalent or better speed and coverage. Contracting Governments should establish means of notifying PFSOs of changes in security levels. Contracting Governments should compile and maintain the contact details for a list of those who need to be informed of changes in security levels. Whereas the security level need not be regarded as being particularly sensitive, the underlying threat information may be highly sensitive. Contracting Governments should give careful consideration to the type and detail of the information conveyed and the method by which it is conveyed to SSOs, CSOs and PFSOs.

#### Contact points and information on port facility security plans

- 4.14. Where a port facility has a PFSP, that fact has to be communicated to the Organisation and that information must also be made available to CSOs and SSOs. No further details of the PFSP have to be published other than that it is in place. Contracting Governments should consider establishing either central or regional points of contact, or other means of providing up-to-date information on the locations where PFSPs are in place, together with contact details for the relevant PFSO. The existence of such contact points should be publicised. They could also pro-

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vide information on the recognised security organisations appointed to act on behalf of the Contracting Government, together with details of the specific responsibility and conditions of authority delegated to such recognised security organisations.

- 4.15. In the case of a port that does not have a PFSP (and therefore does not have a PFSO), the central or regional point of contact should be able to identify a suitably qualified person ashore who can arrange for appropriate security measures to be in place, if needed, for the duration of the ship's visit.
- 4.16. Contracting Governments should also provide the contact details of Government officers to whom an SSO, a CSO and a PFSO can report security concerns. These Government officers should assess such reports before taking appropriate action. Such reported concerns may have a bearing on the security measures falling under the jurisdiction of another Contracting Government. In that case, the Contracting Governments should consider contacting their counterpart in the other Contracting Government to discuss whether remedial action is appropriate. For this purpose, the contact details of the Government officers should be communicated to the International Maritime Organisation.
- 4.17. Contracting Governments should also make the information indicated in paragraphs 4.14 to 4.16 available to other Contracting Governments on request.

#### Identification documents

- 4.18. Contracting Governments are encouraged to issue appropriate identification documents to Government officials entitled to board ships or enter port facilities when performing their official duties and to establish procedures whereby the authenticity of such documents might be verified.

#### Fixed and floating platforms and mobile offshore drilling units on location

- 4.19. Contracting Governments should consider establishing appropriate security measures for fixed and floating platforms and mobile offshore drilling units on location to allow interaction with ships which are required to comply with the provisions of chapter XI-2 and part A of this Code.

#### Ships which are not required to comply with part A of this Code

- 4.20. Contracting Governments should consider establishing appropriate security measures to enhance the security of ships to which chapter XI-2 and part A of this Code do not apply and to ensure that any security provisions applying to such ships allow interaction with ships to which part A of this Code applies.

#### Threats to ships and other incidents at sea

- 4.21. Contracting Governments should provide general guidance on the measures considered appropriate to reduce the security risk to ships flying their flag when at sea. They should provide specific advice on the action to be taken in accordance with security levels 1 to 3, if:

1. there is a change in the security level applying to the ship while it is at sea, e.g. because of the geographical area in which it is operating or relating to the ship itself; and
2. there is a security incident or threat thereof involving the ship while at sea.

Contracting Governments should establish the best methods and procedures for these purposes. In the case of an imminent attack, the ship should seek to establish direct communication with those responsible in the flag State for responding to security incidents.

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- 4.22. Contracting Governments should also establish a point of contact for advice on security for any ship:
1. entitled to fly their flag; or
  2. operating in their territorial sea or having communicated an intention to enter their territorial sea.
- 4.23. Contracting Governments should offer advice to ships operating in their territorial sea or having communicated an intention to enter their territorial sea, which could include advice:
1. to alter or delay their intended passage;
  2. to navigate on a particular course or proceed to a specific location;
  3. on the availability of any personnel or equipment that could be placed on the ship;
  4. to coordinate the passage, arrival into port or departure from port, to allow escort by patrol craft or aircraft (fixed-wing or helicopter).
- Contracting Governments should remind ships operating in their territorial sea, or having communicated an intention to enter their territorial sea, of any temporary restricted areas that they have published.
- 4.24. Contracting Governments should recommend that ships operating in their territorial sea, or having communicated an intention to enter their territorial sea, implement expeditiously, for the ship's protection and for the protection of other ships in the vicinity, any security measure the Contracting Government may have advised.
- 4.25. The plans prepared by the Contracting Governments for the purposes given in paragraph 4.22 should include information on an appropriate point of contact, available on a 24-hour basis, within the Contracting Government including the Administration. These plans should also include information on the circumstances in which the Administration considers assistance should be sought from nearby coastal States, and a procedure for liaison between PFSOs and SSOs.

**Alternative security agreements**

- 4.26. Contracting Governments, in considering how to implement chapter XI-2 and part A of this Code, may conclude one or more agreements with one or more Contracting Governments. The scope of an agreement is limited to short international voyages on fixed routes between port facilities in the territory of the parties to the agreement. When concluding an agreement, and thereafter, the Contracting Governments should consult other Contracting Governments and Administrations with an interest in the effects of the agreement. Ships flying the flag of a State that is not party to the agreement should only be allowed to operate on the fixed routes covered by the agreement if their Administration agrees that the ship should comply with the provisions of the agreement and requires the ship to do so. In no case can such an agreement compromise the level of security of other ships and port facilities not covered by it, and specifically, all ships covered by such an agreement may not conduct ship-to-ship activities with ships not so covered. Any operational interface undertaken by ships covered by the agreement should be covered by it. The operation of each agreement must be continually monitored and amended when the need arises and in any event should be reviewed every five years.

**Equivalent arrangements for port facilities**

- 4.27. For certain specific port facilities with limited or special operations but with more than occasional traffic, it may be appropriate to ensure compliance by security measures equivalent to those prescribed in chapter XI-2 and in part A of this Code. This can, in particular, be the case for terminals such as those attached to factories, or quaysides with no frequent operations.



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## Manning level

- 4.28. In establishing the minimum safe manning of a ship, the Administration should take into account that the minimum safe manning provisions established by regulation V/14 only address the safe navigation of the ship. The Administration should also take into account any additional workload which may result from the implementation of the SSP and ensure that the ship is sufficiently and effectively manned. In doing so, the Administration should verify that ships are able to implement the hours of rest and other measures to address fatigue which have been promulgated by national law, in the context of all shipboard duties assigned to the various shipboard personnel.

## Control and compliance measures

## General

- 4.29. Regulation XI-2/9 describes the control and compliance measures applicable to ships under chapter XI-2. It is divided into three distinct sections; control of ships already in a port, control of ships intending to enter a port of another Contracting Government, and additional provisions applicable to both situations.
- 4.30. Regulation XI-2/9.1, Control of ships in port, implements a system for the control of ships while in the port of a foreign country where duly authorised officers of the Contracting Government ('duly authorised officers') have the right to go on board the ship to verify that the required certificates are in proper order. Then, if there are clear grounds to believe the ship does not comply, control measures such as additional inspections or detention may be taken. This reflects current control systems. Regulation XI-2/9.1 builds on such systems and allows for additional measures (including expulsion of a ship from a port to be taken as a control measure) when duly authorised officers have clear grounds for believing that a ship is in non-compliance with the requirements of chapter XI-2 or part A of this Code. Regulation XI-2/9.3 describes the safeguards that promote fair and proportionate implementation of these additional measures.
- 4.31. Regulation XI-2/9.2 applies control measures to ensure compliance to ships intending to enter a port of another Contracting Government and introduces an entirely different concept of control within chapter XI-2, applying to security only. Under this regulation, measures may be implemented prior to the ship entering port, to better ensure security. Just as in regulation XI-2/9.1, this additional control system is based on the concept of clear grounds for believing the ship does not comply with chapter XI-2 or part A of this Code, and includes significant safeguards in regulations XI-2/9.2.2 and XI-2/9.2.5 as well as in regulation XI-2/9.3.
- 4.32. Clear grounds that the ship is not in compliance means evidence or reliable information that the ship does not correspond with the requirements of chapter XI-2 or part A of this Code, taking into account the guidance given in this Part of the Code. Such evidence or reliable information may arise from the duly authorised officer's professional judgement or observations gained while verifying the ship's International Ship Security Certificate or Interim International Ship Security Certificate issued in accordance with part A of this Code ('Certificate') or from other sources. Even if a valid Certificate is on board the ship, the duly authorised officers may still have clear grounds for believing that the ship is not in compliance based on their professional judgement.
- 4.33. Examples of possible clear grounds under regulations XI-2/9.1 and XI-2/9.2 may include, when relevant:
1. evidence from a review of the certificate that it is not valid or it has expired;
  2. evidence or reliable information that serious deficiencies exist in the security equipment, documentation or arrangements required by chapter XI-2 and part A of this Code;

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3. receipt of a report or complaint which, in the professional judgement of the duly authorised officer, contains reliable information clearly indicating that the ship does not comply with the requirements of chapter XI-2 or part A of this Code;
  4. evidence or observation gained by a duly authorised officer using professional judgement that the master or ship's personnel is not familiar with essential shipboard security procedures or cannot carry out drills related to the security of the ship or that such procedures or drills have not been carried out;
  5. evidence or observation gained by a duly authorised officer using professional judgement that key members of ship's personnel are not able to establish proper communication with any other key members of ship's personnel with security responsibilities on board the ship;
  6. evidence or reliable information that the ship has embarked persons or loaded stores or goods at a port facility or from another ship where either the port facility or the other ship is in violation of chapter XI-2 or part A of this Code, and the ship in question has not completed a Declaration of Security, nor taken appropriate, special or additional security measures or has not maintained appropriate ship security procedures;
  7. evidence or reliable information that the ship has embarked persons or loaded stores or goods at a port facility or from another source (e.g. another ship or helicopter transfer) where either the port facility or the other source is not required to comply with chapter XI-2 or part A of this Code, and the ship has not taken appropriate, special or additional security measures or has not maintained appropriate security procedures; and
  8. the ship holding a subsequent, consecutively issued Interim International Ship Security Certificate as described in section A/19.4, and, in the professional judgement of an officer duly authorised, one of the purposes of the ship or a Company in requesting such a Certificate is to avoid full compliance with chapter XI-2 and part A of this Code beyond the period of the initial Interim Certificate as described in section A/19.4.4.
- 4.34. The international law implications of regulation XI-2/9 are particularly relevant, and the regulation should be implemented with regulation XI-2/2.4 in mind, as the potential exists for situations where either measures will be taken which fall outside the scope of chapter XI-2, or where rights of affected ships, outside chapter XI-2, should be considered. Thus, regulation XI-2/9 does not prejudice the Contracting Government from taking measures having a basis in, and consistent with, international law to ensure the safety or security of persons, ships, port facilities and other property in cases where the ship, although in compliance with chapter XI-2 and part A of this Code, is still considered to present a security risk.
- 4.35. When a Contracting Government imposes control measures on a ship, the Administration should, without delay, be contacted with sufficient information to enable the Administration to fully liaise with the Contracting Government.

#### Control of ships in port

- 4.36. Where the non-compliance is either a defective item of equipment or faulty documentation leading to the ship's detention and the non-compliance cannot be remedied in the port of inspection, the Contracting Government may allow the ship to sail to another port provided that any conditions agreed between the port States and the Administration or master are met.

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Ships intending to enter the port of another Contracting Government

4.37 Regulation XI-2/9.2.1 lists the information Contracting Governments may require from a ship as a condition of entry into port. One item of information listed is confirmation of any special or additional measures taken by the ship during its last 10 calls at a port facility. Examples could include:

1. records of the measures taken while visiting a port facility located in the territory of a State which is not a Contracting Government, especially those measures that would normally have been provided by port facilities located in the territories of Contracting Governments; and
2. any Declarations of Security that were entered into with port facilities or other ships.

4.38. Another item of information listed, that may be required as a condition of entry into port, is confirmation that appropriate ship security procedures were maintained during ship-to-ship activity conducted within the period of the last 10 calls at a port facility. It would not normally be required to include records of transfers of pilots or of customs, immigration or security officials nor bunkering, lightering, loading of supplies and unloading of waste by ship within port facilities as these would normally fall within the auspices of the PFSP. Examples of information that might be given include:

1. records of the measures taken while engaged in a ship-to-ship activity with a ship flying the flag of a State which is not a Contracting Government, especially those measures that would normally have been provided by ships flying the flag of Contracting Governments;
2. records of the measures taken while engaged in a ship-to-ship activity with a ship that is flying the flag of a Contracting Government but is not required to comply with the provisions of chapter XI-2 and part A of this Code, such as a copy of any security certificate issued to that ship under other provisions; and
3. in the event that persons or goods rescued at sea are on board, all known information about such persons or goods, including their identities when known and the results of any checks run on behalf of the ship to establish the security status of those rescued. It is not the intention of chapter XI-2 or part A of this Code to delay or prevent the delivery of those in distress at sea to a place of safety. It is the sole intention of chapter XI-2 and part A of this Code to provide States with enough appropriate information to maintain their security integrity.

4.39. Examples of other practical security-related information that may be required as a condition of entry into port in order to assist with ensuring the safety and security of persons, port facilities, ships and other property include:

1. information contained in the Continuous Synopsis Record;
2. location of the ship at the time the report is made;
3. expected time of arrival of the ship in port;
4. crew list;
5. general description of cargo aboard the ship;
6. passenger list; and
7. information required to be carried under regulation XI-2/5.

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- 4.40. Regulation XI-2/9.2.5 allows the master of a ship, upon being informed that the coastal or port State will implement control measures under regulation XI-2/9.2, to withdraw the intention for the ship to enter port. If the master withdraws that intention, regulation XI-2/9 no longer applies, and any other steps that are taken must be based on, and consistent with, international law.

**Additional provisions**

- 4.41. In all cases where a ship is denied entry or is expelled from a port, all known facts should be communicated to the authorities of relevant States. This communication should consist of the following, when known:

1. name of ship, its flag, the Ship Identification Number, call sign, ship type and cargo;
2. reason for denying entry or for expulsion from port or port areas;
3. if relevant, the nature of any security non-compliance;
4. if relevant, details of any attempts made to rectify any non-compliance, including any conditions imposed on the ship for the voyage;
5. past port(s) of call and next declared port of call;
6. time of departure and likely estimated time of arrival at those ports;
7. any instructions given to the ship, e.g. reporting on its route;
8. available information on the security level at which the ship is currently operating;
9. information regarding any communications the port State has had with the Administration;
10. contact point within the port State making the report for the purpose of obtaining further information;
11. crew list; and
12. any other relevant information.

- 4.42. Relevant States to contact should include those along the ship's intended passage to its next port, particularly if the ship intends to enter the territorial sea of that coastal State. Other relevant States could include previous ports of call, so that further information might be obtained and security issues relating to the previous ports resolved.

- 4.43. In exercising control and compliance measures, the duly authorised officers should ensure that any measures or steps imposed are proportionate. Such measures or steps should be reasonable and of the minimum severity and duration necessary to rectify or mitigate the non-compliance.

- 4.44. The word 'delay' in regulation XI-2/9.3.5.1 also refers to situations where, pursuant to actions taken under this regulation, the ship is unduly denied entry into port or the ship is unduly expelled from port.

**Non-Party ships and ships below Convention size**

- 4.45. With respect to ships flying the flag of a State which is not a Contracting Government to the Convention and not a Party to the 1988 SOLAS Protocol<sup>(1)</sup>, Contracting Governments should not give more favourable treatment to such ships. Accordingly, the requirements of regulation XI-2/9 and the guidance provided in this Part of the Code should be applied to those ships.

<sup>(1)</sup> Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, 1974.

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- 4.46. Ships below Convention size are subject to measures by which States maintain security. Such measures should be taken with due regard to the requirements in chapter XI-2 and the guidance provided in this Part of the Code.

5. DECLARATION OF SECURITY

General

- 5.1. A Declaration of Security (DoS) should be completed when the Contracting Government of the port facility deems it to be necessary or when a ship deems it necessary.
- 5.1.1. The need for a DoS may be indicated by the results of the port facility security assessment (PFSA) and the reasons and circumstances in which a DoS is required should be set out in the port facility security plan (PFSP).
- 5.1.2. The need for a DoS may be indicated by an Administration for ships entitled to fly its flag or as a result of a ship security assessment (SSA) and should be set out in the ship security plan (SSP).
- 5.2. It is likely that a DoS will be requested at higher security levels, when a ship has a higher security level than the port facility, or another ship with which it interfaces, and for ship/port interface or ship-to-ship activities that pose a higher risk to persons, property or the environment for reasons specific to that ship, including its cargo or passengers or the circumstances at the port facility or a combination of these factors.
- 5.2.1. In the case that a ship or an Administration, on behalf of ships entitled to fly its flag, requests completion of a DoS, the port facility security officer (PFSO) or ship security officer (SSO) should acknowledge the request and discuss appropriate security measures.
- 5.3. A PFSO may also initiate a DoS prior to ship/port interfaces that are identified in the approved PFSA as being of particular concern. Examples may include embarking or disembarking passengers and the transfer, loading or unloading of dangerous goods or hazardous substances. The PFSA may also identify facilities at or near highly populated areas or economically significant operations that warrant a DoS.
- 5.4. The main purpose of a DoS is to ensure agreement is reached between the ship and the port facility or with other ships with which it interfaces as to the respective security measures each will undertake in accordance with the provisions of their respective approved security plans.
- 5.4.1. The agreed DoS should be signed and dated by both the port facility and the ship(s), as applicable, to indicate compliance with chapter XI-2 and part A of this Code and should include its duration, the relevant security level or levels and the relevant contact details.
- 5.4.2. A change in the security level may require that a new or revised DoS be completed.
- 5.5. The DoS should be completed in English, French or Spanish or in a language common to both the port facility and the ship or the ships, as applicable.
- 5.6. A model DoS is included in appendix 1 to this Part of the Code. This model is for a DoS between a ship and a port facility. If the DoS is to cover two ships this model should be appropriately adjusted.

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6. OBLIGATIONS OF THE COMPANY

General

- 6.1. Regulation XI-2/5 requires the Company to provide the master of the ship with information to meet the requirements of the Company under the provisions of this regulation. This information should include items such as:
1. parties responsible for appointing shipboard personnel, such as ship management companies, manning agents, contractors, concessionaries (for example, retail sales outlets, casinos, etc.);
  2. parties responsible for deciding the employment of the ship, including time or bareboat charterer(s) or any other entity acting in such capacity; and
  3. in cases when the ship is employed under the terms of a charter party, the contact details of those parties, including time or voyage charterers.
- 6.2. In accordance with regulation XI-2/5, the Company is obliged to update and keep this information current as and when changes occur.
- 6.3. This information should be in English, French or Spanish language.
- 6.4. With respect to ships constructed before 1 July 2004, this information should reflect the actual condition on that date.
- 6.5. With respect to ships constructed on or after 1 July 2004 and for ships constructed before 1 July 2004 which were out of service on 1 July 2004, the information should be provided as from the date of entry of the ship into service and should reflect the actual condition on that date.
- 6.6. After 1 July 2004, when a ship is withdrawn from service, the information should be provided as from the date of re-entry of the ship into service and should reflect the actual condition on that date.
- 6.7. Previously provided information that does not relate to the actual condition on that date need not be retained on board.
- 6.8. When the responsibility for the operation of the ship is assumed by another Company, the information relating to the Company which operated the ship is not required to be left on board.

In addition, other relevant guidance is provided under sections 8, 9 and 13.

7. SHIP SECURITY

Relevant guidance is provided under sections 8, 9 and 13.

8. SHIP SECURITY ASSESSMENT

Security assessment

- 8.1. The company security officer (CSO) is responsible for ensuring that a ship security assessment (SSA) is carried out for each of the ships in the Company's fleet which is required to comply with the provisions of chapter XI-2 and part A of this Code for which the CSO is responsible. While the CSO need not necessarily personally undertake all the duties associated with the post, the ultimate responsibility for ensuring that they are properly performed remains with the individual CSO.
- 8.2. Prior to commencing the SSA, the CSO should ensure that advantage is taken of information available on the assessment of threat for the ports at which the ship will call or at which passengers embark or disembark and about the port facilities and their protective measures. The CSO

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should study previous reports on similar security needs. Where feasible, the CSO should meet with appropriate persons on the ship and in the port facilities to discuss the purpose and methodology of the assessment. The CSO should follow any specific guidance offered by the Contracting Governments.

- 8.3. A SSA should address the following elements on board or within the ship:
1. physical security;
  2. structural integrity;
  3. personnel protection systems;
  4. procedural policies;
  5. radio and telecommunication systems, including computer systems and networks; and
  6. other areas that may, if damaged or used for illicit observation, pose a risk to persons, property, or operations on board the ship or within a port facility.
- 8.4. Those involved in conducting a SSA should be able to draw upon expert assistance in relation to:
1. knowledge of current security threats and patterns;
  2. recognition and detection of weapons, dangerous substances and devices;
  3. recognition, on a non-discriminatory basis, of characteristics and behavioural patterns of persons who are likely to threaten security;
  4. techniques used to circumvent security measures;
  5. methods used to cause a security incident;
  6. effects of explosives on ship's structures and equipment;
  7. ship security;
  8. ship/port interface business practices;
  9. contingency planning, emergency preparedness and response;
  10. physical security;
  11. radio and telecommunications systems, including computer systems and networks;
  12. marine engineering; and
  13. ship and port operations.
- 8.5. The CSO should obtain and record the information required to conduct an assessment, including:
1. the general layout of the ship;
  2. the location of areas which should have restricted access, such as navigation bridge, machinery spaces of category A and other control stations as defined in chapter II-2, etc.;
  3. the location and function of each actual or potential access point to the ship;
  4. changes in the tide which may have an impact on the vulnerability or security of the ship;
  5. the cargo spaces and stowage arrangements;

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6. the locations where the ship's stores and essential maintenance equipment is stored;
  7. the locations where unaccompanied baggage is stored;
  8. the emergency and stand-by equipment available to maintain essential services;
  9. the number of ship's personnel, any existing security duties and any existing training requirement practises of the Company;
  10. existing security and safety equipment for the protection of passengers and ship's personnel;
  11. escape and evacuation routes and assembly stations which have to be maintained to ensure the orderly and safe emergency evacuation of the ship;
  12. existing agreements with private security companies providing ship/water-side security services; and
  13. existing security measures and procedures in effect, including inspection and, control procedures, identification systems, surveillance and monitoring equipment, personnel identification documents and communication, alarms, lighting, access control and other appropriate systems.
- 8.6. The SSA should examine each identified point of access, including open weather decks, and evaluate its potential for use by individuals who might seek to breach security. This includes points of access available to individuals having legitimate access as well as those who seek to obtain unauthorised entry.
- 8.7. The SSA should consider the continuing relevance of the existing security measures and guidance, procedures and operations, under both routine and emergency conditions, and should determine security guidance including:
1. the restricted areas;
  2. the response procedures to fire or other emergency conditions;
  3. the level of supervision of the ship's personnel, passengers, visitors, vendors, repair technicians, dock workers, etc.;
  4. the frequency and effectiveness of security patrols;
  5. the access control systems, including identification systems;
  6. the security communications systems and procedures;
  7. the security doors, barriers and lighting; and
  8. the security and surveillance equipment and systems, if any.
- 8.8. The SSA should consider the persons, activities, services and operations that it is important to protect. This includes:
1. the ship's personnel;
  2. passengers, visitors, vendors, repair technicians, port facility personnel, etc.;
  3. the capacity to maintain safe navigation and emergency response;
  4. the cargo, particularly dangerous goods or hazardous substances;
  5. the ship's stores;
  6. the ship security communication equipment and systems, if any; and
  7. the ship's security surveillance equipment and systems, if any.



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- 8.9. The SSA should consider all possible threats, which may include the following types of security incidents:
1. damage to, or destruction of, the ship or of a port facility, e.g. by explosive devices, arson, sabotage or vandalism;
  2. hijacking or seizure of the ship or of persons on board;
  3. tampering with cargo, essential ship equipment or systems or ship's stores;
  4. unauthorised access or use, including presence of stowaways;
  5. smuggling weapons or equipment, including weapons of mass destruction;
  6. use of the ship to carry those intending to cause a security incident and/or their equipment;
  7. use of the ship itself as a weapon or as a means to cause damage or destruction;
  8. attacks from seaward whilst at berth or at anchor; and
  9. attacks whilst at sea.
- 8.10. The SSA should take into account all possible vulnerabilities, which may include:
1. conflicts between safety and security measures;
  2. conflicts between shipboard duties and security assignments;
  3. watchkeeping duties, number of ship's personnel, particularly with implications on crew fatigue, alertness and performance;
  4. any identified security training deficiencies; and
  5. any security equipment and systems, including communication systems.
- 8.11. The CSO and ship security officer (SSO) should always have regard to the effect that security measures may have on ship's personnel who will remain on the ship for long periods. When developing security measures, particular consideration should be given to the convenience, comfort and personal privacy of the ship's personnel and their ability to maintain their effectiveness over long periods.
- 8.12. Upon completion of the SSA, a report shall be prepared, consisting of a summary of how the assessment was conducted, a description of each vulnerability found during the assessment and a description of countermeasures that could be used to address each vulnerability. The report shall be protected from unauthorised access or disclosure.
- 8.13. If the SSA has not been carried out by the Company, the report of the SSA should be reviewed and accepted by the CSO.

#### On-scene security survey

- 8.14. The on-scene security survey is an integral part of any SSA. The on-scene security survey should examine and evaluate existing shipboard protective measures, procedures and operations for:
1. ensuring the performance of all ship security duties;
  2. monitoring restricted areas to ensure that only authorised persons have access;
  3. controlling access to the ship, including any identification systems;
  4. monitoring of deck areas and areas surrounding the ship;

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5. controlling the embarkation of persons and their effects (accompanied and unaccompanied baggage and ship's personnel personal effects);
6. supervising the handling of cargo and the delivery of ship's stores; and
7. ensuring that ship security communication, information, and equipment are readily available.

**9. SHIP SECURITY PLAN****General**

- 9.1. The company security officer (CSO) has the responsibility of ensuring that a ship security plan (SSP) is prepared and submitted for approval. The content of each individual SSP should vary depending on the particular ship it covers. The ship security assessment (SSA) will have identified the particular features of the ship and the potential threats and vulnerabilities. The preparation of the SSP will require these features to be addressed in detail. Administrations may prepare advice on the preparation and content of a SSP.
- 9.2. All SSPs should:
  1. detail the organisational structure of security for the ship;
  2. detail the ship's relationships with the Company, port facilities, other ships and relevant authorities with security responsibility;
  3. detail the communication systems to allow effective continuous communication within the ship and between the ship and others, including port facilities;
  4. detail the basic security measures for security level 1, both operational and physical, that will always be in place;
  5. detail the additional security measures that will allow the ship to progress without delay to security level 2 and, when necessary, to security level 3;
  6. provide for regular review, or audit, of the SSP and for its amendment in response to experience or changing circumstances; and
  7. detail reporting procedures to the appropriate Contracting Government's contact points.
- 9.3. Preparation of an effective SSP should rest on a thorough assessment of all issues that relate to the security of the ship, including, in particular, a thorough appreciation of the physical and operational characteristics, including the voyage pattern, of the individual ship.
- 9.4. All SSPs should be approved by, or on behalf of, the Administration. If an Administration uses a recognised security organisation (RSO) to review or approve the SSP, that RSO should not be associated with any other RSO that prepared, or assisted in the preparation of, the plan.
- 9.5. CSOs and SSOs should develop procedures to:
  1. assess the continuing effectiveness of the SSP; and
  2. prepare amendments of the plan subsequent to its approval.
- 9.6. The security measures included in the SSP should be in place when the initial verification for compliance with the requirements of chapter XI-2 and part A of this Code will be carried out. Otherwise the process of issue to the ship of the required International Ship Security Certificate cannot be carried out. If there is any subsequent failure of security equipment or systems, or suspension of a security measure for whatever reason, equivalent temporary security measures should be adopted, notified to, and agreed by the Administration.

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## Organisation and performance of ship security duties

- 9.7. In addition to the guidance given in paragraph 9.2, the SSP should establish the following, which relate to all security levels:
1. the duties and responsibilities of all shipboard personnel with a security role;
  2. the procedures or safeguards necessary to allow such continuous communications to be maintained at all times;
  3. the procedures needed to assess the continuing effectiveness of security procedures and any security and surveillance equipment and systems, including procedures for identifying and responding to equipment or systems failure or malfunction;
  4. the procedures and practices to protect security-sensitive information held in paper or electronic format;
  5. the type and maintenance requirements of security and surveillance equipment and systems, if any;
  6. the procedures to ensure the timely submission, and assessment, of reports relating to possible breaches of security or security concerns; and
  7. procedures to establish, maintain and update an inventory of any dangerous goods or hazardous substances carried on board, including their location.
- 9.8. The remainder of section 9 addresses specifically the security measures that could be taken at each security level covering:
1. access to the ship by ship's personnel, passengers, visitors, etc.;
  2. restricted areas on the ship;
  3. handling of cargo;
  4. delivery of ship's stores;
  5. handling unaccompanied baggage; and
  6. monitoring the security of the ship.

## Access to the ship

- 9.9. The SSP should establish the security measures covering all means of access to the ship identified in the SSA. This should include any:
1. access ladders;
  2. access gangways;
  3. access ramps;
  4. access doors, sidescuttles, windows and ports;
  5. mooring lines and anchor chains; and
  6. cranes and hoisting gear.
- 9.10. For each of these the SSP should identify the appropriate locations where access restrictions or prohibitions should be applied for each of the security levels. For each security level the SSP should establish the type of restriction or prohibition to be applied and the means of enforcing them.

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- 9.11. The SSP should establish for each security level the means of identification required to allow access to the ship and for individuals to remain on the ship without challenge. This may involve developing an appropriate identification system allowing for permanent and temporary identifications, for ship's personnel and visitors respectively. Any ship identification system should, when it is practicable to do so, be coordinated with that applying to the port facility. Passengers should be able to prove their identity by boarding passes, tickets, etc., but should not be permitted access to restricted areas unless supervised. The SSP should establish provisions to ensure that the identification systems are regularly updated, and that abuse of procedures should be subject to disciplinary action.
- 9.12. Those unwilling or unable to establish their identity and/or to confirm the purpose of their visit when requested to do so should be denied access to the ship and their attempt to obtain access should be reported, as appropriate, to the SSO, the CSO, the port facility security officer (PFSO) and to the national or local authorities with security responsibilities.
- 9.13. The SSP should establish the frequency of application of any access controls, particularly if they are to be applied on a random, or occasional, basis.

*Security level 1*

- 9.14. At security level 1, the SSP should establish the security measures to control access to the ship, where the following may be applied:
1. checking the identity of all persons seeking to board the ship and confirming their reasons for doing so by checking, for example, joining instructions, passenger tickets, boarding passes, work orders, etc.;
  2. in liaison with the port facility, the ship should ensure that designated secure areas are established in which inspections and searching of persons, baggage (including carry-on items), personal effects, vehicles and their contents can take place;
  3. in liaison with the port facility, the ship should ensure that vehicles destined to be loaded on board car carriers, ro-ro and other passenger ships are subjected to search prior to loading, in accordance with the frequency required in the SSP;
  4. segregating checked persons and their personal effects from unchecked persons and their personal effects;
  5. segregating embarking from disembarking passengers;
  6. identifying access points that should be secured or attended to prevent unauthorised access;
  7. securing, by locking or other means, access to unattended spaces adjoining areas to which passengers and visitors have access; and
  8. providing security briefings to all ship personnel on possible threats, the procedures for reporting suspicious persons, objects or activities and the need for vigilance.
- 9.15. At security level 1, all those seeking to board a ship should be liable to search. The frequency of such searches, including random searches, should be specified in the approved SSP and should be specifically approved by the Administration. Such searches may best be undertaken by the port facility in close cooperation with the ship and in close proximity to it. Unless there are clear security grounds for doing so, members of the ship's personnel should not be required to search their colleagues or their personal effects. Any such search shall be undertaken in a manner which fully takes into account the human rights of the individual and preserves their basic human dignity.

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*Security level 2*

- 9.16. At security level 2, the SSP should establish the security measures to be applied to protect against a heightened risk of a security incident to ensure higher vigilance and tighter control, which may include:
1. assigning additional personnel to patrol deck areas during silent hours to deter unauthorised access;
  2. limiting the number of access points to the ship, identifying those to be closed and the means of adequately securing them;
  3. deterring waterside access to the ship, including, for example, in liaison with the port facility, provision of boat patrols;
  4. establishing a restricted area on the shore side of the ship, in close cooperation with the port facility;
  5. increasing the frequency and detail of searches of persons, personal effects, and vehicles being embarked or loaded onto the ship;
  6. escorting visitors on the ship;
  7. providing additional specific security briefings to all ship personnel on any identified threats, re-emphasising the procedures for reporting suspicious persons, objects, or activities and stressing the need for increased vigilance; and
  8. carrying out a full or partial search of the ship.

*Security level 3*

- 9.17. At security level 3, the ship should comply with the instructions issued by those responding to the security incident or threat thereof. The SSP should detail the security measures which could be taken by the ship, in close cooperation with those responding and the port facility, which may include:
1. limiting access to a single, controlled, access point;
  2. granting access only to those responding to the security incident or threat thereof;
  3. directing persons on board;
  4. suspension of embarkation or disembarkation;
  5. suspension of cargo handling operations, deliveries, etc.;
  6. evacuation of the ship;
  7. movement of the ship; and
  8. preparing for a full or partial search of the ship.

*Restricted areas on the ship*

- 9.18. The SSP should identify the restricted areas to be established on the ship, specify their extent, times of application, the security measures to be taken to control access to them and those to be taken to control activities within them. The purposes of restricted areas are to:
1. prevent unauthorised access;
  2. protect passengers, ship's personnel, and personnel from port facilities or other agencies authorised to be on board the ship;

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3. protect security-sensitive areas within the ship; and
  4. protect cargo and ship's stores from tampering.
- 9.19. The SSP should ensure that there are clearly established policies and practices to control access to all restricted areas.
- 9.20. The SSP should provide that all restricted areas should be clearly marked, indicating that access to the area is restricted and that unauthorised presence within the area constitutes a breach of security.
- 9.21. Restricted areas may include:
1. navigation bridge, machinery spaces of category A and other control stations as defined in chapter II-2;
  2. spaces containing security and surveillance equipment and systems and their controls and lighting system controls;
  3. ventilation and air-conditioning systems and other similar spaces;
  4. spaces with access to potable water tanks, pumps, or manifolds;
  5. spaces containing dangerous goods or hazardous substances;
  6. spaces containing cargo pumps and their controls;
  7. cargo spaces and spaces containing ship's stores;
  8. crew accommodation; and
  9. any other areas as determined by the CSO, through the SSA, to which access must be restricted to maintain the security of the ship.

*Security level 1*

- 9.22. At security level 1, the SSP should establish the security measures to be applied to restricted areas, which may include:
1. locking or securing access points;
  2. using surveillance equipment to monitor the areas;
  3. using guards or patrols; and
  4. using automatic intrusion-detection devices to alert the ship's personnel of unauthorised access.

*Security level 2*

- 9.23. At security level 2, the frequency and intensity of the monitoring of, and control of access to, restricted areas should be increased to ensure that only authorised persons have access. The SSP should establish the additional security measures to be applied, which may include:
1. establishing restricted areas adjacent to access points;
  2. continuously monitoring surveillance equipment; and
  3. dedicating additional personnel to guard and patrol restricted areas.

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*Security level 3*

- 9.24. At security level 3, the ship should comply with the instructions issued by those responding to the security incident or threat thereof. The SSP should detail the security measures which could be taken by the ship, in close cooperation with those responding and the port facility, which may include:
1. setting up of additional restricted areas on the ship in proximity to the security incident, or the believed location of the security threat, to which access is denied; and
  2. searching of restricted areas as part of a search of the ship.

*Handling of cargo*

- 9.25. The security measures relating to cargo handling should:
1. prevent tampering; and
  2. prevent cargo that is not meant for carriage from being accepted and stored on board the ship.
- 9.26. The security measures, some of which may have to be applied in liaison with the port facility, should include inventory control procedures at access points to the ship. Once on board the ship, cargo should be capable of being identified as having been approved for loading onto the ship. In addition, security measures should be developed to ensure that cargo, once on board, is not tampered with.

*Security level 1*

- 9.27. At security level 1, the SSP should establish the security measures to be applied during cargo handling, which may include:
1. routine checking of cargo, cargo transport units and cargo spaces prior to, and during, cargo handling operations;
  2. checks to ensure that cargo being loaded matches the cargo documentation;
  3. ensuring, in liaison with the port facility, that vehicles to be loaded on board car-carriers, ro-ro and passenger ships are subjected to search prior to loading, in accordance with the frequency required in the SSP; and
  4. checking of seals or other methods used to prevent tampering.
- 9.28. Checking of cargo may be accomplished by the following means:
1. visual and physical examination; and
  2. using scanning/detection equipment, mechanical devices, or dogs.
- 9.29. When there are regular or repeated cargo movements, the CSO or SSO may, in consultation with the port facility, agree arrangements with shippers or others responsible for such cargo covering off-site checking, sealing, scheduling, supporting documentation, etc. Such arrangements should be communicated to and agreed with the PFSO concerned.

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*Security level 2*

- 9.30. At security level 2, the SSP should establish the additional security measures to be applied during cargo handling, which may include:
1. detailed checking of cargo, cargo transport units and cargo spaces;
  2. intensified checks to ensure that only the intended cargo is loaded;
  3. intensified searching of vehicles to be loaded on car carriers, ro-ro and passenger ships; and
  4. increased frequency and detail in checking of seals or other methods used to prevent tampering.
- 9.31. Detailed checking of cargo may be accomplished by the following means:
1. increasing the frequency and detail of visual and physical examination;
  2. increasing the frequency of the use of scanning/detection equipment, mechanical devices, or dogs; and
  3. coordinating enhanced security measures with the shipper or other responsible party in accordance with an established agreement and procedures.

*Security level 3*

- 9.32. At security level 3, the ship should comply with the instructions issued by those responding to the security incident or threat thereof. The SSP should detail the security measures which could be taken by the ship, in close cooperation with those responding and the port facility, which may include:
1. suspending the loading or unloading of cargo; and
  2. verifying the inventory of dangerous goods and hazardous substances carried on board, if any, and their location.

*Delivery of ship's stores*

- 9.33. The security measures relating to the delivery of ship's stores should:
1. ensure checking of ship's stores and package integrity;
  2. prevent ship's stores from being accepted without inspection;
  3. prevent tampering; and
  4. prevent ship's stores from being accepted unless ordered.
- 9.34. For ships regularly using the port facility, it may be appropriate to establish procedures involving the ship, its suppliers and the port facility covering notification and timing of deliveries and their documentation. There should always be some way of confirming that stores presented for delivery are accompanied by evidence that they have been ordered by the ship.

*Security level 1*

- 9.35. At security level 1, the SSP should establish the security measures to be applied during delivery of ship's stores, which may include:
1. checking to ensure stores match the order prior to being loaded on board; and
  2. ensuring immediate secure stowage of ship's stores.



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*Security level 2*

- 9.36. At security level 2, the SSP should establish the additional security measures to be applied during delivery of ship's stores by exercising checks prior to receiving stores on board and intensifying inspections.

*Security level 3*

- 9.37. At security level 3, the ship should comply with the instructions issued by those responding to the security incident or threat thereof. The SSP should detail the security measures which could be taken by the ship, in close cooperation with those responding and the port facility, which may include:

1. subjecting ship's stores to more extensive checking;
2. preparation for restriction or suspension of handling of ship's stores; and
3. refusal to accept ship's stores on board the ship.

*Handling unaccompanied baggage*

- 9.38. The SSP should establish the security measures to be applied to ensure that unaccompanied baggage (i.e. any baggage, including personal effects, which is not with the passenger or member of ship's personnel at the point of inspection or search) is identified and subjected to appropriate screening, including searching, before it is accepted on board the ship. It is not envisaged that such baggage will be subjected to screening by both the ship and the port facility, and in cases where both are suitably equipped, the responsibility for screening should rest with the port facility. Close cooperation with the port facility is essential and steps should be taken to ensure that unaccompanied baggage is handled securely after screening.

*Security level 1*

- 9.39. At security level 1, the SSP should establish the security measures to be applied when handling unaccompanied baggage to ensure that unaccompanied baggage is screened or searched up to and including 100 percent, which may include use of x-ray screening.

*Security level 2*

- 9.40. At security level 2, the SSP should establish the additional security measures to be applied when handling unaccompanied baggage, which should include 100 percent x-ray screening of all unaccompanied baggage.

*Security level 3*

- 9.41. At security level 3, the ship should comply with the instructions issued by those responding to the security incident or threat thereof. The SSP should detail the security measures which could be taken by the ship, in close cooperation with those responding and the port facility, which may include:

1. subjecting such baggage to more extensive screening, for example x-raying it from at least two different angles;
2. preparation for restriction or suspension of handling of unaccompanied baggage; and
3. refusal to accept unaccompanied baggage on board the ship.

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Monitoring the security of the ship

- 9.42. The ship should have the capability to monitor the ship, the restricted areas on board and areas surrounding the ship. Such monitoring capabilities may include use of:
1. lighting;
  2. watchkeepers, security guards and deck watches, including patrols; and
  3. automatic intrusion-detection devices and surveillance equipment.
- 9.43. When used, automatic intrusion-detection devices should activate an audible and/or visual alarm at a location that is continuously attended or monitored.
- 9.44. The SSP should establish the procedures and equipment needed at each security level and the means of ensuring that monitoring equipment will be able to perform continually, including consideration of the possible effects of weather conditions or of power disruptions.

*Security level 1*

- 9.45. At security level 1, the SSP should establish the security measures to be applied, which may be a combination of lighting, watchkeepers, security guards or use of security and surveillance equipment to allow ship's security personnel to observe the ship in general, and barriers and restricted areas in particular.
- 9.46. The ship's deck and access points to the ship should be illuminated during hours of darkness and periods of low visibility while conducting ship/port interface activities or at a port facility or anchorage when necessary. While under way, when necessary, ships should use the maximum lighting available consistent with safe navigation, having regard to the provisions of the International Regulations for the Prevention of Collisions at Sea in force. The following should be considered when establishing the appropriate level and location of lighting:
1. the ship's personnel should be able to detect activities beyond the ship, on both the shore side and the water side;
  2. coverage should include the area on and around the ship;
  3. coverage should facilitate personnel identification at access points; and
  4. coverage may be provided through coordination with the port facility.

*Security level 2*

- 9.47. At security level 2, the SSP should establish the additional security measures to be applied to enhance the monitoring and surveillance capabilities, which may include:
1. increasing the frequency and detail of security patrols;
  2. increasing the coverage and intensity of lighting or the use of security and surveillance equipment;
  3. assigning additional personnel as security look-outs; and
  4. ensuring coordination with water-side boat patrols, and foot or vehicle patrols on the shore side, when provided.
- 9.48. Additional lighting may be necessary to protect against a heightened risk of a security incident. When necessary, the additional lighting requirements may be accomplished by coordinating with the port facility to provide additional shoreside lighting.

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*Security level 3*

9.49. At security level 3, the ship should comply with the instructions issued by those responding to the security incident or threat thereof. The SSP should detail the security measures which could be taken by the ship, in close cooperation with those responding and the port facility, which may include:

1. switching on of all lighting on, or illuminating the vicinity of, the ship;
2. switching on of all on-board surveillance equipment capable of recording activities on, or in the vicinity of, the ship;
3. maximising the length of time such surveillance equipment can continue to record;
4. preparation for underwater inspection of the hull of the ship; and
5. initiation of measures, including the slow revolution of the ship's propellers, if practicable, to deter underwater access to the hull of the ship.

*Differing security levels*

9.50. The SSP should establish details of the procedures and security measures the ship could adopt if the ship is at a higher security level than that applying to a port facility.

*Activities not covered by the Code*

9.51. The SSP should establish details of the procedures and security measures the ship should apply when:

1. it is at a port of a State which is not a Contracting Government;
2. it is interfacing with a ship to which this Code does not apply;
3. it is interfacing with fixed or floating platforms or a mobile drilling unit on location; or
4. it is interfacing with a port or port facility which is not required to comply with chapter XI-2 and part A of this Code.

*Declarations of Security*

9.52. The SSP should detail how requests for Declarations of Security from a port facility will be handled and the circumstances under which the ship itself should request a DoS.

*Audit and review*

9.53. The SSP should establish how the CSO and the SSO intend to audit the continued effectiveness of the SSP and the procedure to be followed to review, update or amend the SSP.

**10. RECORDS***General*

10.1. Records should be available to duly authorised officers of Contracting Governments to verify that the provisions of ship security plans are being implemented.

10.2. Records may be kept in any format but should be protected from unauthorised access or disclosure.

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## 11. COMPANY SECURITY OFFICER

*Relevant guidance is provided under sections 8, 9 and 13.*

## 12. SHIP SECURITY OFFICER

*Relevant guidance is provided under sections 8, 9 and 13.*

## 13. TRAINING, DRILLS AND EXERCISES ON SHIP SECURITY

## Training

## 13.1. The company security officer (CSO) and appropriate shore-based Company personnel, and the ship security officer (SSO), should have knowledge of, and receive training, in some or all of the following, as appropriate:

1. security administration;
2. relevant international conventions, codes and recommendations;
3. relevant Government legislation and regulations;
4. responsibilities and functions of other security organisations;
5. methodology of ship security assessment;
6. methods of ship security surveys and inspections;
7. ship and port operations and conditions;
8. ship and port facility security measures;
9. emergency preparedness and response and contingency planning;
10. instruction techniques for security training and education, including security measures and procedures;
11. handling sensitive security-related information and security-related communications;
12. knowledge of current security threats and patterns;
13. recognition and detection of weapons, dangerous substances and devices;
14. recognition, on a non-discriminatory basis, of characteristics and behavioural patterns of persons who are likely to threaten security;
15. techniques used to circumvent security measures;
16. security equipment and systems and their operational limitations;
17. methods of conducting audits, inspection, control and monitoring;
18. methods of physical searches and non-intrusive inspections;
19. security drills and exercises, including drills and exercises with port facilities; and
20. assessment of security drills and exercises.

## 13.2. In addition, the SSO should have adequate knowledge of, and receive training in, some or all of the following, as appropriate:

1. the layout of the ship;
2. the ship security plan and related procedures (including scenario-based training on how to respond);

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3. crowd management and control techniques;
  4. operations of security equipment and systems; and
  5. testing, calibration and at-sea maintenance of security equipment and systems.
- 13.3. Shipboard personnel having specific security duties should have sufficient knowledge and ability to perform their assigned duties, including, as appropriate:
1. knowledge of current security threats and patterns;
  2. recognition and detection of weapons, dangerous substances and devices;
  3. recognition of characteristics and behavioural patterns of persons who are likely to threaten security;
  4. techniques used to circumvent security measures;
  5. crowd management and control techniques;
  6. security-related communications;
  7. knowledge of the emergency procedures and contingency plans;
  8. operations of security equipment and systems;
  9. testing, calibration and at-sea maintenance of security equipment and systems;
  10. inspection, control, and monitoring techniques; and
  11. methods of physical searches of persons, personal effects, baggage, cargo, and ship's stores.
- 13.4. All other shipboard personnel should have sufficient knowledge of and be familiar with relevant provisions of the ship security plan (SSP), including:
1. the meaning and the consequential requirements of the different security levels;
  2. knowledge of the emergency procedures and contingency plans;
  3. recognition and detection of weapons, dangerous substances and devices;
  4. recognition, on a non-discriminatory basis, of characteristics and behavioural patterns of persons who are likely to threaten security; and
  5. techniques used to circumvent security measures.

#### Drills and exercises

- 13.5. The objective of drills and exercises is to ensure that shipboard personnel are proficient in all assigned security duties at all security levels and the identification of any security-related deficiencies which need to be addressed.
- 13.6. To ensure the effective implementation of the provisions of the ship security plan, drills should be conducted at least once every three months. In addition, in cases where more than 25 percent of the ship's personnel has been changed, at any one time, with personnel that has not previously participated in any drill on that ship within the last 3 months, a drill should be conducted within one week of the change. These drills should test individual elements of the plan such as those security threats listed in paragraph 8.9.
- 13.7. Various types of exercises, which may include participation of company security officers, port facility security officers, relevant authorities of Contracting Governments as well as ship security

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officers, if available, should be carried out at least once each calendar year with no more than 18 months between the exercises. These exercises should test communications, coordination, resource availability, and response. These exercises may be:

1. full-scale or live;
2. tabletop simulation or seminar; or
3. combined with other exercises held, such as search and rescue or emergency response exercises.

13.8. Company participation in an exercise with another Contracting Government should be recognised by the Administration.

14. PORT FACILITY SECURITY

*Relevant guidance is provided under sections 15, 16 and 18.*

15. PORT FACILITY SECURITY ASSESSMENT

General

15.1. The port facility security assessment (PFSA) may be conducted by a recognised security organisation (RSO). However, approval of a completed PFSA should only be given by the relevant Contracting Government.

15.2. If a Contracting Government uses a RSO to review or verify compliance of the PFSA, the RSO should not be associated with any other RSO that prepared or assisted in the preparation of that assessment.

15.3. A PFSA should address the following elements within a port facility:

1. *physical security;*
2. *structural integrity;*
3. *personnel protection systems;*
4. *procedural policies;*
5. *radio and telecommunication systems, including computer systems and networks;*
6. *relevant transportation infrastructure;*
7. *utilities; and*
8. *other areas that may, if damaged or used for illicit observation, pose a risk to persons, property, or operations within the port facility.*

15.4. Those involved in a PFSA should be able to draw upon expert assistance in relation to:

1. knowledge of current security threats and patterns;
2. recognition and detection of weapons, dangerous substances and devices;
3. recognition, on a non-discriminatory basis, of characteristics and behavioural patterns of persons who are likely to threaten security;
4. techniques used to circumvent security measures;
5. methods used to cause a security incident;
6. effects of explosives on structures and port facility services;
7. port facility security;

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8. port business practices;
9. contingency planning, emergency preparedness and response;
10. physical security measures, e.g. fences;
11. radio and telecommunications systems, including computer systems and networks;
12. transport and civil engineering; and
13. ship and port operations.

*Identification and evaluation of important assets and infrastructure it is important to protect*

- 15.5. The identification and evaluation of important assets and infrastructure is a process through which the relative importance of structures and installations to the functioning of the port facility can be established. This identification and evaluation process is important because it provides a basis for focusing mitigation strategies on those assets and structures which it is more important to protect from a security incident. This process should take into account potential loss of life, the economic significance of the port, symbolic value, and the presence of Government installations.
- 15.6. Identification and evaluation of assets and infrastructure should be used to prioritise their relative importance for protection. The primary concern should be avoidance of death or injury. It is also important to consider whether the port facility, structure or installation can continue to function without the asset, and the extent to which rapid re-establishment of normal functioning is possible.
- 15.7. Assets and infrastructure that should be considered important to protect may include:
  1. accesses, entrances, approaches, and anchorages, manoeuvring and berthing areas;
  2. cargo facilities, terminals, storage areas, and cargo handling equipment;
  3. systems such as electrical distribution systems, radio and telecommunication systems and computer systems and networks;
  4. port vessel traffic management systems and aids to navigation;
  5. power plants, cargo transfer piping, and water supplies;
  6. bridges, railways, roads;
  7. port service vessels, including pilot boats, tugs, lighters, etc.;
  8. security and surveillance equipment and systems; and
  9. the waters adjacent to the port facility.
- 15.8. The clear identification of assets and infrastructure is essential to the evaluation of the port facility's security requirements, the prioritisation of protective measures, and decisions concerning the allocation of resources to better protect the port facility.

The process may involve consultation with the relevant authorities relating to structures adjacent to the port facility which could cause damage within the facility or be used for the purpose of causing damage to the facility or for illicit observation of the facility or for diverting attention.
- 15.9. Possible acts that could threaten the security of assets and infrastructure, and the methods of carrying out those acts, should be identified to evaluate the vulnerability of a given asset or location to a security incident, and to establish and prioritise security requirements to enable

Identification of the possible threats to the assets and infrastructure and the likelihood of their occurrence, in order to establish and prioritise security measures

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planning and resource allocations. Identification and evaluation of each potential act and its method should be based on various factors, including threat assessments by Government agencies. By identifying and assessing threats, those conducting the assessment do not have to rely on worst-case scenarios to guide planning and resource allocations.

15.10. The PFSA should include an assessment undertaken in consultation with the relevant national security organisations to determine:

1. any particular aspects of the port facility, including the vessel traffic using the facility, which make it likely to be the target of an attack;
2. the likely consequences in terms of loss of life, damage to property and economic disruption, including disruption to transport systems, of an attack on, or at, the port facility;
3. the capability and intent of those likely to mount such an attack; and
4. the possible type, or types, of attack,

producing an overall assessment of the level of risk against which security measures have to be developed.

15.11. The PFSA should consider all possible threats, which may include the following types of security incidents:

1. damage to, or destruction of, the port facility or of the ship, e.g. by explosive devices, arson, sabotage or vandalism;
2. hijacking or seizure of the ship or of persons on board;
3. tampering with cargo, essential ship equipment or systems or ship's stores;
4. unauthorised access or use, including presence of stowaways;
5. smuggling weapons or equipment, including weapons of mass destruction;
6. use of the ship to carry those intending to cause a security incident and their equipment;
7. use of the ship itself as a weapon or as a means to cause damage or destruction;
8. blockage of port entrances, locks, approaches, etc.; and
9. nuclear, biological and chemical attack.

15.12. The process should involve consultation with the relevant authorities relating to structures adjacent to the port facility which could cause damage within the facility or be used for the purpose of causing damage to the facility or for illicit observation of the facility or for diverting attention.

Identification, selection, and prioritisation of countermeasures and procedural changes and their level of effectiveness in reducing vulnerability

15.13. The identification and prioritisation of countermeasures is designed to ensure that the most effective security measures are employed to reduce the vulnerability of a port facility or ship/port interface to the possible threats.



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- 15.14. Security measures should be selected on the basis of factors such as whether they reduce the probability of an attack and should be evaluated using information that includes:
1. security surveys, inspections and audits;
  2. consultation with port facility owners and operators, and owners/operators of adjacent structures if appropriate;
  3. historical information on security incidents; and
  4. operations within the port facility.

*Identification of vulnerabilities*

- 15.15. Identification of vulnerabilities in physical structures, personnel protection systems, processes, or other areas that may lead to a security incident can be used to establish options to eliminate or mitigate those vulnerabilities. For example, an analysis might reveal vulnerabilities in a port facility's security systems or unprotected infrastructure such as water supplies, bridges, etc., that could be resolved through physical measures, e.g. permanent barriers, alarms, surveillance equipment, etc.
- 15.16. Identification of vulnerabilities should include consideration of:
1. water-side and shore-side access to the port facility and ships berthing at the facility;
  2. structural integrity of the piers, facilities, and associated structures;
  3. existing security measures and procedures, including identification systems;
  4. existing security measures and procedures relating to port services and utilities;
  5. measures to protect radio and telecommunication equipment, port services and utilities, including computer systems and networks;
  6. adjacent areas that may be exploited during, or for, an attack;
  7. existing agreements with private security companies providing water-side/shore-side security services;
  8. any conflicting policies between safety and security measures and procedures;
  9. any conflicting port facility and security duty assignments;
  10. any enforcement and personnel constraints;
  11. any deficiencies identified during training and drills; and
  12. any deficiencies identified during daily operation, following incidents or alerts, the report of security concerns, the exercise of control measures, audits, etc.

16. PORT FACILITY SECURITY PLAN

General

- 16.1. Preparation of the port facility security plan (PFSP) is the responsibility of the port facility security officer (PFSO). While the PFSO need not necessarily personally undertake all the duties associated with the post, the ultimate responsibility for ensuring that they are properly performed remains with the individual PFSO.

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- 16.2. The content of each individual PFSP should vary depending on the particular circumstances of the port facility, or facilities, it covers. The port facility security assessment (PFSA) will have identified the particular features of the port facility, and of the potential security risks, that have led to the need to appoint a PFSO and to prepare a PFSP. The preparation of the PFSP will require these features, and other local or national security considerations, to be addressed in the PFSP and for appropriate security measures to be established so as to minimise the likelihood of a breach of security and the consequences of potential risks. Contracting Governments may prepare advice on the preparation and content of a PFSP.
- 16.3. All PFSPs should:
1. detail the security organisation of the port facility;
  2. detail the organisation's links with other relevant authorities and the necessary communication systems to allow the effective continuous operation of the organisation and its links with others, including ships in port;
  3. detail the basic security level 1 measures, both operational and physical, that will be in place;
  4. detail the additional security measures that will allow the port facility to progress without delay to security level 2 and, when necessary, to security level 3;
  5. provide for regular review, or audit, of the PFSP and for its amendment in response to experience or changing circumstances; and
  6. detail reporting procedures to the appropriate Contracting Government's contact points.
- 16.4. Preparation of an effective PFSP will rest on a thorough assessment of all issues that relate to the security of the port facility, including, in particular, a thorough appreciation of the physical and operational characteristics of the individual port facility.
- 16.5. Contracting Governments should approve the PFSPs of the port facilities under their jurisdiction. Contracting Governments should develop procedures to assess the continuing effectiveness of each PFSP and may require amendment of the PFSP prior to its initial approval or subsequent to its approval. The PFSP should make provision for the retention of records of security incidents and threats, reviews, audits, training, drills and exercises as evidence of compliance with those requirements.
- 16.6. The security measures included in the PFSP should be in place within a reasonable period of the PFSP's approval and the PFSP should establish when each measure will be in place. If there is likely to be any delay in their provision, this should be discussed with the Contracting Government responsible for approval of the PFSP and satisfactory alternative temporary security measures that provide an equivalent level of security should be agreed to cover any interim period.
- 16.7. The use of firearms on or near ships and in port facilities may pose particular and significant safety risks, in particular in connection with certain dangerous or hazardous substances, and should be considered very carefully. In the event that a Contracting Government decides that it is necessary to use armed personnel in these areas, that Contracting Government should ensure that these personnel are duly authorised and trained in the use of their weapons and that they are aware of the specific risks to safety that are present in these areas. If a Contracting Government authorises the use of firearms they should issue specific safety guidelines on their use. The PFSP should contain specific guidance on this matter, in particular with regard its application to ships carrying dangerous goods or hazardous substances.

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## Organisation and performance of port facility security duties

- 16.8. In addition to the guidance given under paragraph 16.3, the PFSP should establish the following, which relate to all security levels:
1. the role and structure of the port facility security organisation;
  2. the duties, responsibilities and training requirements of all port facility personnel with a security role and the performance measures needed to allow their individual effectiveness to be assessed;
  3. the port facility security organisation's links with other national or local authorities with security responsibilities;
  4. the communication systems provided to allow effective and continuous communication between port facility security personnel, ships in port and, when appropriate, with national or local authorities with security responsibilities;
  5. the procedures or safeguards necessary to allow such continuous communications to be maintained at all times;
  6. the procedures and practices to protect security-sensitive information held in paper or electronic format;
  7. the procedures to assess the continuing effectiveness of security measures, procedures and equipment, including identification of, and response to, equipment failure or malfunction;
  8. the procedures to allow the submission, and assessment, of reports relating to possible breaches of security or security concerns;
  9. procedures relating to cargo handling;
  10. procedures covering the delivery of ship's stores;
  11. the procedures to maintain, and update, records of dangerous goods and hazardous substances and their location within the port facility;
  12. the means of alerting and obtaining the services of waterside patrols and specialist search teams, including bomb searches and underwater searches;
  13. the procedures for assisting ship security officers in confirming the identity of those seeking to board the ship when requested; and
  14. the procedures for facilitating shore leave for ship's personnel or personnel changes, as well as access of visitors to the ship, including representatives of seafarers' welfare and labour organisations.
- 16.9. The remainder of section 16 addresses specifically the security measures that could be taken at each security level covering:
1. access to the port facility;
  2. restricted areas within the port facility;
  3. handling of cargo;
  4. delivery of ship's stores;
  5. handling unaccompanied baggage; and
  6. monitoring the security of the port facility.

## Access to the port facility

- 16.10. The PFSP should establish the security measures covering all means of access to the port facility identified in the PFSA.

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- 16.11. For each of these the PFSP should identify the appropriate locations where access restrictions or prohibitions should be applied for each of the security levels. For each security level the PFSP should specify the type of restriction or prohibition to be applied and the means of enforcing them.
- 16.12. The PFSP should establish for each security level the means of identification required to allow access to the port facility and for individuals to remain within the port facility without challenge. This may involve developing an appropriate identification system, allowing for permanent and temporary identifications, for port facility personnel and for visitors respectively. Any port facility identification system should, when it is practicable to do so, be coordinated with that applying to ships that regularly use the port facility. Passengers should be able to prove their identity by boarding passes, tickets, etc., but should not be permitted access to restricted areas unless supervised. The PFSP should establish provisions to ensure that the identification systems are regularly updated, and that abuse of procedures should be subject to disciplinary action.
- 16.13. Those unwilling or unable to establish their identity and/or to confirm the purpose of their visit when requested to do so should be denied access to the port facility and their attempt to obtain access should be reported to the PFSO and to the national or local authorities with security responsibilities.
- 16.14. The PFSP should identify the locations where persons, personal effects, and vehicle searches are to be undertaken. Such locations should be covered to facilitate continuous operation, regardless of prevailing weather conditions, in accordance with the frequency laid down in the PFSP. Once subjected to search, persons, personal effects and vehicles should proceed directly to the restricted holding, embarkation or car loading areas.
- 16.15. The PFSP should establish separate locations for checked and unchecked persons and their effects and if possible separate areas for embarking/disembarking passengers, ship's personnel and their effects to ensure that unchecked persons are not able to come in contact with checked persons.
- 16.16. The PFSP should establish the frequency of application of any access controls, particularly if they are to be applied on a random, or occasional, basis.

*Security level 1*

- 16.17. At security level 1, the PFSP should establish the control points where the following security measures may be applied:
1. restricted areas, which should be bounded by fencing or other barriers to a standard which should be approved by the Contracting Government;
  2. checking identity of all persons seeking entry to the port facility in connection with a ship, including passengers, ship's personnel and visitors, and confirming their reasons for doing so by checking, for example, joining instructions, passenger tickets, boarding passes, work orders, etc.;
  3. checking vehicles used by those seeking entry to the port facility in connection with a ship;
  4. verification of the identity of port facility personnel and those employed within the port facility and their vehicles;
  5. restricting access to exclude those not employed by the port facility or working within it, if they are unable to establish their identity;

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6. undertaking searches of persons, personal effects, vehicles and their contents; and
  7. identification of any access points not in regular use, which should be permanently closed and locked.
- 16.18. At security level 1, all those seeking access to the port facility should be liable to search. The frequency of such searches, including random searches, should be specified in the approved PFSP and should be specifically approved by the Contracting Government. Unless there are clear security grounds for doing so, members of the ship's personnel should not be required to search their colleagues or their personal effects. Any such search shall be undertaken in a manner which fully takes into account the human rights of the individual and preserves their basic human dignity.

*Security level 2*

- 16.19. At security level 2, the PFSP should establish the additional security measures to be applied, which may include:
1. assigning additional personnel to guard access points and patrol perimeter barriers;
  2. limiting the number of access points to the port facility, and identifying those to be closed and the means of adequately securing them;
  3. providing for means of impeding movement through the remaining access points, e.g. security barriers;
  4. increasing the frequency of searches of persons, personal effects, and vehicles;
  5. denying access to visitors who are unable to provide a verifiable justification for seeking access to the port facility; and
  6. using patrol vessels to enhance water-side security.

*Security level 3*

- 16.20. At security level 3, the port facility should comply with instructions issued by those responding to the security incident or threat thereof. The PFSP should detail the security measures which could be taken by the port facility, in close cooperation with those responding and the ships at the port facility, which may include:
1. suspension of access to all, or part, of the port facility;
  2. granting access only to those responding to the security incident or threat thereof;
  3. suspension of pedestrian or vehicular movement within all, or part, of the port facility;
  4. increased security patrols within the port facility, if appropriate;
  5. suspension of port operations within all, or part, of the port facility;
  6. direction of vessel movements relating to all, or part, of the port facility; and
  7. evacuation of all, or part, of the port facility.

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Restricted areas within the port facility

- 16.21. The PFSP should identify the restricted areas to be established within the port facility and specify their extent, times of application, the security measures to be taken to control access to them and those to be taken to control activities within them. This should also include, in appropriate circumstances, measures to ensure that temporary restricted areas are security swept both before and after that area is established. The purpose of restricted areas is to:
1. protect passengers, ship's personnel, port facility personnel and visitors, including those visiting in connection with a ship;
  2. protect the port facility;
  3. protect ships using, and serving, the port facility;
  4. protect security-sensitive locations and areas within the port facility;
  5. protect security and surveillance equipment and systems; and
  6. protect cargo and ship's stores from tampering.
- 16.22. The PFSP should ensure that all restricted areas have clearly established security measures to control:
1. access by individuals;
  2. the entry, parking, loading and unloading of vehicles;
  3. movement and storage of cargo and ship's stores; and
  4. unaccompanied baggage or personal effects.
- 16.23. The PFSP should provide that all restricted areas should be clearly marked, indicating that access to the area is restricted and that unauthorised presence within the area constitutes a breach of security.
- 16.24. When automatic intrusion-detection devices are installed they should alert a control centre which can respond to the triggering of an alarm.
- 16.25. Restricted areas may include:
1. shore- and water-side areas immediately adjacent to the ship;
  2. embarkation and disembarkation areas, passenger and ship's personnel holding and processing areas, including search points;
  3. areas where loading, unloading or storage of cargo and stores is undertaken;
  4. locations where security-sensitive information, including cargo documentation, is held;
  5. areas where dangerous goods and hazardous substances are held;
  6. vessel traffic management system control rooms, aids to navigation and port control buildings, including security and surveillance control rooms;
  7. areas where security and surveillance equipment are stored or located;
  8. essential electrical, radio and telecommunication, water and other utility installations; and
  9. other locations in the port facility where access by vessels, vehicles and individuals should be restricted.

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- 16.26. The security measures may extend, with the agreement of the relevant authorities, to restrictions on unauthorised access to structures from which the port facility can be observed.

*Security level 1*

- 16.27. At security level 1, the PFSP should establish the security measures to be applied to restricted areas, which may include:
1. provision of permanent or temporary barriers to surround the restricted area, whose standard should be accepted by the Contracting Government;
  2. provision of access points where access can be controlled by security guards when in operation and which can be effectively locked or barred when not in use;
  3. providing passes which must be displayed to identify individual's entitlement to be within the restricted area;
  4. clearly marking vehicles allowed access to restricted areas;
  5. providing guards and patrols;
  6. providing automatic intrusion-detection devices, or surveillance equipment or systems to detect unauthorised access into, or movement within, restricted areas; and
  7. control of the movement of vessels in the vicinity of ships using the port facility.

*Security level 2*

- 16.28. At security level 2, the PFSP should establish the enhancement of the frequency and intensity of the monitoring of, and control of access to, restricted areas. The PFSP should establish the additional security measures, which may include:
1. enhancing the effectiveness of the barriers or fencing surrounding restricted areas, including the use of patrols or automatic intrusion-detection devices;
  2. reducing the number of access points to restricted areas and enhancing the controls applied at the remaining accesses;
  3. restrictions on parking adjacent to berthed ships;
  4. further restricting access to the restricted areas and movements and storage within them;
  5. use of continuously monitored and recording surveillance equipment;
  6. enhancing the number and frequency of patrols, including water-side patrols, undertaken on the boundaries of the restricted areas and within the areas;
  7. establishing and restricting access to areas adjacent to the restricted areas; and
  8. enforcing restrictions on access by unauthorised craft to the waters adjacent to ships using the port facility.

*Security level 3*

- 16.29. At security level 3, the port facility should comply with the instructions issued by those responding to the security incident or threat thereof. The PFSP should detail the security

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measures which could be taken by the port facility in close cooperation with those responding and the ships at the port facility, which may include:

1. setting up of additional restricted areas within the port facility in proximity to the security incident, or the believed location of the security threat, to which access is denied; and
2. preparing for the searching of restricted areas as part of a search of all, or part, of the port facility.

#### Handling of cargo

16.30. The security measures relating to cargo handling should:

1. prevent tampering; and
2. prevent cargo that is not meant for carriage from being accepted and stored within the port facility.

16.31. The security measures should include inventory control procedures at access points to the port facility. Once within the port facility, cargo should be capable of being identified as having been checked and accepted for loading onto a ship or for temporary storage in a restricted area while awaiting loading. It may be appropriate to restrict the entry of cargo to the port facility that does not have a confirmed date for loading.

#### Security level 1

16.32. At security level 1, the PFSP should establish the security measures to be applied during cargo handling, which may include:

1. routine checking of cargo, cargo transport units and cargo storage areas within the port facility prior to, and during, cargo handling operations;
2. checks to ensure that cargo entering the port facility matches the delivery note or equivalent cargo documentation;
3. searches of vehicles; and
4. checking of seals and other methods used to prevent tampering upon entering the port facility and upon storage within the port facility.

16.33. Checking of cargo may be accomplished by some or all of the following means:

1. visual and physical examination; and
2. using scanning/detection equipment, mechanical devices, or dogs.

16.34. When there are regular or repeated cargo movements, the CSO or the SSO may, in consultation with the port facility, agree arrangements with shippers or others responsible for such cargo covering off-site checking, sealing, scheduling, supporting documentation, etc. Such arrangements should be communicated to and agreed with the PFSO concerned.



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*Security level 2*

- 16.35. At security level 2, the PFSP should establish the additional security measures to be applied during cargo handling to enhance control, which may include:
1. detailed checking of cargo, cargo transport units and cargo storage areas within the port facility;
  2. intensified checks, as appropriate, to ensure that only the documented cargo enters the port facility, is temporarily stored there and is then loaded onto the ship;
  3. intensified searches of vehicles; and
  4. increased frequency and detail in checking of seals and other methods used to prevent tampering.
- 16.36. Detailed checking of cargo may be accomplished by some or all of the following means:
1. increasing the frequency and detail of checking of cargo, cargo transport units and cargo storage areas within the port facility (visual and physical examination);
  2. increasing the frequency of the use of scanning/detection equipment, mechanical devices, or dogs; and
  3. coordinating enhanced security measures with the shipper or other responsible party in addition to an established agreement and procedures.

*Security level 3*

- 16.37. At security level 3, the port facility should comply with the instructions issued by those responding to the security incident or threat thereof. The PFSP should detail the security measures which could be taken by the port facility in close cooperation with those responding and the ships at the port facility, which may include:
1. restriction or suspension of cargo movements or operations within all, or part, of the port facility or specific ships; and
  2. verifying the inventory of dangerous goods and hazardous substances held within the port facility and their location.

*Delivery of ship's stores*

- 16.38. The security measures relating to the delivery of ship's stores should:
1. ensure checking of ship's stores and package integrity;
  2. prevent ship's stores from being accepted without inspection;
  3. prevent tampering;
  4. prevent ship's stores from being accepted unless ordered;
  5. ensure searching the delivery vehicle; and
  6. ensure escorting delivery vehicles within the port facility.
- 16.39. For ships regularly using the port facility it may be appropriate to establish procedures involving the ship, its suppliers and the port facility covering notification and timing of deliveries and their documentation. There should always be some way of confirming that stores presented for delivery are accompanied by evidence that they have been ordered by the ship.

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*Security level 1*

- 16.40. At security level 1, the PFSP should establish the security measures to be applied to control the delivery of ship's stores, which may include:
1. checking of ship's stores;
  2. advance notification as to composition of load, driver details and vehicle registration; and
  3. searching the delivery vehicle.
- 16.41. Checking of ship's stores may be accomplished by some or all of the following means:
1. visual and physical examination; and
  2. using scanning/detection equipment, mechanical devices or dogs.

*Security level 2*

- 16.42. At security level 2, the PFSP should establish the additional security measures to be applied to enhance the control of the delivery of ship's stores, which may include:
1. detailed checking of ship's stores;
  2. detailed searches of the delivery vehicles;
  3. coordination with ship personnel to check the order against the delivery note prior to entry to the port facility; and
  4. escorting the delivery vehicle within the port facility.
- 16.43. Detailed checking of ship's stores may be accomplished by some or all of the following means:
1. increasing the frequency and detail of searches of delivery vehicles;
  2. increasing the use of scanning/detection equipment, mechanical devices, or dogs; and
  3. restricting, or prohibiting, entry of stores that will not leave the port facility within a specified period.

*Security level 3*

- 16.44. At security level 3, the port facility should comply with the instructions issued by those responding to the security incident or threat thereof. The PFSP should detail the security measures which could be taken by the port facility, in close cooperation with those responding and the ships at the port facility, which may include preparation for restriction, or suspension, of the delivery of ship's stores within all, or part, of the port facility.

*Handling unaccompanied baggage*

- 16.45. The PFSP should establish the security measures to be applied to ensure that unaccompanied baggage (i.e. any baggage, including personal effects, which is not with the passenger or member of ship's personnel at the point of inspection or search) is identified and subjected to appropriate screening, including searching, before is allowed in the port facility and, depending on the storage arrangements, before it is transferred between the port facility and the ship. It is not envisaged that such baggage will be subjected to screening by both the port facility and the ship, and in cases where both are suitably equipped, the responsibility for screening should rest with the port facility. Close cooperation with the ship is essential and steps should be taken to ensure that unaccompanied baggage is handled securely after screening.

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*Security level 1*

- 16.46. At security level 1, the PFSP should establish the security measures to be applied when handling unaccompanied baggage to ensure that unaccompanied baggage is screened or searched up to and including 100 percent, which may include use of x-ray screening.

*Security level 2*

- 16.47. At security level 2, the PFSP should establish the additional security measures to be applied when handling unaccompanied baggage which should include 100 percent x-ray screening of all unaccompanied baggage.

*Security level 3*

- 16.48. At security level 3, the port facility should comply with the instructions issued by those responding to the security incident or threat thereof. The PFSP should detail the security measures which could be taken by the port facility in close cooperation with those responding and the ships at the port facility, which may include:

1. subjecting such baggage to more extensive screening, for example x-raying it from at least two different angles;
2. preparations for restriction or suspension of handling of unaccompanied baggage; and
3. refusal to accept unaccompanied baggage into the port facility.

*Monitoring the security of the port facility*

- 16.49. The port facility security organisation should have the capability to monitor the port facility and its nearby approaches, on land and water, at all times, including the night hours and periods of limited visibility, the restricted areas within the port facility, the ships at the port facility and areas surrounding ships. Such monitoring can include use of:

1. lighting;
2. security guards, including foot, vehicle and waterborne patrols; and
3. automatic intrusion-detection devices and surveillance equipment.

- 16.50. When used, automatic intrusion-detection devices should activate an audible and/or visual alarm at a location that is continuously attended or monitored.

- 16.51. The PFSP should establish the procedures and equipment needed at each security level and the means of ensuring that monitoring equipment will be able to perform continually, including consideration of the possible effects of weather or of power disruptions.

*Security level 1*

- 16.52. At security level 1, the PFSP should establish the security measures to be applied, which may be a combination of lighting, security guards or use of security and surveillance equipment to allow port facility security personnel to:

1. observe the general port facility area, including shore- and water-side accesses to it;
2. observe access points, barriers and restricted areas; and
3. allow port facility security personnel to monitor areas and movements adjacent to ships using the port facility, including augmentation of lighting provided by the ship itself.

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*Security level 2*

- 16.53. At security level 2, the PFSP should establish the additional security measures to be applied to enhance the monitoring and surveillance capability, which may include:
1. increasing the coverage and intensity of lighting and surveillance equipment, including the provision of additional lighting and surveillance coverage;
  2. increasing the frequency of foot, vehicle or waterborne patrols; and
  3. assigning additional security personnel to monitor and patrol.

*Security level 3*

- 16.54. At security level 3, the port facility should comply with the instructions issued by those responding to the security incident or threat thereof. The PFSP should detail the security measures which could be taken by the port facility in close cooperation with those responding and the ships at the port facility, which may include:
1. switching on all lighting within, or illuminating the vicinity of, the port facility;
  2. switching on all surveillance equipment capable of recording activities within, or adjacent to, the port facility; and
  3. maximising the length of time such surveillance equipment can continue to record.

*Differing security levels*

- 16.55. The PFSP should establish details of the procedures and security measures the port facility could adopt if the port facility is at a lower security level than that applying to a ship.

*Activities not covered by the Code*

- 16.56. The PFSP should establish details of the procedures and security measures the port facility should apply when:
1. it is interfacing with a ship which has been at a port of a State which is not a Contracting Government;
  2. it is interfacing with a ship to which this Code does not apply; and
  3. it is interfacing with fixed or floating platforms or mobile offshore drilling units on location.

*Declarations of Security*

- 16.57. The PFSP should establish the procedures to be followed when, on the instructions of the Contracting Government, the PFSO requests a Declaration of Security (DoS) or when a DoS is requested by a ship.

*Audit, review and amendment*

- 16.58. The PFSP should establish how the PFSO intends to audit the continued effectiveness of the PFSP and the procedure to be followed to review, update or amend the PFSP.
- 16.59. The PFSP should be reviewed at the discretion of the PFSO. In addition it should be reviewed:
1. if the PFSA relating to the port facility is altered;
  2. if an independent audit of the PFSP or the Contracting Government's testing of the port facility security organisation identifies failings in the organisation or questions the continuing relevance of significant elements of the approved PFSP;

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3. following security incidents or threats thereof involving the port facility; and
  4. following changes in ownership or operational control of the port facility.
- 16.60. The PFSP can recommend appropriate amendments to the approved plan following any review of the plan. Amendments to the PFSP relating to:
1. proposed changes which could fundamentally alter the approach adopted to maintaining the security of the port facility; and
  2. the removal, alteration or replacement of permanent barriers, security and surveillance equipment and systems, etc., previously considered essential in maintaining the security of the port facility
- should be submitted to the Contracting Government that approved the original PFSP for their consideration and approval. Such approval can be given by, or on behalf of, the Contracting Government with, or without, amendments to the proposed changes. On approval of the PFSP, the Contracting Government should indicate which procedural or physical alterations have to be submitted to it for approval.

#### Approval of port facility security plans

- 16.61. PFSPs have to be approved by the relevant Contracting Government, which should establish appropriate procedures to provide for:
1. the submission of PFSPs to them;
  2. the consideration of PFSPs;
  3. the approval of PFSPs, with or without amendments;
  4. consideration of amendments submitted after approval; and
  5. procedures for inspecting or auditing the continuing relevance of the approved PFSP.
- At all stages, steps should be taken to ensure that the contents of the PFSP remain confidential.

#### Statement of Compliance of a Port Facility

- 16.62. The Contracting Government within whose territory a port facility is located may issue an appropriate Statement of Compliance of a Port Facility (SoCPF) indicating:
1. the port facility;
  2. that the port facility complies with the provisions of chapter XI-2 and part A of the Code;
  3. the period of validity of the SoCPF, which should be specified by the Contracting Governments but should not exceed five years; and
  4. the subsequent verification arrangements established by the Contracting Government and a confirmation when these are carried out.
- 16.63. The Statement of Compliance of a Port Facility should be in the form set out in the appendix to this Part of the Code. If the language used is not Spanish, French or English, the Contracting Government, if it considers it appropriate, may also include a translation into one of these languages.

#### 17. PORT FACILITY SECURITY OFFICER

##### General

- 17.1. In those exceptional instances where the ship security officer has questions about the validity of identification documents of those seeking to board the ship for official purposes, the port facility security officer should assist.

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- 17.2. The port facility security officer should not be responsible for routine confirmation of the identity of those seeking to board the ship.

*In addition, other relevant guidance is provided under sections 15, 16 and 18.*

18. TRAINING, DRILLS AND EXERCISES ON PORT FACILITY SECURITY

Training

- 18.1. The port facility security officer should have knowledge and receive training, in some or all of the following, as appropriate:

1. security administration;
2. relevant international conventions, codes and recommendations;
3. relevant Government legislation and regulations;
4. responsibilities and functions of other security organisations;
5. methodology of port facility security assessment;
6. methods of ship and port facility security surveys and inspections;
7. ship and port operations and conditions;
8. ship and port facility security measures;
9. emergency preparedness and response and contingency planning;
10. instruction techniques for security training and education, including security measures and procedures;
11. handling sensitive security-related information and security-related communications;
12. knowledge of current security threats and patterns;
13. recognition and detection of weapons, dangerous substances and devices;
14. recognition, on a non-discriminatory basis, of characteristics and behavioural patterns of persons who are likely to threaten the security;
15. techniques used to circumvent security measures;
16. security equipment and systems, and their operational limitations;
17. methods of conducting audits, inspection, control and monitoring;
18. methods of physical searches and non-intrusive inspections;
19. security drills and exercises, including drills and exercises with ships; and
20. assessment of security drills and exercises.

- 18.2. Port facility personnel having specific security duties should have knowledge and receive training in some or all of the following, as appropriate:

1. knowledge of current security threats and patterns;
2. recognition and detection of weapons, dangerous substances and devices;
3. recognition of characteristics and behavioural patterns of persons who are likely to threaten security;

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4. techniques used to circumvent security measures;
  5. crowd management and control techniques;
  6. security-related communications;
  7. operations of security equipment and systems;
  8. testing, calibration and maintenance of security equipment and systems;
  9. inspection, control, and monitoring techniques; and
  10. methods of physical searches of persons, personal effects, baggage, cargo, and ship's stores.
- 18.3. All other port facility personnel should have knowledge of and be familiar with relevant provisions of the port facility security plan in some or all of the following, as appropriate:
1. the meaning and the consequential requirements of the different security levels;
  2. recognition and detection of weapons, dangerous substances and devices;
  3. recognition of characteristics and behavioural patterns of persons who are likely to threaten the security; and
  4. techniques used to circumvent security measures.

#### Drills and exercises

- 18.4. The objective of drills and exercises is to ensure that port facility personnel are proficient in all assigned security duties, at all security levels, and to identify any security-related deficiencies which need to be addressed.
- 18.5. To ensure the effective implementation of the provisions of the port facility security plan, drills should be conducted at least every three months unless the specific circumstances dictate otherwise. These drills should test individual elements of the plan such as those security threats listed in paragraph 15.11.
- 18.6. Various types of exercises, which may include participation of port facility security officers, in conjunction with relevant authorities of Contracting Governments, company security officers, or ship security officers, if available, should be carried out at least once each calendar year with no more than 18 months between the exercises. Requests for the participation of company security officers or ship security officers in joint exercises should be made, bearing in mind the security and work implications for the ship. These exercises should test communication, coordination, resource availability and response. These exercises may be:
1. full-scale or live;
  2. tabletop simulation or seminar; or
  3. combined with other exercises held, such as emergency response or other port State authority exercises.

#### 19. VERIFICATION AND CERTIFICATION FOR SHIPS

*No additional guidance.*

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## Appendix to PART B

## APPENDIX 1

Form of a Declaration of Security between a ship and a port facility (\*)

## DECLARATION OF SECURITY

Name of ship: .....

Port of registry: .....

IMO Number: .....

Name of port facility: .....

This Declaration of Security is valid from ..... to ....., for the following activities:

.....  
(list the activities with relevant details)

under the following security levels

Security level(s) for the ship: .....

Security level(s) for the port facility: .....

The port facility and ship agree to the following security measures and responsibilities to ensure compliance with the requirements of part A of the International Code for the Security of Ships and of Port Facilities.

| Activity                                                                                         | The affixing of the initials of the SSO or PFSO under these columns indicates that the activity will be done, in accordance with the relevant approved plan, by |          |
|--------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
|                                                                                                  | The port facility                                                                                                                                               | The ship |
| Ensuring the performance of all security duties                                                  |                                                                                                                                                                 |          |
| Monitoring restricted areas to ensure that only authorised personnel have access                 |                                                                                                                                                                 |          |
| Controlling access to the port facility                                                          |                                                                                                                                                                 |          |
| Controlling access to the ship                                                                   |                                                                                                                                                                 |          |
| Monitoring of the port facility, including berthing areas and areas surrounding the ship         |                                                                                                                                                                 |          |
| Monitoring of the ship, including berthing areas and areas surrounding the ship                  |                                                                                                                                                                 |          |
| Handling of cargo                                                                                |                                                                                                                                                                 |          |
| Delivery of ship's stores                                                                        |                                                                                                                                                                 |          |
| Handling unaccompanied baggage                                                                   |                                                                                                                                                                 |          |
| Controlling the embarkation of persons and their effects                                         |                                                                                                                                                                 |          |
| Ensuring that security communication is readily available between the ship and the port facility |                                                                                                                                                                 |          |

(\*) This form of Declaration of Security is for use between a ship and a port facility. If the Declaration of Security is to cover two ships, this model should be appropriately modified.



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The signatories to this agreement certify that security measures and arrangements for both the port facility and the ship during the specified activities meet the provisions of chapter XI-2 and part A of the Code that will be implemented in accordance with the provisions already stipulated in their approved plan or the specific arrangements agreed to and set out in the attached annex.

Dated at ..... on .....

| Signed for and on behalf of                          |                                                       |
|------------------------------------------------------|-------------------------------------------------------|
| the port facility:                                   | the ship:                                             |
| <i>(Signature of Port Facility Security Officer)</i> | <i>(Signature of Master or Ship Security Officer)</i> |
| Name and title of person who signed                  |                                                       |
| Name: .....                                          | Name: .....                                           |
| Title: .....                                         | Title: .....                                          |

| <b>Contact details</b><br><i>(to be completed as appropriate)</i><br><i>(indicate the telephone numbers or the radio channels or frequencies to be used)</i> |                           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| for the port facility:                                                                                                                                       | for the ship:             |
| Port facility:                                                                                                                                               | Master:                   |
| .....                                                                                                                                                        | .....                     |
| Port facility security officer:                                                                                                                              | Ship security officer:    |
| .....                                                                                                                                                        | .....                     |
|                                                                                                                                                              | Company:                  |
|                                                                                                                                                              | .....                     |
|                                                                                                                                                              | Company security officer: |
|                                                                                                                                                              | .....                     |

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## APPENDIX 2

## Form of a Statement of Compliance of a Port Facility

## STATEMENT OF COMPLIANCE OF A PORT FACILITY

(Official seal)

(State)

Statement Number .....

Issued under the provisions of part B of the  
INTERNATIONAL CODE FOR THE SECURITY OF SHIPS  
AND OF PORT FACILITIES (ISPS CODE)The Government of .....  
(Name of the State)

Name of the port facility .....

Address of the port facility .....

THIS IS TO CERTIFY that the compliance of this port facility with the provisions of chapter XI-2 and part A of the International Code for the Security of Ships and of Port Facilities (ISPS Code) has been verified and that this port facility operates in accordance with the approved port facility security plan. This plan has been approved for the following <specify the types of operations, types of ship or activities or other relevant information> (delete as appropriate):

Passenger ship .....

Passenger high-speed craft .....

Cargo high-speed craft .....

Bulk carrier .....

Oil tanker .....

Chemical tanker .....

Gas carrier .....

Mobile offshore drilling units .....

Cargo ships other than those referred to above .....

This Statement of Compliance is valid until .....  
subject to verifications (as indicated overleaf)

Issued at .....  
(Place of issue of the statement)Date of issue .....  
(Signature of the duly authorised official (issuing the document))

(Seal or stamp of issuing authority, as appropriate)

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## ENDORSEMENT FOR VERIFICATIONS

The Government of <insert name of the State> has established that the validity of this Statement of Compliance is subject to <insert relevant details of the verifications (e.g. mandatory annual or unscheduled)>.

THIS IS TO CERTIFY that, during a verification carried out in accordance with paragraph B/16.62.4 of the ISPS Code, the port facility was found to comply with the relevant provisions of chapter XI-2 of the Convention and Part A of the ISPS Code.

1st verification

Signed: .....  
(Signature of authorised official)

Place: .....

Date: .....

2nd verification

Signed: .....  
(Signature of authorised official)

Place: .....

Date: .....

3rd verification

Signed: .....  
(Signature of authorised official)

Place: .....

Date: .....

4th verification

Signed: .....  
(Signature of authorised official)

Place: .....

Date: .....

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P5\_TA(2003)0500

## European Network and Information Security Agency \*\*\*I

**European Parliament legislative resolution on the proposal for a European Parliament and Council regulation establishing the European Network and Information Security Agency (COM(2003) 63 – C5-0058/2003 – 2003/0032(COD))**

(Codecision procedure: first reading)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 63) <sup>(1)</sup>,
- having regard to Articles 251(2), 95 and 156 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0058/2003),
- having regard to Rule 67 of its Rules of Procedure,
- having regard to the report of the Committee on Industry, External Trade, Research and Energy and the opinions of the Committee on Budgets, the Committee on Legal Affairs and the Internal Market and the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs (A5-0353/2003),

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 Commission.

<sup>(1)</sup> Not yet published in the OJ.

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**P5\_TC1-COD(2003)0032**

**Position of the European Parliament adopted at first reading on 19 November 2003 with a view to the adoption of European Parliament and Council Regulation (EC) No .../2004 establishing the European Network and Information Security Agency**

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 <sup>(1)</sup>,

After consulting the Committee of the Regions,

Acting in accordance with the procedure laid down in Article 251 of the Treaty <sup>(2)</sup>,

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<sup>(1)</sup> OJ C 220, 16.9.2003, p. 33.

<sup>(2)</sup> Position of the European Parliament of 19 November 2003.

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Whereas:

- (1) Communication networks and information systems have become an essential factor in economic and societal development. Computing and networking are now becoming ubiquitous utilities in the same way as electricity or water supply already are. The security of communication networks and information systems, in particular their availability, is therefore of increasing concern to society, not least because of the possibility of problems in key information systems, due to system complexity, accidents, mistakes and attacks, that may have consequences for the physical infrastructures which deliver services critical to the well-being of EU citizens.
- (2) The growing number of security breaches has already generated substantial financial damage, has undermined user confidence and has been detrimental to the development of e-commerce. Individuals, public administrations and businesses have reacted by deploying security technologies and security management procedures. Member States have taken several supporting measures, such as information campaigns and research projects, to enhance network and information security throughout society.
- (3) The technical complexity of networks and information systems, the variety of products and services that are interconnected, and the huge number of private and public actors that bear their own responsibility risk undermining the smooth functioning of the internal market.
- (4) 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 ('the Framework Directive')<sup>(1)</sup> lays down the tasks of national regulatory authorities, which include cooperating with each other and the Commission in a transparent manner to ensure the development of consistent regulatory practice, contributing to ensuring a high level of protection of personal data and privacy, and ensuring that the integrity and security of public communications networks are ensured.
- (5) Present Community legislation also includes Directive 2002/20/EC<sup>(2)</sup>, Directive 2002/22/EC<sup>(3)</sup>, Directive 2002/19/EC<sup>(4)</sup>, Directive 2002/58/EC<sup>(5)</sup>, Directive 1999/93/EC<sup>(6)</sup>, Directive 2000/31/EC<sup>(7)</sup>, as well as the Council Resolution of 18 February 2003 on the implementation of the eEurope 2005 Action Plan<sup>(8)</sup>.
- (6) Directive 2002/20/EC entitles Member States to attach to the general authorisation conditions regarding the security of public networks against unauthorised access in accordance with Directive 97/66/EC<sup>(9)</sup>.
- (7) Directive 2002/22/EC requires that Member States take the necessary steps to ensure the integrity and availability of the public telephone networks at fixed locations and that undertakings providing publicly available telephone services at fixed locations take all reasonable steps to ensure uninterrupted access to emergency services.

<sup>(1)</sup> OJ L 108, 24.4.2002, p. 33.

<sup>(2)</sup> Directive 2002/20/EC of the European Parliament and of the Council of 7 March 2002 on the authorisation of electronic communications networks and services (Authorisation Directive) (OJ L 108, 24.4.2002, p. 21).

<sup>(3)</sup> Directive 2002/22/EC of the European Parliament and of the Council of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services (Universal Service Directive) (OJ L 108, 24.4.2002, p. 51).

<sup>(4)</sup> Directive 2002/19/EC of the European Parliament and of the Council of 7 March 2002 on access to, and interconnection of, electronic communications networks and associated facilities (Access Directive) (OJ L 108, 24.4.2002, p. 7).

<sup>(5)</sup> Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) (OJ L 201, 31.7.2002, p. 37).

<sup>(6)</sup> Directive 1999/93/EC of the European Parliament and of the Council of 13 December 1999 on a Community framework for electronic signatures (OJ L 13, 19.1.2000, p. 12).

<sup>(7)</sup> 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 (Directive on electronic commerce) (OJ L 178, 17.7.2000, p. 1).

<sup>(8)</sup> OJ C 48, 28.2.2003, p. 2.

<sup>(9)</sup> Directive 97/66/EC of the European Parliament and of the Council of 15 December 1997 concerning the processing of personal data and the protection of privacy in the telecommunications sector (OJ L 24, 30.1.1998, p. 1). Directive repealed and replaced by Directive 2002/58/EC.

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- (8) Directive 2002/58/EC requires a provider of a publicly available electronic communications service to take appropriate technical and organisational measures to safeguard security of its services and also requires the confidentiality of the communications and related traffic data. Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data<sup>(1)</sup> requires Member States to provide that the controller must implement appropriate technical and organisational measures to protect personal data against accidental or unlawful destruction or accidental loss, alteration, unauthorised disclosure or access, in particular where the processing involves the transmission of data over a network, and against all other unlawful forms of processing.
- (9) Directive 2002/21/EC and Directive 1999/93/EC contain provisions on standards that are to be published in the Official Journal of the European Union. Member States also use standards from international bodies as well as de facto standards developed by the global industry. It is necessary for the Commission and the Member States to be able to track those standards which meet the requirements of Community legislation.
- (10) These internal market measures require different forms of technical and organisational applications by the Member States and the Commission. These are technically complex tasks with no single, self-evident solutions. The heterogeneous application of these requirements can lead to inefficient solutions and create obstacles to the internal market. This calls for the creation of a centre of expertise at European level providing guidance, advice and, when called upon, assistance within its objectives, which may be relied upon by the European Parliament, the Commission or competent bodies appointed by the Member States. National regulatory authorities, designated under Directive 2002/21/EC, can be appointed by a Member State as a competent body.
- (11) The establishment of a European agency, the European Network and Information Security Agency, hereinafter referred to as 'the Agency', operating as a point of reference and establishing confidence by virtue of its independence, the quality of the advice it delivers and the information it disseminates, the transparency of its procedures and methods of operation, and its diligence in performing the tasks assigned to it, would respond to these needs. The Agency should build on national and Community efforts and therefore perform its tasks in full cooperation with the Member States and be open to contacts with industry and other relevant stakeholders. As electronic networks, to a large extent, are privately owned, the Agency should build on the input from and cooperation with the private sector.
- (12) The performance of the Agency's tasks should not interfere with the competencies and should not pre-empt, impede or overlap with the relevant powers and tasks conferred on:
- the national regulatory authorities as set out in the Directives relating to the electronic communications networks and services, the European Regulators Group for Electronic Communications Networks and Services established by Commission Decision 2002/627/EC<sup>(2)</sup> and the Communications Committee referred to in Directive 2002/21/EC,
  - the European standardisation bodies, the national standardisation bodies and the Standing Committee as set out in Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society Services<sup>(3)</sup>,
  - the supervisory authorities of the Member States relating to the protection of individuals with regard to the processing of personal data and the free movement of such data.

<sup>(1)</sup> OJ L 281, 23.11.1995, p. 31. Directive as amended by Regulation (EC) No 1882/2003 (OJ L 284, 31.10.2003, p. 1).

<sup>(2)</sup> OJ L 200, 30.7.2002, p. 38.

<sup>(3)</sup> OJ L 204, 21.7.1998, p. 37. Directive as amended by Directive 98/48/EC (OJ L 217, 5.8.1998, p. 18).

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- (13) To understand better the challenges in the network and information security field, there is a need for the Agency to analyse current and emerging risks and for that purpose the Agency may collect appropriate information, in particular through questionnaires, without imposing new obligations on the private sector or the Member States to generate data. Emerging risks should be understood as issues already visible as possible future risks to network and information security.
- (14) Ensuring confidence in networks and information systems requires that individuals, businesses and public administrations are sufficiently informed, educated and trained in the field of network and information security. Public authorities have a role in increasing awareness by informing the general public, small and medium-sized enterprises, corporate companies, public administrations, schools and universities. These measures need to be further developed. An increased information exchange between Member States will facilitate such awareness raising actions. The Agency should provide advice on best practices in awareness-raising, training and courses.
- (15) The Agency should have the task of contributing to a high level of network and information security within the Community and of developing a culture of network and information security for the benefit of citizens, consumers, businesses and public sector organisations in the European Union, thus contributing to the smooth functioning of the internal market.
- (16) Efficient security policies should be based on well-developed risk assessment methods, both in the public and private sector. Risk assessment methods and procedures are used at different levels with no common practice on their efficient application. The promotion and development of best practices for risk assessment and for interoperable risk management solutions within public and private sector organisations will increase the security level of networks and information systems in Europe.
- (17) The work of the Agency should utilise ongoing research, development and technological assessment activities, in particular those carried out under the different Community research initiatives.
- (18) Where appropriate and useful for fulfilling its scope, objectives and tasks, the Agency could share experience and general information with bodies and agencies created under European Union law and dealing with network and information security.
- (19) Network and information security problems are global issues. There is a need for closer cooperation at global level to improve security standards, improve information, and promote a common global approach to network and information security issues, thereby contributing to the development of a culture of network and information security. Efficient cooperation with third countries and the global community has become a task also at European level. To this end, the Agency should contribute to Community efforts to cooperate with third countries and, where appropriate, with international organisations.
- (20) In its activities the Agency should pay attention to small and medium-sized enterprises.
- (21) In order effectively to ensure the accomplishment of the tasks of the Agency, the Member States and the Commission should be represented on a Management Board entrusted with the necessary powers to establish the budget, verify its implementation, adopt the appropriate financial rules, establish transparent working procedures for decision making by the Agency, approve the agency's work programme, adopt its own rules of procedure and the Agency's internal rules of operation, appoint and remove the Executive Director. The Management Board should ensure that the Agency carries out its tasks under conditions which enable it to serve in accordance with this Regulation.

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- (22) A Permanent Stakeholders Group would be helpful, in order to maintain a regular dialogue with the private sector, consumer organisations and other relevant stakeholders. The Permanent Stakeholders Group, established and chaired by the Executive Director, should focus on issues relevant to all stakeholders and bring them to the attention of the Executive Director. The Executive Director may, where appropriate and according to the agenda of the meetings, invite representatives of the European Parliament and from other relevant bodies to take part in the meetings of the Group.
- (23) The smooth functioning of the Agency requires that its Executive Director is appointed on the grounds of merit and documented administrative and managerial skills, as well as competence and experience relevant for network and information security, and that he/she performs his/her duties with complete independence and flexibility as to the organisation of the internal functioning of the Agency. To this end, the Executive Director should prepare a proposal for the Agency's work programme, after prior consultation of the Commission and of the Permanent Stakeholders Group, and take all necessary steps to ensure the proper accomplishment of the programme, should prepare each year a draft general report to be submitted to the Management Board, should draw up a draft statement of estimates of revenue and expenditure of the Agency and should implement the budget.
- (24) The Executive Director should have the possibility to set up ad hoc Working Groups to address in particular scientific and technical matters. In establishing the ad hoc Working Groups the Executive Director should seek input from and mobilise the relevant expertise of the private sector. The ad hoc Working Groups should enable the Agency to have access to the most up-to-date information available in order to be able to respond to the security challenges posed by the developing information society. The Agency should ensure that its ad hoc Working Groups are competent and representative and that they include, as appropriate according to the specific issues, representation of the public administrations of the Member States, of the private sector including industry, of the users and of academic experts in network and information security. The Agency may, if necessary, add to the Working Groups independent experts recognised as competent in the field concerned. The experts who participate in the ad hoc Working Groups organised by the Agency should not belong to the Agency's staff. Their expenses should be met by the Agency in accordance with its internal rules and in conformity with the existing Financial Regulations.
- (25) The Agency should apply the relevant Community legislation concerning public access to documents as set out in Regulation (EC) No 1049/2001<sup>(1)</sup> and the protection of individuals with regard to the processing of personal data as set out in Regulation (EC) No 45/2001<sup>(2)</sup>.
- (26) Within its scope, its objectives and in the performance of its tasks, the Agency should comply in particular with the provisions applicable to the Community institutions, as well as the national legislation regarding the treatment of sensitive documents.
- (27) In order to guarantee the full autonomy and independence of the Agency, it is considered necessary to grant it an autonomous budget whose revenue comes essentially from a contribution from the Community. The Community budgetary procedure remains applicable as far as any subsidies chargeable to the general budget of the European Union are concerned. Moreover, the Court of Auditors should undertake the auditing of accounts.
- (28) Where necessary and on the basis of arrangements to be concluded, the Agency may have access to the interpretation services provided by the Directorate General for Interpretation (DGI) of the Commission, or by Interpretation Services of other Community institutions.
- (29) The Agency should be initially established for a limited period and its operations evaluated in order to determine whether the duration of its operations should be extended,

<sup>(1)</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

<sup>(2)</sup> Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 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 (OJ L 8, 12.1.2001, p. 1).



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HAVE ADOPTED THIS REGULATION:

## SECTION 1

### SCOPE, OBJECTIVES AND TASKS

#### Article 1

##### Scope

1. For the purpose of ensuring a high and effective level of network and information security within the Community and in order to develop a culture of network and information security for the benefit of the citizens, consumers, enterprises and public sector organisations of the European Union, thus contributing to the smooth functioning of the internal market, a European Network and Information Security Agency is hereby established, hereinafter referred to as 'the Agency'.
2. The Agency shall assist the Commission and the Member States, and in consequence cooperate with the business community, in order to help them to meet the requirements of network and information security, thereby ensuring the smooth functioning of the internal market, including those set out in present and future Community legislation, such as in Directive 2002/21/EC.
3. The objectives and the tasks of the Agency shall be without prejudice to the competencies of the Member States regarding network and information security which fall outside the scope of the EC Treaty, such as those covered by Titles V and VI of the Treaty on European Union, and in any case to activities concerning public security, defence, State security (including the economic well-being of the State when the issues relate to State security matters) and the activities of the State in areas of criminal law.

#### Article 2

##### Objectives

1. The Agency shall enhance the capability of the Community, the Member States and, as a consequence, the business community to prevent, address and respond to network and information security problems.
2. The Agency shall provide assistance and deliver advice to the Commission and the Member States on issues related to network and information security falling within its competencies as set out in this Regulation.
3. Building on national and Community efforts, the Agency shall develop a high level of expertise. The Agency shall use this expertise to stimulate broad cooperation between actors from the public and private sectors.
4. The Agency shall assist the Commission, where called upon, in the technical preparatory work for updating and developing Community legislation in the field of network and information security.

#### Article 3

##### Tasks

In order to ensure that the scope and objectives set out in Articles 1 and 2 are complied with and met, the Agency shall perform the following tasks:

- (a) collect appropriate information to analyse current and emerging risks and, in particular at the European level, those which could produce an impact on the resilience and the availability of electronic

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communications networks and on the authenticity, integrity and confidentiality of the information accessed and transmitted through them, and provide the results of the analysis to the Member States and the Commission;

- (b) provide the European Parliament, the Commission, European bodies or competent national bodies appointed by the Member States with advice, and when called upon, with assistance within its objectives;
- (c) enhance cooperation between different actors operating in the field of network and information security, inter alia by organising, on a regular basis, consultation with industry, universities, as well as other sectors concerned and by establishing networks of contacts for Community bodies, public sector bodies appointed by the Member States, private sector and consumer bodies;
- (d) facilitate cooperation between the Commission and the Member States in the development of common methodologies to prevent, address and respond to network and information security problems;
- (e) contribute to awareness raising and the availability of timely, objective and comprehensive information on network and information security issues for all users by, inter alia, promoting exchanges of current best practices, including on methods of alerting users, and seeking synergy between public and private sector initiatives;
- (f) assist the Commission and the Member States in their dialogue with industry to address security-related problems in hardware and software products;
- (g) track the development of standards for products and services on network and information security;
- (h) advise the Commission on research in the area of network and information security as well as on the effective use of risk prevention technologies;
- (i) promote risk assessment activities, interoperable risk management solutions and studies on prevention management solutions within public and private sector organisations;
- (j) contribute to Community efforts to cooperate with third countries and, where appropriate, with international organisations to promote a common global approach to network and information security issues, thereby contributing to the development of a culture of network and information security;
- (k) express independently its own conclusions and orientations and give advice on matters within its scope and objectives.

#### Article 4

#### Definitions

For the purposes of this Regulation the following definitions shall apply:

- (a) 'network' means transmission systems and, where applicable, switching or routing equipment and other resources which permit the conveyance of signals by wire, by radio, by optical or by other electromagnetic means, including satellite networks, fixed (circuit- and packet-switched, including Internet) and mobile terrestrial networks, electricity cable systems, to the extent that they are used for the purpose of transmitting signals, networks used for radio and television broadcasting, and cable TV networks, irrespective of the type of information conveyed;

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- (b) 'information system' means computers and electronic communication networks, as well as electronic data stored, processed, retrieved or transmitted by them for the purposes of their operation, use, protection and maintenance;
- (c) 'network and information security' means the ability of a network or an information system to resist, at a given level of confidence, accidental events or unlawful or malicious actions that compromise the availability, authenticity, integrity and confidentiality of stored or transmitted data and the related services offered by or accessible via these networks and systems;
- (d) 'availability' means that data is accessible and services are operational;
- (e) 'authentication' means the confirmation of an asserted identity of entities or users;
- (f) 'data integrity' means the confirmation that data which have been sent, received or stored are complete and unchanged;
- (g) 'data confidentiality' means the protection of communications or stored data against interception and reading by unauthorised persons;
- (h) 'risk' means a function of the probability that a vulnerability in the system affects authentication or the availability, authenticity, integrity or confidentiality of the data processed or transferred and the severity of that effect, consequential to the intentional or non-intentional use of such a vulnerability;
- (i) 'risk assessment' means a scientific and technologically based process consisting of four steps: threat identification, threat characterisation, exposure assessment and risk characterisation;
- (j) 'risk management' means the process, distinct from risk assessment, of weighing policy alternatives in consultation with interested parties, considering risk assessment and other legitimate factors, and, if need be, selecting appropriate prevention and control options;
- (k) 'culture of network and information security' has the same meaning as that set out in the OECD Guidelines for the Security of Information Systems and Networks of 25 July 2002 and the Council Resolution of 18 February 2003 on a European approach towards a culture of network and information security<sup>(1)</sup>.

## SECTION 2

### ORGANISATION

#### Article 5

##### Bodies of the Agency

The Agency shall comprise:

- (a) a Management Board;
- (b) an Executive Director, and
- (c) a Permanent Stakeholders Group.

<sup>(1)</sup> OJ C 48, 28.2.2003, p. 1.

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Article 6

Management Board

1. The Management Board shall be composed of one representative of each Member State, three representatives appointed by the Commission, as well as three representatives, proposed by the Commission and appointed by the Council, without the right to vote, each of whom represents one of the following groups:

- (a) Information and Communication Technologies industry;
- (b) consumer groups;
- (c) academic experts in network and information security.

2. Board members shall be appointed on the basis of their degree of relevant experience and expertise in the field of network and information security. Representatives may be replaced by alternates, appointed at the same time.

3. The Management Board shall elect its Chairperson and a Deputy Chairperson from among its members for a two and a half year period, which shall be renewable. The Deputy Chairperson shall ex-officio replace the Chairperson in the event of the Chairperson being unable to attend to his/her duties.

4. The Management Board shall adopt its rules of procedure, on the basis of a proposal by the Commission. Unless otherwise provided, the Management Board shall take its decisions by a majority of its members with the right to vote.

A two-thirds majority of all members with the right to vote is required for the adoption of its rules of procedure, the Agency's internal rules of operation, the budget, the annual work programme, as well as the appointment and the removal of the Executive Director.

5. Meetings of the Management Board shall be convened by its Chairperson. The Management Board shall hold an ordinary meeting twice a year. It shall also hold extraordinary meetings at the instance of the Chairperson or at the request of at least a third of its members with the right to vote. The Executive Director shall take part in the meetings of the Management Board, without voting rights, and shall provide the Secretariat.

6. The Management Board shall adopt the Agency's internal rules of operation on the basis of a proposal by the Commission. These rules shall be made public.

7. The Management Board shall define the general orientations for the operation of the Agency. The Management Board shall ensure that the Agency works in accordance with the principles laid down in Articles 12 to 14 and 23. It shall also ensure consistency of the Agency's work with activities conducted by Member States as well as at Community level.

8. Before 30 November each year, the Management Board, having received the Commission's opinion, shall adopt the Agency's work programme for the following year. The Management Board shall ensure that the work programme is consistent with the Agency's scope, objectives and tasks as well as with the Community's legislative and policy priorities in the area of network and information security.

9. Before 31 March each year, the Management Board shall adopt the general report on the Agency's activities for the previous year.

10. The financial rules applicable to the Agency shall be adopted by the Management Board after the Commission has been consulted. They may not depart from Commission Regulation (EC, Euratom) No 2343/2002 of 19 November 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities<sup>(1)</sup>, unless such departure is specifically required for the Agency's operation and the Commission has given its prior consent.

<sup>(1)</sup> OJ L 357, 31.12.2002, p. 72.

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## Article 7

## Executive Director

1. The Agency shall be managed by its Executive Director, who shall be independent in the performance of his/her duties.
2. The Executive Director shall be appointed by the Management Board on the basis of a list of candidates proposed by the Commission after an open competition following publication in the Official Journal of the European Union and elsewhere of a call for expressions of interest. The Executive Director shall be appointed on the grounds of merit and documented administrative and managerial skills, as well as competence and experience relevant for network and information security. Before appointment the candidate nominated by the Management Board shall be invited without delay to make a statement before the European Parliament and to answer questions put by members of that institution. The European Parliament or the Council may also ask at any time for a hearing with the Executive Director on any subject related to the Agency's activities. The Executive Director may be removed from office by the Management Board.
3. The term of office of the Executive Director shall be up to five years.
4. The Executive Director shall be responsible for:
  - (a) the day-to-day administration of the Agency;
  - (b) drawing up a proposal for the Agency's work programmes after prior consultation of the Commission and of the Permanent Stakeholders Group;
  - (c) implementing the work programmes and the decisions adopted by the Management Board;
  - (d) ensuring that the Agency carries out its tasks in accordance with the requirements of those using its services, in particular with regard to the adequacy of the services provided;
  - (e) the preparation of the Agency's draft statement of estimates of revenue and expenditure and the implementation of its budget;
  - (f) all staff matters;
  - (g) developing and maintaining contact with the European Parliament and ensuring a regular dialogue with its relevant committees;
  - (h) developing and maintaining contact with the business community and consumer organisations in order to ensure a regular dialogue with relevant stakeholders;
  - (i) chairing the Permanent Stakeholders Group.
5. Each year, the Executive Director shall submit to the Management Board for approval:
  - (a) a draft general report covering all the activities of the Agency in the previous year;
  - (b) a draft work programme.
6. The Executive Director shall, following adoption by the Management Board, forward the work programme to the European Parliament, the Council, the Commission and the Member States and shall have it published.
7. The Executive Director shall, following adoption by the Management Board, transmit the Agency's general report to the European Parliament, the Council, the Commission, the Court of Auditors, the European Economic and Social Committee and the Committee of the Regions and shall have it published.

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8. Where necessary and within the Agency's scope, objectives and tasks, the Executive Director may establish, in consultation with the Permanent Stakeholders Group, ad hoc Working Groups composed of experts. The Management Board shall be duly informed. The procedures regarding in particular the composition, the appointment of the experts by the Executive Director and the operation of the ad hoc Working Groups shall be specified in the Agency's internal rules of operation.

Where established, the ad hoc Working Groups shall address in particular technical and scientific matters.

Members of the Management Board may not be members of the ad hoc Working Groups. Representatives of the Commission shall be entitled to be present in their meetings.

#### Article 8

##### Permanent Stakeholders Group

1. The Executive Director shall establish a Permanent Stakeholders Group composed of experts representing the relevant stakeholders, such as Information and Communication Technologies industry, consumer groups and academic experts in network and information security.
2. The procedures regarding in particular the number, the composition, the appointment of the members by the Executive Director and the operation of the Group shall be specified in the Agency's internal rules of operation and shall be made public.
3. The Group shall be chaired by the Executive Director. The term of office of its members shall be two and a half years. Members of the Group may not be members of the Management Board.
4. Representatives of the Commission shall be entitled to be present in the meetings and participate in the work of the Group.
5. The Group may advise the Executive Director in the performance of his/her duties under this Regulation, in drawing up a proposal for the Agency's work programme, as well as in ensuring communication with the relevant stakeholders on all issues related to the work programme.

#### SECTION 3

##### OPERATION

#### Article 9

##### Work programme

The Agency shall base its operations on carrying out the work programme adopted in accordance with Article 6(8). The work programme shall not prevent the Agency from taking up unforeseen activities that fall within its scope and objectives and within the given budget limitations.

#### Article 10

##### Requests to the Agency

1. Requests for advice and assistance falling within the Agency's scope, objectives and tasks shall be addressed to the Executive Director and accompanied by background information explaining the issue to be addressed. The Executive Director shall inform the Commission of the requests received. If the Agency refuses a request, justification shall be given.

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2. Requests referred to in paragraph 1 may be made by:
  - (a) the European Parliament;
  - (b) the Commission;
  - (c) any competent body appointed by a Member State, such as a national regulatory authority as defined in Article 2 of Directive 2002/21/EC.
3. The practical arrangements for the application of paragraphs 1 and 2, regarding in particular the submission, prioritisation and follow up of requests, as well as the information of the Management Board on the requests to the Agency, shall be laid down by the Management Board in the Agency's internal rules of operation.

#### Article 11

##### Declaration of interests

1. The Executive Director, as well as officials seconded by Member States on a temporary basis, shall make a declaration of commitments and a declaration of interests indicating the absence of any direct or indirect interests which might be considered prejudicial to their independence. Such declarations shall be made in writing.
2. External experts participating in ad hoc Working Groups shall declare at each meeting any interests which might be considered prejudicial to their independence in relation to the items on the agenda.

#### Article 12

##### Transparency

1. The Agency shall ensure that it carries out its activities with a high level of transparency and in accordance with Articles 13 and 14.
2. The Agency shall ensure that the public and any interested parties are given objective, reliable and easily accessible information, in particular with regard to the results of its work, where appropriate. It shall also make public the declarations of interest made by the Executive Director and by officials seconded by Member States on a temporary basis, as well as the declarations of interest made by experts in relation to items on the agendas of meetings of the ad hoc Working Groups.
3. The Management Board, acting on a proposal from the Executive Director, may authorise interested parties to observe the proceedings of some of the Agency's activities.
4. The Agency shall lay down in its internal rules of operation the practical arrangements for implementing the transparency rules referred to in paragraphs 1 and 2.

#### Article 13

##### Confidentiality

1. Without prejudice to Article 14, the Agency shall not divulge to third parties information that it processes or receives for which confidential treatment has been requested.
2. Members of the Management Board, the Executive Director, the members of the Permanent Stakeholders Group, external experts participating in ad hoc Working Groups, and members of the staff of the Agency including officials seconded by Member States on a temporary basis shall be subject, even after their duties have ceased, to the requirements of confidentiality pursuant to Article 287 of the Treaty.

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3. The Agency shall lay down in its internal rules of operation the practical arrangements for implementing the confidentiality rules referred to in paragraphs 1 and 2.

#### Article 14

##### Access to documents

1. Regulation (EC) No 1049/2001 shall apply to documents held by the Agency.
2. The Management Board shall adopt arrangements for implementing Regulation (EC) No 1049/2001 within six months of the establishment of the Agency.
3. Decisions taken by the Agency pursuant to Article 8 of Regulation (EC) No 1049/2001 may form the subject of a complaint to the Ombudsman or of an action before the Court of Justice of the European Communities, under Articles 195 and 230 of the Treaty respectively.

#### SECTION 4

##### FINANCIAL PROVISIONS

#### Article 15

##### Adoption of the budget

1. The revenues of the Agency shall consist of a contribution from the Community and any contribution from third countries participating in the work of the Agency as provided for by Article 24.
2. The expenditure of the Agency shall include the staff, administrative and technical support, infrastructure and operational expenses, and expenses resulting from contracts entered into with third parties.
3. By 1 March each year at the latest, the Executive Director shall draw up a draft statement of estimates of the Agency's revenue and expenditure for the following financial year, and shall forward it to the Management Board, together with a draft establishment plan.
4. Revenue and expenditure shall be in balance.
5. Each year, the Management Board, on the basis of the draft statement of estimates of revenue and expenditure drawn up by the Executive Director, shall produce a statement of estimates of revenue and expenditure for the Agency for the following financial year.
6. This statement of estimates, which shall include a draft establishment plan together with the provisional work programme, shall by 31 March at the latest be transmitted by the Management Board to the Commission and the States with which the Community has concluded agreements in accordance with Article 24.
7. The statement of estimates shall be forwarded by the Commission to the European Parliament and the Council (both hereinafter referred to as the 'budgetary authority') together with the preliminary draft general budget of the European Union.
8. On the basis of this statement of estimates, the Commission shall enter in the preliminary draft general budget of the European Union the estimates it deems necessary for the establishment plan and the amount of the subsidy to be charged to the general budget, which it shall submit to the budgetary authority in accordance with Article 272 of the Treaty.
9. The budgetary authority shall authorise the appropriations for the subsidy to the Agency.

The budgetary authority shall adopt the establishment plan for the Agency.



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10. The Management Board shall adopt the Agency's budget. It shall become final following final adoption of the general budget of the European Union. Where appropriate, the Agency's budget shall be adjusted accordingly. The Management Board shall forward it without delay to the Commission and the budgetary authority.

11. The Management Board shall, as soon as possible, notify the budgetary authority of its intention to implement any project which may have significant financial implications for the funding of the budget, in particular any projects relating to property such as the rental or purchase of buildings. It shall inform the Commission thereof.

Where a branch of the budgetary authority has notified its intention to deliver an opinion, it shall forward its opinion to the Management Board within a period of six weeks from the date of notification of the project.

#### Article 16

##### Combating fraud

1. In order to combat fraud, corruption and other unlawful activities, the provisions of Regulation (EC) No 1073/1999 of the European Parliament and of the Council of 25 May 1999 concerning investigations conducted by the European Anti-fraud Office (OLAF) <sup>(1)</sup> shall apply without restriction.

2. The Agency shall accede to the Interinstitutional Agreement of 25 May 1999 between the European Parliament and the Council of the European Union and the Commission of the European Communities concerning internal investigations by the European Anti-fraud Office (OLAF) <sup>(2)</sup> and shall issue, without delay, the appropriate provisions applicable to all the employees of the Agency.

#### Article 17

##### Implementation of the budget

1. The Executive Director shall implement the Agency's budget.

2. The Commission's internal auditor shall exercise the same powers over the Agency as over Commission departments.

3. By 1 March at the latest following each financial year, the Agency's accounting officer shall communicate the provisional accounts to the Commission's accounting officer together with a report on the budgetary and financial management for that financial year. The Commission's accounting officer shall consolidate the provisional accounts of the institutions and decentralised bodies in accordance with Article 128 of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities <sup>(3)</sup> (hereinafter referred to as the general Financial Regulation).

4. By 31 March at the latest following each financial year, the Commission's accounting officer shall transmit the Agency's provisional accounts to the Court of Auditors, together with a report on the budgetary and financial management for that financial year. The report on the budgetary and financial management for the financial year shall also be transmitted to the budgetary authority.

5. On receipt of the Court of Auditors' observations on the Agency's provisional accounts, pursuant to Article 129 of the general Financial Regulation, the Executive Director shall draw up the Agency's final accounts under his/her own responsibility and transmit them to the Management Board for an opinion.

6. The Management Board shall deliver an opinion on the Agency's final accounts.

<sup>(1)</sup> OJ L 136, 31.5.1999, p. 1.

<sup>(2)</sup> OJ L 136, 31.5.1999, p. 15.

<sup>(3)</sup> OJ L 248, 16.9.2002, p. 1.

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7. The Executive Director shall, by 1 July at the latest following each financial year, transmit the final accounts to the European Parliament, the Council, the Commission and the Court of Auditors, together with the Management Board's opinion.
8. The final accounts shall be published.
9. The Executive Director shall send the Court of Auditors a reply to its observations by 30 September at the latest. He/she shall also send this reply to the Management Board.
10. The Executive Director shall submit to the European Parliament, at the latter's request, all information necessary for the smooth application of the discharge procedure for the financial year in question, as laid down in Article 146(3) of the general Financial Regulation.
11. The European Parliament, on a recommendation from the Council acting by a qualified majority, shall, before 30 April of year N + 2, give a discharge to the Executive Director in respect of the implementation of the budget for the year N.

## SECTION 5 GENERAL PROVISIONS

### Article 18 Legal status

1. The Agency shall be a body of the Community. It shall have legal personality.
2. In each of the Member States the Agency shall enjoy the most extensive legal capacity accorded to legal persons under their laws. It may in particular acquire and dispose of movable and immovable property and be a party to legal proceedings.
3. The Agency shall be represented by its Executive Director.

### Article 19 Staff

1. The staff of the Agency, including its Executive Director, shall be subject to the rules and regulations applicable to officials and other staff of the European Communities.
2. Without prejudice to Article 6, the powers conferred on the appointing authority by the Staff Regulations and on the authority authorised to conclude contracts by the Conditions of employment of other servants, shall be exercised by the Agency in respect of its own staff.

The Agency may also employ officials seconded by Member States on a temporary basis and for a maximum of five years.

### Article 20 Privileges and Immunities

The Protocol on the Privileges and Immunities of the European Communities shall apply to the Agency and its staff.

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## Article 21

## Liability

1. The contractual liability of the Agency shall be governed by the law applicable to the contract in question.

The Court of Justice of the European Communities shall have jurisdiction to give judgment pursuant to any arbitration clause contained in a contract concluded by the Agency.

2. In the case of non-contractual liability, the Agency shall, in accordance with the general principles common to the laws of the Member States, make good any damage caused by it or its servants in the performance of their duties.

The Court of Justice shall have jurisdiction in any dispute relating to compensation for such damage.

3. The personal liability of its servants towards the Agency shall be governed by the relevant conditions applying to the staff of the Agency.

## Article 22

## Languages

1. The provisions laid down in Regulation No 1 of 15 April 1958 determining the languages to be used in the European Economic Community<sup>(1)</sup> shall apply to the Agency. The Member States and the other bodies appointed by them may address the Agency and receive a reply in the Community language of their choice.

2. The translation services required for the functioning of the Agency shall be provided by the Translation Centre for the Bodies of the European Union<sup>(2)</sup>.

## Article 23

## Protection of personal data

When processing data relating to individuals, the Agency shall be subject to the provisions of Regulation (EC) No 45/2001.

## Article 24

## Participation of third countries

1. The Agency shall be open to the participation of countries which have concluded agreements with the European Community by virtue of which they have adopted and applied Community legislation in the field covered by this Regulation.

2. Arrangements shall be made under the relevant provisions of those agreements, specifying in particular the nature, extent and manner of these countries' participation in the Agency's work, including provisions relating to participation in the initiatives undertaken by the Agency, financial contributions and staff.

<sup>(1)</sup> OJ L 17, 6.10.1958, p. 385/58. Regulation as last amended by the 1994 Act of Accession.

<sup>(2)</sup> Council Regulation (EC) No 2965/94 of 28 November 1994 setting up a Translation Centre for bodies of the European Union (OJ L 314, 7.12.1994, p. 1). Regulation as last amended by Regulation (EC) No 1645/2003 (OJ L 245, 29.9.2003, p. 13).

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## SECTION 6

### FINAL PROVISIONS

#### Article 25

##### Review clause

1. By ...<sup>(\*)</sup>, the Commission, taking into account the views of all relevant stakeholders, shall carry out an evaluation on the basis of the terms of reference agreed with the Management Board. The Commission shall undertake the evaluation, notably with the aim to determine whether the duration of the Agency should be extended beyond the period specified in Article 27.
2. The evaluation shall assess the impact of the Agency on achieving its objectives and tasks, as well as its working practices and envisage, if necessary, the appropriate proposals.
3. The Management Board shall receive a report on the evaluation and issue recommendations to the Commission regarding any appropriate changes to this Regulation. Both the evaluation findings and recommendations shall be forwarded by the Commission to the European Parliament and the Council and shall be made public.

#### Article 26

##### Administrative control

The operations of the Agency are subject to the supervision of the Ombudsman in accordance with the provisions of Article 195 of the Treaty.

#### Article 27

##### Duration

The Agency shall be established from ...<sup>(\*\*)</sup> for a period of five years.

#### Article 28

##### Entry into force

This Regulation shall enter into force on the day following that of its publication in the Official Journal of the European Union.

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*

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<sup>(\*)</sup> Three years from the date of entry into force of this Regulation.

<sup>(\*\*)</sup> The date of entry into force of this Regulation.

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**Security of supply for petroleum products \*\*\*I**

**European Parliament legislative resolution on the proposal for a European Parliament and Council directive concerning the alignment of measures with regard to security of supply for petroleum products (COM(2002) 488 – C5-0448/2002 – 2002/0219(COD))**

(Codecision procedure: first reading)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2002) 488) <sup>(1)</sup>,
- having regard to Articles 251(2) and 95 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0448/2002),
- having regard to Rule 67 of its Rules of Procedure,
- having regard to the report of the Committee on Industry, External Trade, Research and Energy and the opinions of the Committee on Economic and Monetary Affairs and the Committee on Environment, Public Health and Consumer Policy (A5-0297/2003),

1. Rejects the Commission proposal;
2. Calls on the Commission to withdraw its proposal;
3. Instructs its President to forward its position to the Council and the Commission.

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<sup>(1)</sup> OJ C 331 E, 31.12.2002, p. 249.

P5\_TA(2003)0502

**Cancer screening \***

**European Parliament legislative resolution on the proposal for a Council recommendation on cancer screening (COM(2003) 230 – C5-0322/2003 – 2003/0093(CNS))**

(Consultation procedure)

*The European Parliament,*

- having regard to the Commission proposal to the Council (COM(2003) 230) <sup>(1)</sup>,
- having regard to Article 152(4) of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0322/2003),
- having regard to Rule 67 of its Rules of Procedure,
- having regard to the report of the Committee on the Environment, Public Health and Consumer Policy and the opinion of the Committee on Women's Rights and Equal Opportunities (A5-0381/2003),

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<sup>(1)</sup> Not yet published in the OJ.

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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.

TEXT PROPOSED  
BY THE COMMISSION

AMENDMENTS  
BY PARLIAMENT

#### Amendment 1

##### *Recital 1*

(1) Article 152 of the Treaty provides that Community action is to complement national policies and be directed towards improving public health, preventing human illness and diseases, and obviating sources of danger to human health.

(1) Article 152 of the Treaty provides that Community action is to complement national policies and be directed towards improving public health, preventing human illness and diseases, and obviating sources of danger to human health. ***Furthermore, Article 152 provides that such action shall cover the fight against the major health scourges, by promoting research into their causes, their transmission and their prevention, as well as health information and education.***

#### Amendment 4

##### *Recital 4*

(4) Screening allows detection of cancers at an early stage of invasiveness or ***even*** before they become invasive. Some lesions can then be treated more effectively and the patients can expect to be cured. The key indicator for the effectiveness of screening is a decrease in disease-specific mortality or in the occurrence of advanced disease.

(4) Screening allows detection of cancers at an early stage of invasiveness or ***possibly*** before they become invasive. Some lesions can then be treated more effectively and the patients can expect to be cured. The key indicator for the effectiveness of screening is a decrease in disease-specific mortality or in the occurrence of advanced disease.

#### Amendment 5

##### *Recital 5a (new)*

***(5a) Potentially promising screening tests currently being evaluated include the prostate-specific antigen (PSA) test for prostate cancer, mammography screening for breast cancer for women in the 40-49 age range, immunological Faecal Occult Blood Testing (FOBT) for colorectal (bowel) cancer and flexible colonoscopy for colorectal cancer.***

#### Amendment 7

##### *Recital 9*

(9) This requires an organisation with a call-recall system ***and*** with quality assurance at all levels, and an effective and appropriate diagnostic ***and*** treatment service.

(9) This requires an organisation with a call-recall system, with quality assurance at all levels, and an effective and appropriate diagnostic, treatment ***and after-care*** service ***following evidence-based guidelines.***

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TEXT PROPOSED  
BY THE COMMISSIONAMENDMENTS  
BY PARLIAMENT

## Amendment 8

*Recital 10a (new)*

**(10a) Cancer networks play a crucial role in the exchange of information and knowledge.**

## Amendment 9

*Recital 13*

(13) This analysis is facilitated if the screening database is linked to cancer registry data.

(13) This analysis is facilitated if the screening database is linked to cancer registry data. **Cancer registries play an important role in monitoring the impact of screening on the population. Changes in incidence, survival and mortality should be constantly monitored.**

## Amendment 10

*Recital 16*

(16) Ethical, legal, social, medical, organisational and economic aspects *have to be* considered **before decisions can be made on the implementation of** cancer screening programmes.

(16) Ethical, **cultural**, legal, social, medical, organisational and economic aspects *should be* considered, **in particular with regard to the accession countries, in order to encourage them to implement** cancer screening programmes.

## Amendment 11

*Recital 17*

(17) Adequate human and financial resources should be available in order to assure the appropriate organisation and quality control.

(17) Adequate human and financial resources should be available in order to assure the appropriate organisation and quality control **for all Member States.**

## Amendment 12

*Recital 18*

(18) Different socio-economic groups often do not have equal access to screening. Therefore, action should be taken to **ensure** equal access.

(18) Different socio-economic groups often do not have equal access to screening. Action should therefore be taken to **guarantee** equal access. **In line with this objective, more mobile screening campaigns should be carried out.**

## Amendment 13

*Recital 18a (new)*

**(18a) Screening policy must be conscious of men and women's different health challenges and needs; as screening for colorectal cancer is the first cancer screen available to men, information on men's take-up and outcomes is therefore especially important to monitor; in addition, given that prostate cancer is becoming more common than lung cancer among men, it is important to continue to raise awareness of symptoms and to keep under continuous review any research and technological developments in the field of prostate cancer screening.**

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TEXT PROPOSED  
BY THE COMMISSIONAMENDMENTS  
BY PARLIAMENT

## Amendment 14

## Recital 19

(19) It is an ethical, legal and social prerequisite that cancer screening should only be offered to fully-informed **healthy** people if the screening is proved to decrease disease-specific mortality or the incidence of advanced disease, if the benefits and risks are well known, and if the cost-effectiveness of the screening is acceptable.

(19) It is an ethical, legal and social prerequisite that cancer screening should only be offered to fully-informed **asymptomatic** people if the screening is proved to decrease disease-specific mortality or the incidence of advanced disease, if the benefits and risks are well known, and if the cost-effectiveness of the screening is acceptable.

## Amendment 16

## Recital 24a (new)

**(24a) European collaboration in networks facilitates high-quality cancer screening in providing European guidelines of best practice and specific recommendations for the implementation of national cancer screening programmes.**

## RECOMMENDATIONS TO THE MEMBER STATES

## Amendment 17

## Paragraph 1, point (a)

(a) offer evidence-based cancer screening through a systematic population-based approach with quality assurance at all levels. The cancer screening tests listed in the Annex fulfil these requirements;

(a) offer evidence-based cancer screening through a systematic population-based approach with quality assurance **and equal access** at all levels. The cancer screening tests listed in the Annex **currently** fulfil these requirements;

## Amendment 18

## Paragraph 1, point (b)

(b) implement screening programmes in accordance with European guidelines on best practice and should facilitate the further development of best practice for high-quality cancer screening programmes on a national level;

(b) implement screening programmes in accordance with European guidelines on best practice and should facilitate the further development of best practice for high-quality cancer screening programmes on a national level, **including assistance in the introduction of new technologies**;

## Amendment 19

## Paragraph 1, point (d)

(d) ensure that adequate complementary diagnostic procedures **and** treatment of those with a positive screening test are provided for;

(d) ensure that adequate complementary diagnostic procedures, treatment, **psychological support and after care following evidence-based guidelines** of those with a positive screening test are provided for;

## Amendment 20

## Paragraph 1, point (da) (new)

**(da) ensure that appropriate tests are available to all workers exposed to mutagenic and carcinogenic substances;**



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TEXT PROPOSED  
BY THE COMMISSIONAMENDMENTS  
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## Amendment 21

Paragraph 1, point (fa) (new)

**(fa) facilitate the exchange of experience among Member States through European networks;**

## Amendment 22

Paragraph 1, point (g)

(g) set up a systematic invitation and follow-up system and quality assurance at all levels, together with an effective and appropriate diagnostic **and** treatment service;

(g) set up a systematic invitation and follow-up system and quality assurance at all levels, together with an effective and appropriate diagnostic, treatment **and after care** service **following evidence-based guidelines;**

## Amendment 23

Paragraph 1, point (ga) (new)

**(ga) introduce a system for inviting people in the age range laid down in this Recommendation to a single session of multiphase screening;**

## Amendment 24

Paragraph 2, point (aa) (new)

**(aa) encourage and support European research on new methods of screening and follow-up in order to develop new, or improve existing, evidence-based guidelines;**

## Amendment 25

Paragraph 2, point (da) (new)

**(da) provide a legal framework in order to make necessary linkages between possible databases on screening-, cancer- and mortality-registers in compliance with Directive 95/46/EC and national privacy legislation.**

## Amendment 26

Paragraph 3, point (ca) (new)

**(ca) regularly monitor incidence, survival, mortality and morbidity indicators in the various Member States, according to the standards of the European Network of Cancer Registries, in order to establish the priorities for specific tests compared with others;**

## Amendment 27

Paragraph 5, point (aa) (new)

**(aa) ensure the right to leave for those who need to take time off work in order to undergo the screening tests;**

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TEXT PROPOSED  
BY THE COMMISSIONAMENDMENTS  
BY PARLIAMENT

## Amendment 28

Paragraph 6, point (b)

- (b) **run trials**, in addition to those on screening-specific parameters and mortality, **on subsequent treatment procedures**, clinical outcome, side effects, morbidity and quality of life;
- (b) **carry out investigations**, in addition to those **based** on screening-specific parameters and on mortality, **into the** clinical outcome, the side effects, the morbidity and the quality of life;

## Amendment 29

Paragraph 6, point (da) (new)

- (da) **invest more resources in research into new tests, including genomic tests and into the validation of advanced technology instruments;**

## RECOMMENDATIONS TO THE COMMISSION

## Amendment 30

Paragraph 2

2. To encourage cooperation between MS and exchange of best practices as regards cancer screening with a view to developing new screening methods or *improve* existing ones.
2. To encourage cooperation between Member States and the exchange of best practices as regards cancer screening, **whereby cancer networks play a crucial role**, with a view to developing new screening methods or *improving* existing ones.

## Amendment 31

Paragraph 2a (new)

- (2a) **To promote information campaigns designed to help raise awareness and public understanding about the benefits and risks that cancer screening offers in relation to the early detection of cancer.**

## Amendment 32

Paragraph 2b (new)

- (2b) **To encourage Member States to support European research on cancer screening including the development of new guidelines updating existing guidelines on cancer screening.**

## Amendment 33

Annex Ia (new)

## Annex Ia

**Promising new screening tests, currently being evaluated in randomised controlled trials, could potentially reduce mortality from cancer. The state of the art should be assessed and continuously updated by European experts in order to propose evidence-based applications, adapt guidelines and inform**

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TEXT PROPOSED  
BY THE COMMISSIONAMENDMENTS  
BY PARLIAMENT

*citizens, health authorities and stake holders on the advantages, risks and costs. Such tests shall include:*

- *mammography screening for women aged 40-49 for breast cancer,*
- *improved Faecal Occult Blood Testing (FOBT) for colorectal cancer,*
- *flexible recto-sigmoidoscopy or colonoscopy for colorectal cancer,*
- *testing for high risk human papilloma virus (HPV) infection for cervical cancer,*
- *improved methods for the preparation (liquid based cytology) or interpretation of cervical specimens,*
- *prostate-specific antigen (PSA) testing for prostate cancer.*

*Once the efficacy of screening methods has been demonstrated, the evaluation of the effectiveness of modified tests or alternative applications may be based on other epidemiologically validated surrogate endpoints if their predictive value is established.*

P5\_TA(2003)0503

## Identification and registration of sheep and goats \*

**European Parliament legislative resolution on the proposal for a Council regulation on establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EEC) No 3508/92 (COM(2002) 729 – C5-0027/2003 – 2002/0297(CNS))**

(Consultation procedure)

*The European Parliament,*

- *having regard to the Commission proposal to the Council (COM(2002) 729) <sup>(1)</sup>,*
- *having regard to Article 37 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0027/2003),*
- *having regard to Rule 67 of its Rules of Procedure,*
- *having regard to the report of the Committee on Agriculture and Rural Development (A5-0386/2003),*

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;

<sup>(1)</sup> Not yet published in the OJ.

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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 Commission.

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TEXT PROPOSED  
BY THE COMMISSION

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AMENDMENTS  
BY PARLIAMENT

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Amendment 1

Recital 4

(4) In 1998 the Commission launched a large scale project on livestock electronic identification (IDEA), and its final report was completed 30 April 2002. That project has demonstrated that **a substantial improvement in** ovine and caprine **animal identification systems** can be achieved by using electronic identifiers for those animals provided certain conditions concerning the accompanying measures are fulfilled.

(4) In 1998 the Commission launched a large-scale project on livestock electronic identification (IDEA), and its final report was completed 30 April 2002. That project has demonstrated that **reliable registration and identification of** ovine and caprine **animals** can be achieved by using electronic identifiers for those animals provided certain conditions concerning the accompanying measures are fulfilled.

Amendment 2

Recital 4a (new)

**(4a) The Commission should make all possible endeavours to consult widely with all possible manufacturers in order to develop a cost-effective and practical means of electronic identification as a matter of priority.**

Amendment 3

Recital 5

(5) The technology of electronic identification in ovine and caprine animals has been developed to such a stage that it can be **applied**. Pending the development of the implementing measures required for the proper introduction of **the system of** electronic identification on a **Community-wide scale** an efficient identification and registration system, **enabling future developments in the field of implementation of electronic identification on a Community-wide scale to be taken into account, should permit** the individual identification of the animals and the holding of birth of the animals

(5) The technology of electronic identification in ovine and caprine animals has been developed to such a stage that it can be **trialled at practical level across all production systems involving sheep in all Member States**. Pending the development of the implementing measures required for the proper **and cost-effective** introduction of electronic identification **systems** on a **voluntary basis**, an efficient **Community-wide** identification and registration system **based on harmonised minimum standards should be introduced, allowing** the individual identification of the animals and the holding of birth of the animals.

Amendment 4

Recital 5a (new)

**(5a) The Joint Research Centre of the Commission should provide detailed technical guidelines, definitions and procedures in the areas of technical characteristics of identifiers and readers; test procedures, acceptance criteria and certification model for agreed test laboratories; procurement of appropriate identifiers and readers; application of identifiers, their reading and recovery; codification of identifiers; common glossary, data dictionary and communication standards.**

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TEXT PROPOSED  
BY THE COMMISSIONAMENDMENTS  
BY PARLIAMENT

Amendment 5

*Recital 5b (new)*

**(5b) The entire cost of introducing the new electronic identification system should be met by the Community budget since this is a food safety and control measure affecting the whole production chain, and since it is the producers who will have to put into operation and manage the system.**

Amendment 6

*Recital 6*

(6) To take into account future developments within the field of electronic identification of ovine and caprine animals, and in particular the experience gained in its implementation thereof, the Commission should submit to the Council a report concerning the possible implementation of the system of electronic identification on a Community-wide scale.

(6) To take into account future developments within the field of electronic identification of ovine and caprine animals, and in particular the experience gained in its implementation thereof, the Commission should submit to the **European Parliament and the Council** a report **on the progress made by the Joint Research Centre and the Member States** concerning the possible implementation of the **future** system of electronic identification on a Community-wide scale.

Amendment 7

*Recital 7*

**(7) The Joint Research Centre of the Commission shall provide detailed technical guidelines, definitions and procedures in the areas of technical characteristics of identifiers and readers; test procedures, acceptance criteria and certification model for agreed test laboratories; procurement of appropriate identifiers and readers; application of identifiers, their reading and recovery; codification of identifiers; common glossary, data dictionary and communication standards.**

**Deleted**

Amendment 8

*Recital 10*

**(10) In each Member State, a central register should be established comprising an up-to-date list of all holdings which keep animals covered by this Regulation and are situated on its territory, specifying the species, the number of animals kept and their keepers, and the type of production.**

**Deleted**

Amendment 9

*Recital 11*

(11) For the purpose of rapid and accurate tracing of animals each Member State should create a computer database which will record all holdings on its territory and the movements of the animals.

(11) For the purpose of rapid and accurate tracing of animals, each Member State should create a computer database which will record all holdings on its territory and the movements of the animals. **The requirements with regard to the data to be**

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*submitted to the database by each keeper should be determined on a Community basis. The database should also contain up-to-date information on all holdings which keep animals covered by this Regulation and which are situated on its territory, specifying the species, the number of animals kept and their keepers, and the type of production.*

Amendment 10

Recital 11a (new)

*(11a) Until such time as each Member State is able to establish a computer database, a central register should be created, comprising an up-to-date list of all holdings which keep animals covered by this Regulation and which are situated on its territory, specifying the species, the number of animals kept and their keepers, and the type of production.*

Amendment 11

Recital 13

(13) Persons involved in the trade of animals should keep records of their transactions, **and the competent authority should have access to these records on request.**

(13) Persons involved in the trade of animals should keep **and submit** records of their transactions **to the database or the central register.**

Amendment 13

Recital 17a

*(17a) Bearing in mind that the sheep and goats sector is a labour-intensive one with a specialised and fast-ageing workforce and a very low level of profitability, an increase in the costs payable by producers could increase the rate at which they leave the land. It would therefore be appropriate for the European Union to meet the entire cost of introducing the individual identification system.*

Amendment 14

Article 2, point (c)

(c) 'keeper' means any natural or legal person responsible, even on a temporary basis, for animals;

(c) 'keeper' means any natural or legal person, **with the exception of transporters**, responsible, even on a temporary basis, for animals;

Amendment 15

Article 3, paragraph 1, point (d)

(d) a central register;

(d) **a computer database or** a central register;

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## Amendment 16

Article 3, paragraph 1, point (e)

(e) *a computer database.**Deleted*

## Amendment 17

Article 4, paragraph 1

1. All animals on a holding born after **1 July 2003** or intended for intra-Community trade after **1 July 2003** shall be identified in accordance with Section A of the Annex within a period to be determined by the Member State as from the birth of the animal and in any case before the animal leaves the holding on which it was born. That period shall not be longer than **one month**.

By way of derogation Member States may extend the period to **six months** for animals kept in extensive farming conditions and in free range. Member States concerned shall inform the Commission of the derogation granted. If necessary implementing rules may be laid down in accordance with the procedure referred to in Article 13(2).

1. All animals on a holding born after **1 July 2005** or intended for intra-Community trade after **1 July 2005** shall be identified in accordance with Section A of the Annex within a period to be determined by the Member State as from the birth of the animal and in any case before the animal leaves the holding on which it was born. That period shall not be longer than **six months**.

By way of derogation Member States may extend the period to **nine months** for animals kept in extensive or free range farming conditions. Member States concerned shall inform the Commission of the derogation granted. If necessary, implementing rules may be laid down in accordance with the procedure referred to in Article 13(2).

## Amendment 18

Article 4, paragraph 3, subparagraph 1

3. Any animal imported from a third country after **1 July 2003** which has passed the checks laid down by Directive 91/496/EEC and which remains within the Community territory shall be identified in accordance with Section A of the Annex on the holding of destination within a period to be determined by the Member State of at most 14 days after undergoing those checks, and, in any event, before leaving the holding.

5. No means of identification may be removed or replaced without the permission of the competent authority. Where a means of identification has become illegible or has been lost, a replacement **bearing the same code** shall be applied in accordance with this Article. In addition to the code and distinct from it the replacement may bear a mark with the version number of the replacement.

3. Any animal imported from a third country after **1 July 2005** which has passed the checks laid down by Directive 91/496/EEC and which remains within the Community territory shall be identified in accordance with Section A of the Annex on the holding of destination within a period to be determined by the Member State of at most 14 days after undergoing those checks, and, in any event, before leaving the holding.

5. No means of identification may be removed or replaced without the permission of the competent authority. Where a means of identification has become illegible or has been lost, a replacement shall be applied in accordance with this Article. In addition to the code and distinct from it the replacement may bear a mark with the version number of the replacement.

## Amendment 19

Article 4, paragraph 5

## Amendment 20

Article 4, paragraph 6a (new)

**6a. Without prejudice to the provisions of this Article, Member States may authorise the use of supplementary marking of animals. Supplementary marks may be applied on a temporary or permanent basis. The use of supplementary marks shall be subject to notification of the Commission and the competent authorities of the Member States.**

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Amendment 21

Article 4, paragraph 7a (new)

**7a. Prior to implementing this Regulation, the Commission must undertake an extensive programme of tests and field trials for flocks in both lowland and mountainous regions and publish the results of these trials before proceeding to implementation.**

Amendment 22

Article 5, paragraph 1

1. Each keeper of animals shall keep an up-to-date register in accordance with Section B of the Annex.

1. Each keeper of animals shall keep an up-to-date register **and submit information** in accordance with Section B of the Annex **to the competent authority.**

Amendment 23

Article 6, paragraph 1

1. As from **1 July 2003** whenever an animal is moved, it shall be accompanied by a movement document issued by the competent authority and completed by the keeper in accordance with Section C of the Annex.

1. As from **1 July 2005 at the latest**, whenever an animal is moved, it shall be accompanied by a movement document issued by the competent authority and completed by the keeper in accordance with Section C of the Annex.

Amendment 24

Article 6, paragraph 2

2. The keeper of the holding of destination shall keep the movement document for a minimum period to be determined by the competent authority but which may not be less than three years.

2. The keeper of the holding of destination shall keep the movement document for a minimum period to be determined by the competent authority but which may not be less than three years. **The keeper shall submit a copy of the movement document or electronic record to the competent authority. The competent authority shall register the movements referred to in paragraph 1 in the computer database or the central register set up in accordance with Article 8.**

Amendment 25

Article 7

Article 7

**Member States shall ensure that the competent authority has a central register of all the holdings situated on its territory which keep animals.**

**This register shall include the identification code of the holding and specify the species and the number of animals kept, their keepers and the type of production. The number of animals kept shall be updated at regular intervals. A holding shall remain on the central register until three consecutive years have elapsed with no animals on the holding.**

**Deleted**



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## Amendment 26

Article 8, paragraph 1a (new)

*Until such time as each Member State is able to establish a computer database, Member States shall ensure that the competent authority has a central register of all the holdings situated on its territory which keep animals. This register shall include the identification code of the holding and specify the species and the number of animals kept, their keepers and the type of production. The number of animals kept shall be updated at regular intervals. A holding shall remain on the central register or the computer database until three consecutive years have elapsed with no animals on the holding.*

## Amendment 27

Article 9

1. Further guidelines and procedures for the implementation of electronic identification shall be adopted according to the procedure referred to in Article 13(2).

2. The decisions referred to in paragraph 1 shall be adopted in order to implement general electronic identification by 1 July 2006. If necessary, the Commission shall submit to the Council by 31 December 2005 a report on the experience gained with regard to the implementation of electronic identification, accompanied by appropriate proposals amending if appropriate, the date by which general electronic identification should be implemented.

1. By 31 December 2006 at the latest, the Commission shall submit a new legislative proposal with a view to the general introduction of electronic identification on 1 July 2007.

2. In order to implement Community-wide electronic identification, the Commission shall submit to the Council and the European Parliament, no later than 31 July 2006, a report on the experience gained with regard to the implementation of electronic identification.

2a. The report referred to in paragraph 2 shall include a comprehensive cost-benefit analysis of the system proposed, including the financial and welfare implications. The report shall set out the guidelines and procedures for the general implementation of the system, including proposals for any EU financial assistance.

## Amendment 28

Article 12, paragraph 2

2. Member States shall lay down the rules on sanctions applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The sanctions provided for must be effective, proportionate and dissuasive.

2. Member States shall lay down the rules on sanctions applicable to infringements of this Regulation. Such national rules shall be submitted for approval to the Commission, which shall ensure that any disparities in the national sanctions scheme do not disturb the operation of the single market. The Member States shall also take all measures necessary to ensure that they are implemented. The sanctions provided for must be effective, proportionate and dissuasive.

## Amendment 29

Article 14a (new)

## Article 14a

Within six months of the entry into force of this Regulation, the Commission must present a proposal for the financing, under the general budget of the European Communities, of the establishment of individual identification for ovine and caprine livestock.

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## Amendment 30

Annex, section A, point 1

1. Animals are identified by an eartag approved by the competent authority, applied to **each ear**. Member States may authorise the **replacement of the second eartag with** an electronic identifier approved by the competent authority and responding to the technical characteristics listed in point 5. **From the date referred to in Article 9(2) the replacement of the second eartag with an electronic identifier is obligatory. Both eartags or** the eartag **and** the electronic identifier approved by the competent authority shall bear **the same** unique identification code, which makes it possible to identify each animal individually together with the holding on which it was born.

1. Animals are identified by an eartag **or tattoo** approved by the competent authority, applied to **one or both ears**. Member States may authorise the **use of** an electronic identifier approved by the competent authority and responding to the technical characteristics listed in point 5. **The animal shall have at least one eartag which may also carry the electronic identifier.** The eartag **or** the electronic identifier approved by the competent authority shall bear **a** unique identification code, which makes it possible to identify each animal individually together with the holding on which it was born.

## Amendment 31

Annex, section A, point 2

2. **The eartags shall be applied on a place easily visible at distance.**

**Deleted**

## Amendment 32

Annex, section A, point 3: introduction and indent 1

3. The **eartags and the electronic identifier shall** contain a code that allows **to identify** at least the name, the code or the logo of the competent authority or of the central competent authority of the Member State which allocated the eartag **and the electronic identifier**, and the following characters:

- the first positions shall identify the Member State of the holding where the animal is first identified. **For this purpose two-letter or three digit country codes 1 shall be used in accordance with ISO 3166;**

3. The **eartag may** contain a code that allows **the identification of** at least the name, the code or the logo of the competent authority or of the central competent authority of the Member State which allocated the eartag, **and must contain** the following characters:

- the first positions shall identify the Member State of the holding where the animal is first identified; **the code on the electronic identifier shall be in compliance with ISO 11784;**

## Amendment 33

Annex, section A, point 3a (new)

**3a. In the situations referred to in Article 4(5), Member States may authorise the use of a special replacement tag. Replacement tags should, as a minimum, carry the identification number of the holding where the animal is kept.**

## Amendment 34

Annex, section A, point 4

4. The **eartags** shall be of flexible plastic material, tamper-proof and easy to read throughout the lifetime of the animal and of a design, which will remain attached to the animal without being harmful to it. The **eartags** shall not be re-usable and shall consist of two parts, a male part and a female part, and each part shall carry only non-removable inscriptions as provided for in point 3.

4. The **eartag** shall be of **metal or** flexible plastic material, tamper-proof and easy to read throughout the lifetime of the animal and of a design which will remain attached to the animal without being harmful to it. The **eartag** shall not be re-usable and shall consist of **either one or** two parts, a male part and a female part, and each part shall carry only non-removable inscriptions as provided for in point 3.

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## Amendment 35

Annex, section A, point 6

6. *However for animals intended for slaughter before the age of six months the following identification method may be authorised by the competent authority:*

- *the animals are identified by an eartag approved by the competent authority, applied to each ear. Both eartags shall bear the same inscription,*
- *the eartags shall be of flexible plastic material, tamper-proof, easy to read and of a design, which will remain attached to the animal without being harmful to it. The eartags shall not be reusable and shall carry only non-removable inscriptions,*
- *the eartags shall contain at least the two-letter country code, the identification code of the holding of birth and the month of birth.*

*Member States using this method shall inform the Commission and Member States in the framework of the Committee referred to in Article 13(1).*

*If animals identified in accordance with this point are kept beyond the age of six months or are intended for intra-Community trade or export to third countries, they must be identified in accordance with points 1 to 4.*

6. **All** animals intended for intra-Community trade or export to third countries must be identified in accordance with points 1 to 4.

## Amendment 36

Annex, section B, point 2

2. For each animal the up-to-date information on:

- the identification code of the animal,
- the month and year of birth,
- the sex,
- the breed and genotype if known,
- the identification code of the holding of destination, or in the event of animals moved to a slaughterhouse the identification code of the slaughterhouse,
- the month of death of the animal on the holding,
- replacement of eartags and electronic identifiers,
- in the case of animals departing from the holding the identification code of the holding to which the animal was transferred, as well as the date of departure,

2. For each animal **or batch of animals** the **following** up-to-date information on:

**(a) For individual animals:**

- the identification code of the animal,
- the month and year of birth,
- the sex,
- the breed and genotype if known,
- the identification code of the holding of destination, or in the event of animals moved to a slaughterhouse the identification code of the slaughterhouse,
- the month of death of the animal on the holding,
- replacement of eartags and electronic identifiers,
- in the case of animals departing from the holding the identification code of the holding to which the animal was transferred, as well as the date of departure,

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- in the case of animals arriving on the holding the identification code of the holding, from which the animal was transferred, as well as the date of arrival.

- in the case of animals arriving on the holding the identification code of the holding, from which the animal was transferred, as well as the date of arrival.

or

**(b) For each batch of animals:**

- *the identification code of the holding from which the batch departs,*
- *the number of animals in the batch,*
- *in the case of animals departing from the holding, the identification code or the address of the holding to which the batch was transferred, as well as the date of departure, or in the event of animals moved to slaughter, the identification code of the slaughterhouse,*
- *in the case of animals arriving on the holding, the identification code or address of the holding from which the batch was transferred, as well as the date of arrival,*
- *the date of departure,*
- *the data concerning the means of transport and the transporter.*

*However for animals identified in accordance with point 6 of Section A, the information provided for in point 2 of this Section shall be provided for each batch of animals having the same identification, and shall include the number of animals.*

## Amendment 37

## Annex, section C, point 1

1. The movement document issued by the competent authority shall contain at least the **following**:

- *the name of issuing authority;*
- *the date of issue of the movement document;*
- *the identification code of the holding;*
- *name and address of the keeper.*

1. The movement document issued by the competent authority shall contain at least the **name of the issuing authority**.

## Amendment 41

## Annex, section C, point 2

2. **In addition to the information mentioned in paragraph 1** the movement document shall contain at least the following

2. The movement document **issued by the competent authority shall allow keepers to record either movements of indi-**

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fields to be completed by the keeper for animals to be moved from the holding:

(a) *For each animal:*

- the identification code,
- the month and year of birth,
- the sex,
- the breed and genotype if known,
- the identification code of the holding of destination, or in the event of animals moved to a slaughterhouse the identification code of the slaughterhouse,
- the date of departure,
- the data concerning the means of transport and the transporter.

(b) *The signature of the keeper.*

*However for animals identified in accordance with point 6 of section A, the movement document shall contain at least the following fields to be completed by the keeper for animals to be moved from the holding:*

(a) *For each batch of animals:*

- *the identification code of the holding of birth,*
- *the month of birth,*
- the number of animals,
- the identification code of the holding of destination, or in the event of animals moved to a slaughterhouse the identification code of the slaughterhouse,

*vidual animals or movements of animals in batches and* shall contain at least the following fields to be completed by the keeper for animals to be moved from the holding:

- *the date,*
- *the identification code of the holding,*
- *name and address of the keeper;*

(a) *For recording of movements of individual animals:*

- the identification code,
- the month and year of birth,
- the sex,
- the breed and genotype if known,
- the identification code of the holding of destination, or in the event of animals moved to a slaughterhouse the identification code of the slaughterhouse,
- the date of departure,
- the data concerning the means of transport and the transporter

*or,*

(b) *For recording of movements in batches:*

- *the identification code of the holding from which the batch departs*
- *the number of animals,*
- *the identification code of the holding of destination, or in the event of animals moved to a slaughterhouse the identification code of the slaughterhouse,*
- *the date of departure,*
- *the data concerning the means of transport and the transporter.*

*Movement documents must be signed by the keeper responsible for moving either individual animals or batches of animals.*

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- the date of departure,
- the data concerning the means of transport and the transporter.

**(b) The signature of the keeper.**

Amendment 39

*Annex, section D, point 1, introduction*

1. From **1 July 2004** the computer database shall contain at least the following information for each holding:

1. From **1 July 2005** the computer database shall contain at least the following information for each holding:

Amendment 40

*Annex, section D, point 2*

2. **From** 1 July 2005 there shall be an entry in the database for each separate movement of animals. The entry shall comprise at least the following:

- the number of animals being moved,
- the identification code of the holding of departure,
- the date of departure,
- the identification code of the holding of arrival,
- the date of arrival.

2. **No later than** 1 July 2005 there shall be an entry in the database for each separate movement of animals. The entry shall comprise at least the following:

- the number of animals being moved,
- the identification code of the holding of departure,
- the date of departure,
- the identification code of the holding of arrival, **or — where animals are being transported to an abattoir — the identification code of the abattoir,**
- the date of arrival.

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## Minimum stocks of crude oil and/or petroleum products \*

**European Parliament legislative resolution on the proposal for a Council directive repealing Council Directives 68/414/EEC and 98/93/EC imposing an obligation on Member States of the EEC to maintain minimum stocks of crude oil and/or petroleum products, and Council Directive 73/238/EEC on measures to mitigate the effects of difficulties in the supply of crude oil and petroleum products (COM(2002) 488 — C5-0489/2002 — 2002/0221(CNS))**

(Consultation procedure)

*The European Parliament,*

- having regard to the Commission proposal to the Council (COM(2002) 488) <sup>(1)</sup>,
- having regard to Article 100 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0489/2002),

<sup>(1)</sup> OJ C 331 E, 31.12.2002, p. 279.

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- having regard to Rule 67 of its Rules of Procedure,
  - having regard to the report of the Committee on Industry, External Trade, Research and Energy and the opinion of the Committee on Economic and Monetary Affairs (A5-0293/2003),
1. Rejects the Commission proposal;
  2. Calls on the Commission to withdraw its proposal;
  3. Instructs its President to forward its position to the Council and the Commission.
- 

**P5\_TA(2003)0505****Waste shipments \*\*\*I****European Parliament legislative resolution on the proposal for a European Parliament and Council regulation on shipments of waste (COM(2003) 379 – C5-0365/2003 – 2003/0139(COD))**

(Codecision procedure: first reading)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 379) <sup>(1)</sup>,
  - having regard to Articles 251(2) and 175(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0365/2003),
  - having regard to the opinion of the Committee on Legal Affairs and the Internal Market on the proposed legal basis,
  - having regard to Rules 67 and 63 of its Rules of Procedure,
  - having regard to the report of the Committee on the Environment, Public Health and Consumer Policy (A5-0391/2003),
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 Commission.

<sup>(1)</sup> Not yet published in the OJ.**P5\_TC1-COD(2003)0139****Position of the European Parliament adopted at first reading on 19 November 2003 with a view to the adoption of Regulation (EC) No .../2003 of the European Parliament and of the Council on shipments of waste**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular **Article 175(1)** thereof,Having regard to the proposal from the Commission <sup>(1)</sup>,<sup>(1)</sup> OJ C ...

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Having regard to the opinion of the European Economic and Social Committee <sup>(1)</sup>,

Having regard to the opinion of the Committee of the Regions <sup>(2)</sup>,

Acting in accordance with the procedure laid down in Article 251 of the Treaty <sup>(3)</sup>,

Whereas:

- (1) **The objective** of the Regulation is protection of the environment and the legal basis is therefore Article 175(1) of the **Treaty**.
- (2) Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of waste within, into and out of the European Community <sup>(4)</sup>, has already been substantially amended several times and requires further amendment. It is necessary, in particular, to incorporate in that Regulation the content of Commission Decision 94/774/EC of 24 November 1994 concerning the standard consignment note referred to in Council Regulation (EEC) No 259/93 <sup>(5)</sup> and of Commission Decision 1999/412/EC of 3 June 1999 concerning a questionnaire for the reporting obligation of Member States pursuant to Article 41(2) of Council Regulation (EEC) No 259/93 <sup>(6)</sup>. Regulation (EEC) No 259/93 should therefore be replaced in the interests of clarity.
- (3) Council Decision 93/98/EEC <sup>(7)</sup> concerned the conclusion, on behalf of the Community, of the Basel Convention of 22 March 1989 on the control of transboundary movements of hazardous wastes and their disposal, to which the Community has been a party since 1994. By *adapting Regulation* (EEC) No 259/93, the Council has established rules to curtail and to control such movements designed, inter alia, to make the existing Community system for the supervision and control of waste movements comply with the requirements of the Basel Convention.
- (4) ***In its resolution of 14 November 1996 on the review of the Community strategy for waste management <sup>(8)</sup>, the European Parliament called for confirmation that waste for reuse or recycling is a quite specific product and that such products can only be allowed to circulate freely where the objective is the attainment of a mode of management whereby better environmental protection is achieved, and for waste tourism to be avoided.***
- (5) ***In its resolution of 24 February 1997 on a Community strategy for waste management <sup>(9)</sup>, the Council voiced its concern at the large-scale movements within the Community of waste for incineration with or without energy recovery, and at the same time encouraged Member States to use a broad range of instruments, including economic instruments where appropriate, in the most coherent way, with a view to achieving their waste policy objectives.***
- (6) Council Decision 97/640/EC of 22 September 1997 <sup>(10)</sup> concerned the approval, on behalf of the Community, of the amendment to the Basel Convention, laid down in Decision III/I of the Conference of the Parties. By that amendment, all exports of hazardous wastes destined for disposal from countries listed in Annex VII to the Convention to countries not listed therein were prohibited, as were, with effect from 1 January 1998, all such exports of the hazardous wastes referred to in Article 1(1)(a) of the Convention and destined for *recovery*. Regulation (EEC) No 259/93 was amended accordingly by Council Regulation (EC) No 120/97 <sup>(11)</sup>.

<sup>(1)</sup> OJ C ...

<sup>(2)</sup> OJ C ...

<sup>(3)</sup> Position of the European Parliament of 19 November 2003.

<sup>(4)</sup> OJ L 30, 6.2.1993, p. 1. Regulation as last amended by Commission Regulation (EC) No 2557/2001 (OJ L 349, 31.12.2001, p. 1).

<sup>(5)</sup> OJ L 310, 3.12.1994, p. 70.

<sup>(6)</sup> OJ L 156, 23.6.1999, p. 37.

<sup>(7)</sup> OJ L 39, 16.2.1993, p. 1.

<sup>(8)</sup> **OJ C 362, 2.12.1996, p. 241.**

<sup>(9)</sup> **OJ C 76, 11.3.1997, p. 1.**

<sup>(10)</sup> OJ L 272, 4.10.1997, p. 45.

<sup>(11)</sup> OJ L 22, 24.1.1997, p. 14.



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- (7) The Community has not yet signed the *Basel Convention Protocol on Liability and Compensation* as contained in Decision V/29 of the Conference of the Parties.
- (8) In view of the fact that the Community has approved OECD Council Decision C(2001)107 of 14 June 2001 amending OECD Decision C(92)39/final on the control of transfrontier movements of wastes destined for recovery operations (*hereinafter 'the OECD Decision'*) in order to harmonise lists and certain other requirements with the Basel Convention, it is necessary to incorporate the content of that Decision in Community legislation.
- (9) The Community has signed the Stockholm Convention of 22 May 2001 on persistent organic pollutants.
- (10) It is important to organise and regulate the supervision and control of shipments of wastes in a way which takes account of the need to preserve, protect and improve the quality of the environment and human health and which promotes a more uniform application of the Regulation throughout the Community.
- (11) ***It is important to bear in mind that the Basel Convention distinguishes prohibitions or controls of transboundary movements on the basis of whether the waste is hazardous or not, and not whether it goes to recovery or final disposal operations.***
- (12) ***It is important to bear in mind the right of each Party to the Basel Convention pursuant to Article 4(1) thereof to prohibit the import of hazardous wastes or of wastes listed in Annex II of the Basel Convention.***
- (13) ***It is important to bear in mind the requirement laid down in Article 4(9)(a) of the Basel Convention that transboundary movements of hazardous wastes and of wastes listed in Annex II thereto, shall only be allowed if the State of export does not have the technical capacity and the necessary facilities, capacity or suitable sites in order to manage the wastes in question in an environmentally sound and efficient manner.***
- (14) It is important to bear in mind the ***requirements*** laid down in ***Article 4(2)(a), (b) and (d)*** of the Basel Convention that ***the generation of hazardous wastes by each Party be reduced to a minimum, that adequate treatment facilities for the environmentally sound management of hazardous wastes shall be located to the extent possible within it, and that*** shipments of hazardous waste be reduced to the minimum consistent with environmentally sound and efficient management of such waste.
- (15) It is necessary to avoid procedural duplication by recognising other EU legislation that already regulates waste of animal origin, in particular Regulation (EC) No 1774/2002<sup>(1)</sup> laying down health rules concerning animal by-products not intended for human consumption and Regulation (EC) No 999/2001<sup>(2)</sup> laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies, which already contain equivalent provisions covering the overall consignment, channelling and movement (collection, transport, handling, processing and use or disposal, record keeping, accompanying documents and traceability) of animal by-products within, into and out of the Community to prevent them from posing a risk to animal or public health and the environment.
- (16) Account should also be taken of the requirement laid down in Council Directive 75/442/EEC of 15 July 1975 on waste<sup>(3)</sup>, under which Member States are to establish an integrated and adequate network of waste disposal installations, in order to enable the Community as a whole to become self-sufficient in waste disposal and the Member States to move towards that aim individually, taking into account geographical circumstances or the need for specialised installations for certain types of waste.

<sup>(1)</sup> OJ L 273, 10.10.2002, p. 1. Regulation as amended by Commission Regulation (EC) No 808/2003 (OJ L 117, 13.5.2003, p. 1).

<sup>(2)</sup> OJ L 147, 31.5.2001, p. 1. Regulation as amended by Commission Regulation (EC) No 1915/2003 (OJ L 283, 31.10.2003, p. 29).

<sup>(3)</sup> OJ L 194, 25.7.1975, p. 39. Directive as last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

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- (17) Regard should also be had to the requirement under Directive 75/442/EEC that Member States draw up waste management plans, as well as the possibility allowed for by that Directive for Member States to take the measures necessary to prevent shipments of waste which are not in accordance with those plans provided that they inform the Commission and the other Member States accordingly.
- (18) *The Annexes to Directive 75/442/EEC no longer provide a clear body of rules to be applied by the Member States, owing to the recent judgments by the Court of Justice of the European Communities in cases C-228/00 <sup>(1)</sup> and C-458/00 <sup>(2)</sup>. The Commission should amend the Annexes so as to ensure that the Member States can refer to clear and valid rules.*
- (19) It is necessary to ensure that, in accordance with Directive 75/442/EEC and other Community legislation on waste, shipments within the Community and imports to Member States are managed, throughout the period of shipment and including final disposal or final recovery in the country of destination, without endangering human health and without using processes or methods which could harm the environment. As regards exports from the Community, it is necessary to ensure that the waste is managed in an environmentally sound manner throughout the period of shipment and including final disposal or recovery in the third country of destination.
- (20) Although the supervision and control of shipments of waste within a Member State is a matter for that country, national systems concerning shipments of waste should comply with minimum requirements in order to ensure a high level of protection of the environment and human health.
- (21) In the case of shipments of hazardous waste, it is appropriate to ensure optimum supervision and control by requiring prior written consent to such shipments. Such a procedure should in turn entail prior notification, which enables the competent authorities to be duly informed so that they can take all necessary measures for the protection of human health and the environment. It should also enable those authorities to raise reasoned objections to such a shipment.
- (22) In the case of shipments of non-hazardous waste, it is appropriate to ensure a minimum level of supervision and control by requiring that such shipments be accompanied by certain information.
- (23) In view of the need for a uniform application of the Regulation and for the proper functioning of the internal market, it is necessary in the interests of efficiency to require that notifications be processed through the competent authority of dispatch.
- (24) It is also important to clarify the system of financial guarantees or equivalent insurance.
- (25) It is necessary to provide procedural safeguards for the notifier, both in the interests of legal certainty and to ensure the uniform application of the Regulation and the proper functioning of the internal market.
- (26) In the case of shipments of waste for disposal, it should be possible for Member States to implement the principles of proximity, priority for recovery and self-sufficiency at Community and national levels, in accordance with Directive 75/442/EEC. **Member States should take the necessary measures to prohibit the abandonment, dumping or uncontrolled disposal of waste.** Member States should also be able to ensure that the waste management facilities covered by Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control <sup>(3)</sup> apply Best Available Techniques as defined in that Directive and that the waste is treated in accordance with legally binding environmental protection standards in relation to disposal operations established in Community legislation.

<sup>(1)</sup> (2003) ECR I-1439.

<sup>(2)</sup> (2003) ECR I-1553.

<sup>(3)</sup> OJ L 257, 10.10.1996, p. 26. Directive as amended by Regulation (EC) No 1882/2003.

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- (27) In the case of shipments of waste destined for recovery, Member States should be able to ensure that the waste management facilities covered by Directive 96/61/EC apply Best Available Techniques as defined in that Directive. Member States should also be able to ensure **that the recovery is justified under environmental considerations**, that waste is treated in accordance with legally binding environmental protection standards in relation to recovery operations established in Community legislation and that waste is treated in accordance with waste management plans established pursuant to Directive 75/442/EEC with the purpose of ensuring the implementation of legally binding recovery or recycling obligations established in Community legislation.
- (28) The absence of mandatory waste treatments and facility requirements at the EU level undermines the creation of a high level of environmental protection across the Community and distort the consolidation of an economically viable internal market for recycling. It is a matter of urgency to fill this gap and to proceed towards the establishment of a Community level playing field for recycling.
- (29) An obligation should be laid down to the effect that waste, hazardous as well as non-hazardous waste, from a shipment that cannot be completed as intended is to be taken back to the country of dispatch or disposed of or recovered in an alternative way.
- (30) It should also be made compulsory that, in the event of an illegal shipment, meaning a shipment in infringement of this Regulation or of international or Community law, the person whose action is the cause of such a shipment should take back the waste involved or make alternative arrangements for its disposal or recovery; failing which, the competent authorities of dispatch or destination, as appropriate, should intervene themselves.
- (31) It is necessary to clarify the scope of the prohibition, laid down in accordance with the Basel Convention in order to protect the environment of the countries concerned, of exports from the Community of any waste destined for disposal in a third country other than an EFTA country.
- (32) It is also necessary to clarify the scope of the prohibition, also laid down in accordance with the Basel Convention in order to protect the environment of the countries concerned, of exports of hazardous waste destined for recovery in a country to which the OECD Decision does not apply. In particular, it is necessary to clarify the list of hazardous wastes to which that prohibition applies and to ensure that it also includes the waste listed in Annex II to the Basel Convention, namely waste collected from households and residues from the incineration of household waste.
- (33) Specific arrangements should be maintained for exports of non-hazardous waste destined for recovery in countries to which the OECD Decision does not apply and provision made for them to be further streamlined at a later date. **A strict and simple procedure regulating and minimising the shipment of non-hazardous waste at international level should be recommended and adopted within the framework of the Basel Convention.**
- (34) It should be ensured that exports from the Community **that are not forbidden** are managed in an environmentally sound manner throughout the period of shipment and including final disposal or recovery in the third country of destination. **The recipient facility should be operated in accordance with occupational health and environmental protection standards that are equivalent to EU standards.** A list of **non-binding** guidelines **in which guidance may be sought on environmentally sound management** should be established.
- (35) Imports into the Community of waste for disposal should be permitted where the exporting country is a Party to the Basel Convention; imports into the Community of waste for recovery should be permitted where the exporting country is one to which the OECD Decision applies or a Party to the Basel Convention; in other cases, however, imports should be allowed only if the exporting country is bound by a bilateral or multilateral agreement or arrangement compatible with Community legislation and in accordance with Article 11 of the Basel Convention.
- (36) Efficient international co-operation regarding control of shipments of waste is instrumental in ensuring that international shipments of hazardous wastes are controlled. Information exchange, shared responsibility and co-operative efforts between the Community and its Member States and third

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countries should be promoted with a view to ensuring sound management of waste. The Commission and the Member States shall provide timely and appropriate technical assistance to developing countries and countries with economies in transition to assist them, taking into account their particular needs, to develop and strengthen their institutional and non-institutional capacity in waste management, in monitoring and controlling imports of waste and chemicals and in prevention of illegal shipments.

- (37) This Regulation should reflect the rules regarding exports and imports of waste to and from the Overseas Countries and Territories, as laid down in Council Decision 2001/822/EC of 27 November 2001 on the association of the Overseas Countries and Territories with the European Community <sup>(1)</sup>.
- (38) It must be ensured that imports into the Community are managed without endangering human health and without using processes or methods which could harm the environment as required in Article 4 of Directive 75/442/EEC and in accordance with Community legislation on waste throughout the period of shipment and including final disposal or final recovery in the country of destination.
- (39) ***It is necessary to establish guidelines to determine when a ship or a vehicle becomes a waste pursuant to Article 1(a) of Directive 75/442/EEC, in order to prevent circumvention of the objectives of this Regulation.***
- (40) Member States should provide the Commission with information concerning the implementation of this Regulation, both through the reports submitted to the Secretariat of the Basel Convention and on the basis of a separate questionnaire.
- (41) Annexes to this Regulation shall be adopted by under the procedure referred to in Article 18 of Directive 75/442/EEC.
- (42) *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 <sup>(2)</sup>.*
- (43) *Since the objective of the proposed action, which is to ensure protection of the environment when waste is subject to shipment, cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale and effects thereof, 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 that objective,*

HAVE ADOPTED THIS REGULATION:

#### TITLE I

#### SCOPE AND DEFINITIONS

##### Article 1

##### Scope

1. This Regulation establishes procedures and control regimes for the shipment of waste, depending on the origin, destination and route of the shipment, the type of waste shipped and the type of treatment to be applied to the waste at its destination.
2. This Regulation applies to shipments of waste:
  - (a) between Member States, within the Community or with transit through third countries;
  - (b) imported into the Community from third countries;

<sup>(1)</sup> OJ L 314, 30.11.2001, p. 1.

<sup>(2)</sup> OJ L 184, 17.7.1999, p. 23.

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- (c) exported out of the Community to third countries;
  - (d) in transit through the Community, in route from one third country to another.
3. The following shall be excluded from the scope of this Regulation:
- (a) the offloading to shore of waste generated by the normal operation of ships and offshore platforms, including waste water and residues, provided that such waste is subject to the requirements of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (Marpol 73/78), or other binding international instruments;
  - (b) shipments of waste generated on board civil aeroplanes whilst airborne, for the duration of the flight and until landing;
  - (c) shipments of radioactive waste as defined in Article 2 of Council Directive 92/3/Euratom of 3 February 1992 <sup>(1)</sup>;
  - (d) shipments of waste as referred to in Article 2(1)(b) of Directive 75/442/EEC, where such shipments are already covered by other relevant Community legislation containing similar provisions;
  - (e) shipments of waste from the Antarctic into the Community and in accordance with the requirements of the Protocol on Environmental Protection to the Antarctic Treaty;
  - (f) **direct shipments of waste generated during an out-of-area operation by part of the armed forces of a Member State, in an international context, from the region concerned to the Member State concerned.**

4. The following applies to shipments of waste from the Antarctic, which transit through the Community:

Shipments of waste from the Antarctic to countries outside the Community are subject to the provisions of Articles 18 and 20.

5. The following applies to waste listed in Annex III:

Shipments of waste listed in Annex III and destined for recovery are only subject to the provisions of Articles 3(2) and (3), 17, 19, 20, 21(2), 22, 23, 24, 25, 28, 32, 33(2), 36, 37, 38, 41 and 48.

**6. Within 18 months from the entry into force of this Regulation, the Commission shall establish guidelines to determine when a ship or a vehicle becomes a waste pursuant to Article 1(a) of Directive 75/442/EEC, in accordance with the procedure referred to in Article 18 of that Directive.**

## Article 2

### Definitions

For the purposes of this Regulation:

1. waste is as defined in Article 1(a) of Directive 75/442/EEC;
2. hazardous waste is as defined in Article 1(4) of Council Directive 91/689/EEC of 12 December 1991 <sup>(2)</sup>;
3. mixture of wastes means a waste that results from an intentional or unintentional mixing of two or more different wastes and for which **mixture** no single entry exists. A single shipment of wastes, consisting of two or more wastes, where each waste is separated, is not a mixture of wastes;

<sup>(1)</sup> OJ L 35, 12.2.1992, p. 24.

<sup>(2)</sup> OJ L 377, 31.12.1991, p. 20. Directive as amended by Directive 94/31/EC (OJ L 168, 2.7.1994, p. 28).

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4. disposal is **a final operation** as defined in Article 1(e) of Directive 75/442/EEC; as amended. **Mixing, repackaging, transshipment, storage or other operations not considered final disposal shall not come under 'disposal';**
5. recovery is **a final operation** as defined in Article 1(f) of Directive 75/442/EEC. **Mixing, repackaging, transshipment, storage or other operations not considered final recovery shall not come under 'recovery';**
6. environmentally sound management means taking all practicable steps to ensure that waste is managed in a manner that will protect human health and the environment against adverse effects which may result from such waste;
7. **'Notifier' means**
  - (i) **in the case of a shipment originating from a Member State, any natural or legal person governed by the law of that country who intends to carry out a shipment of waste or intends to have a shipment of waste carried out and to whom the duty to notify is assigned, that is to say, one of the persons or bodies listed below and in accordance with the hierarchy established in this listing:**
    - (a) **the person whose activities produced the waste; or**
    - (b) **the person licensed to carry out, and carrying out, pre-processing, mixing or other operations changing the nature or composition of the waste prior to shipment; or**
    - (c) **a licensed collector who, from various small quantities of the same type of waste stream collected from a variety of sources, has compiled the shipment;**
    - (d) **where the persons specified in points (a), (b) and (c) are unknown, insolvent or otherwise unavailable, a licensed collector or a registered dealer or broker;**
    - (e) **where the person specified in point (d) is unknown, insolvent or otherwise unavailable, the holder;**
  - (ii) **in the case of import into the Community or transit through the Community of waste that did not originate within a Member State, any natural or legal person under the jurisdiction of that originating country who intends to carry out a shipment of waste or intends to have, or who has had, a shipment of waste carried out:**
    - (a) **the person designated by the laws of the country of export; or, in the absence of any such designation,**
    - (b) **the person having possession or legal control of the waste or who had such possession or legal control at the time the export took place (the holder);**
8. 'producer' is anyone whose activities produce waste (original producer) and/or anyone who carries out pre-processing, mixing or other operations resulting in a change in the nature or composition of this waste (new producer) and as defined in Article 1(b) of Directive 75/442/EEC;
9. 'holder' is the producer of the waste or the natural or legal person who is in possession of it and as defined in Article 1(c) of Directive 75/442/EEC;
10. 'collector' is anyone who gathers, sorts and/or mixes waste for the purpose of transport and as defined in Article 1(g) of Directive 75/442/EEC;
11. 'consignee' means the person or undertaking under the jurisdiction of the country of destination to whom or to which the waste is shipped for recovery or disposal;
12. 'competent authority' means:
  - (i) in the case of Member States, the body designated by the Member State concerned in accordance with Article 56; or
  - (ii) in the case of a non Member State that is a Party to the Basel Convention, the body designated by that country as the competent authority for the purposes of that Convention in accordance with Article 5 of the Convention; or

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- (iii) in the case of any country not within (i) or (ii) above, the body that has been designated as the competent authority by the country or region concerned or, in the absence of any such designation, the regulatory authority for the country, or region, as appropriate, which has jurisdiction over transfrontier shipments of waste for recovery or disposal or transit as the case may be;
13. 'competent authority of dispatch' means the competent authority for the area from which the shipment is planned to be initiated or is initiated;
14. 'competent authority of destination' means the competent authority, for the area to which the shipment is planned or takes place, or in which waste is loaded prior to disposal or recovery in an area not under the national jurisdiction of any country;
15. 'competent authority of transit' means the competent authority for the country through which the shipment is planned or takes place;
16. 'country of dispatch' means any country from which a shipment of waste is planned to be initiated or is initiated; **in the case of waste ships or vessels, country of dispatch may also include port states, flag states, and/or states with jurisdiction over the owner or holder;**
17. 'country of destination' means any country to which a shipment of waste is planned or takes place for disposal or recovery therein, or for the purpose of loading prior to disposal or recovery in an area not under national jurisdiction of any country;
18. 'country of transit' means any country, other than the country of dispatch or destination, through **whose area of national jurisdiction or territorial waters** a shipment of waste is planned or takes place;
19. Overseas Countries and Territories means the 20 overseas countries and territories as listed in Annex 1A of Decision 2001/822/EC;
20. 'customs office of export from the Community' is the customs office as defined in Article 161(5) of Council Regulation (EEC) No 2913/92<sup>(1)</sup>;
21. 'customs office of exit from the Community' is the customs office as defined in Article 793(2) of Commission Regulation (EEC) No 2454/93<sup>(2)</sup>;
22. 'customs office of entry into the Community' is the customs office where waste brought into the customs territory of the Community shall be conveyed to in accordance with the provisions laid down in Article 38(1) of Regulation (EEC) No 2913/92;
23. 'Community' means the territory of the Community;
24. 'import' means any entry of waste into the territory of the Community;
25. a 'transboundary shipment' means:
- any shipment of waste between a country and another country; or
  - any shipment of waste between a country and Overseas Countries and Territories or other areas, under the former's protection; or
  - any shipment of waste between a country and any land area which is not part of any country under international law; or
  - any shipment of waste between a country and the Antarctic regions; or
  - any shipment of waste from one country which is planned or takes place through any of the areas described above; or
  - any shipment of waste within a country that is planned or takes place through any other area of the areas described above; or
  - any shipment of waste which is planned or takes place in a geographic area not under the jurisdiction of any country, to a country.

<sup>(1)</sup> OJ L 302, 19.10.1992, p. 1. Regulation as amended by Regulation (EC) No 2700/2000 of the European Parliament and of the Council (OJ L 311, 12.12.2000, p. 17).

<sup>(2)</sup> OJ L 253, 11.10.1993, p. 1. Regulation as amended by Regulation (EC) No 1335/2003 (OJ L 187, 26.7.2003, p. 16).

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TITLE II

SHIPMENTS BETWEEN MEMBER STATES WITHIN THE COMMUNITY  
OR WITH TRANSIT THROUGH THIRD COUNTRIES

CHAPTER 1

GENERAL PRINCIPLES

Article 3

Overall procedural framework

1. Shipments of the following waste are subject to the procedure of prior written notification and consent as laid down in the provisions of this Title:

(a) If destined for disposal operations:

(i) all waste

(b) If destined for recovery operations:

(i) waste listed in Annex IV;

(ii) waste listed in Annex IV A;

(iii) waste not classified under one single entry in either Annex III, IV or Annex IV A;

(iv) mixtures of waste not classified under one single entry in either Annex III, IV or Annex IV A;

(v) **mixed municipal waste (heading 20 03 01 of part 2 of Annex V) from private households.**

2. Shipments of the following waste and destined for recovery are subject to the general requirement of **prior written notification to the competent authorities and the requirement of** being accompanied by certain information as laid down in Article 17 in Chapter 3 of this Title:

Waste listed in Annex III.

3. In exceptional cases the following shall apply:

For wastes listed in Annex III the relevant provisions shall be applied as if they had been listed in Annex IV, if they display any of the hazardous characteristics listed in Annex III of Directive 91/689/EEC.

These wastes shall be determined in accordance with the procedure referred to in Article 18 of Directive 75/442/EEC. Such wastes shall be listed in Annexes IV A and V.

4. Shipments of waste explicitly destined for laboratory analysis **or experimental purposes** to assess either its physical or chemical characteristics or to determine its suitability for recovery or disposal operations and not exceeding 25 kg are not subject to the procedure of prior written notification and consent as described in paragraph 1.

Instead the procedural requirements of Articles 17 and 18 apply, however with the modification that only the information listed in Article 17(1)(a) to (d) and (f) shall be provided.

The amount of such waste excepted when explicitly destined for laboratory analysis shall be determined by the minimum quantity reasonably needed to adequately perform the analysis in each particular case, but not more than 25 kg.

5. Shipments of waste consisting, containing or contaminated with the chemicals listed in Annex A, B and C of the Stockholm Convention of 22 May 2001 on persistent organic pollutants (POPs), as amended, hereinafter the Stockholm Convention, and listed in Annex VII are subject to the same provisions as shipments of waste destined for disposal.



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Limit values for the chemicals listed in *Annex VII* shall be established **by 31 December 2005** in accordance with the procedure *referred to* in Article 18 of Directive 75/442/EEC.

**6. Shipments of waste intended for mixing, repackaging, transshipment, storage or any other operation not considered final disposal or final recovery shall not be permitted.**

## CHAPTER 2

### PRIOR WRITTEN NOTIFICATION AND CONSENT

#### Article 4

##### Procedure of prior written notification and consent

1. Where the notifier intends to ship waste as defined in Article 3(1)(a) or (b) from one Member State to another Member State and/or pass it in transit through one or several other Member States, he/she shall make a prior written notification to and through the competent authority of **dispatch**.

2. **The** shipment may start after the notifier has received:

- (a) written consent from the competent authority of dispatch;
- (b) written consent from the competent authority of destination; and
- (c) written consent from the competent authority of transit or after the 30 day time limit for the competent authority of transit referred to in Article 10(1) has expired and tacit consent can be assumed.

3. The shipment may only be started and shall end during the period when the consents of all competent authorities regarding a notification are valid according to Article 10(4) and (5).

**Ending the shipment means that, in the importing country, the waste concerned has been finally disposed of or finally recovered.**

4. A copy of the notification and movement documents, including copies of the authorisations of the competent authorities concerned, shall accompany each shipment.

#### Article 5

##### Notification requirements

When a notification is made the following requirements shall be fulfilled:

1. Notification and movement documents:

Notification shall be effected by means of the following documents:

- (a) the notification document in Annex I A; and
- (b) the movement document in Annex I B.

In making a notification, the notifier shall fill in the notification document and the movement document.

The notification document and the movement document shall be issued to the notifier by the competent authority of dispatch **or issued under specific regulations introduced by and in the Member State of dispatch**.

2. Information and documentation in the notification and movement documents:

The notifier shall supply on or annexed to the notification document and movement document, information and documentation as listed in Annex II, Part 1 and 2 respectively.

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A notification shall be considered properly filled-in when the notification document and movement document are filled out and the information and documentation as listed in Annex II, Part 1 and 2 are supplied by the notifier.

3. Additional information and documentation:

***If one of the competent authorities (dispatch, transit or destination) on receipt of a properly completed notification requires further information, the notifier shall supply additional information and documentation.***

***Requests for additional information must be made by the authorities within 5 working days after either sending out the properly completed form (authority of dispatch) or receiving it (authority of transit or destination).***

A list of additional information and documentation that may be requested is listed in Annex II, Part 3.

A notification shall be considered properly completed when the notification document and the movement document are filled-in and the information and documentation as listed in Annex II, Part 1 and 2, as well as any additional information and documentation as requested in accordance with this paragraph and as listed in Annex II, Part 3, are supplied by the notifier.

4. Establishment of a contract between the notifier and the consignee:

The notifier shall establish a contract as described in Article 6 with the consignee for the recovery or disposal of the notified waste.

The contract shall be established and legally binding at the time of notification.

Evidence of this contract shall be supplied to the competent authorities involved at the time of notification.

A copy of the contract shall be provided by the notifier or consignee upon request by the competent authority concerned.

5. Establishment of financial guarantee or equivalent insurance:

The notifier shall establish a financial guarantee or equivalent insurance as described in Article 7.

The financial guarantee or equivalent ***insurance shall*** apply to the notified shipment ***and shall be established and legally binding before*** the shipment starts.

***The notifier shall supply*** evidence of this financial guarantee or equivalent ***insurance to*** the competent authorities concerned ***before the shipment starts.***

***Where the waste shipment is carried out by a public-law entity, a municipal undertaking, a company run on its own account by a public-law entity of undoubted probity and solvency, the relevant authorities involved may dispense with the guarantee requirement.***

6. Coverage of the notification:

Notification shall cover all stages of the shipment — including any intermediate stage of the shipment — from the first place of dispatch to its final destination of recovery and/or disposal.

A notification may only cover one waste entry.

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## Article 6

## Contract

1. All shipments of waste for which notification is required are subject to the requirement of establishment of a contract between the notifier and the consignee for the recovery or disposal of the notified waste.
2. The contract shall be established and legally binding at the time of notification.
3. The contract shall include the obligation:
  - of the notifier, in accordance with Articles 22 and 24, to take the waste back if the shipment has not been completed as intended or if it has been effected in violation of this Regulation; and
  - of the consignee to provide in accordance with Article 15(e), a certificate for final recovery or disposal in accordance with the notification and the conditions therein and the requirements of this **Regulation**.
4. **Should** the waste be shipped between two establishments under the control of the same legal entity, this contract may be replaced by a declaration by the entity in question undertaking to recover or dispose of the notified waste.

## Article 7

## Financial guarantee

1. All shipments of waste for which notification is required are subject to the requirement of a financial guarantee(s) or equivalent insurance(s) covering:
  - (a) costs for transport;
  - (b) costs for final disposal or final recovery; and
  - (c) costs covering storage.This also includes costs arising in the context of:
  - (a) cases where a shipment cannot be completed as intended as referred to in Article 22; and
  - (b) cases where a shipment is illegal as referred to in Article 24.
2. The financial guarantee or equivalent **insurance shall** apply to the notified shipment **and shall be established and legally binding before** the shipment starts.
3. The financial guarantee(s) or equivalent insurance(s) shall be valid and shall cover a notified shipment throughout the shipment and including completion of final recovery or **disposal**.
4. The amount of the coverage of the financial guarantee(s) or equivalent insurance(s) shall be approved by the competent authority of dispatch.

However, in cases of import into the Community, the competent authority of destination in the Community shall approve the amount of coverage.

5. All competent authorities concerned shall have access to the financial guarantee(s) or equivalent insurance(s).
6. Financial guarantee(s) or equivalent insurance(s) shall be released when the notifier has provided proof that the waste has reached its destination and has been finally disposed of or finally recovered in an environmentally sound manner.

Such proof shall be provided by means of the certificate for final disposal or recovery as referred to in Article 15(e).

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7. In case of a general notification pursuant to Article 14, financial guarantee(s) or equivalent insurance(s) covering parts of the general notification may be established, instead of one covering the entire general notification.

In such cases, the financial guarantee(s) or equivalent insurance(s) shall be applied to the shipment at the latest when the notified shipment they cover starts.

The financial guarantee(s) or equivalent insurance(s) shall be released when the notifier provides proof, that the waste covered by each has reached its destination and has been finally disposed of or finally recovered in an environmentally sound manner. Such proof shall be provided by means of the certificate for final disposal or recovery as referred to in Article 15(e).

8. A **straightforward** method for calculation of the financial guarantee(s) or equivalent insurance(s) **shall** be established in accordance with the procedure *referred to* in Article 18 of Directive 75/442/EEC **before 1 January 2005**.

9. Each Member State shall inform the Commission and the other Member States of provisions established in national law pursuant to this Article.

#### Article 8

##### Transmission of the notification by the competent authority of dispatch

1. Upon receipt of a properly filled-in notification as described in Article 5(2), the competent authority of dispatch shall transmit copies of the notification to the other competent authorities concerned and to the consignee and shall inform the notifier of the transmission.

This shall be done within three working days of receipt of the notification.

2. If the notification is not properly filled-in, the competent authority of dispatch **shall** request information and documentation from the notifier in accordance with Article 5(2).

This shall be done within three working days of receipt of the notification.

In such cases the three-day time limit in paragraph 1 is suspended until the requested information and documentation is received by the competent authority of dispatch.

**3. Where the notification is not properly filled in even after receipt of the requested information and documentation, the competent authority of dispatch shall inform the notifier of this without delay.**

4. The competent authority of dispatch may decide not to proceed with notification if it has immediate objections to raise against the shipment in accordance with Articles 12 and 13 on objections.

It shall immediately inform the notifier of these objections.

5. If, within 30 days of receipt of the notification, the competent authority of dispatch has not transmitted the notification as required under paragraph 1, it shall, if so requested by the notifier, provide a reasoned explanation **within three days**.

A copy of any such reasoned explanation shall be sent to the competent authorities concerned.

#### Article 9

##### Acknowledgement by the competent authority of destination

1. Upon receipt of a properly completed notification as defined in Article 5(3), the competent authority of destination shall send an acknowledgement to the notifier and copies to the other competent authorities concerned and to the consignee.

This shall be done within three working days of receipt of the notification.

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2. If the notification is not properly completed, the competent authority of destination **shall** request information and documentation from the notifier in accordance with Article 5(2) and (3).

This shall be done within 3 working days of receipt of the notification.

In such cases the three-day time limit in paragraph 1 is suspended until the requested information and documentation is received by the competent authority of destination.

**3. Where the notification is not properly filled in even after receipt of the requested information and documentation, the competent authority of destination shall inform the notifier of this without delay.**

4. The competent authority of destination shall notify the notifier and the other competent authorities concerned of this suspension.

5. If, within 30 days of receipt of the notification, the competent authority of destination has not acknowledged the notification as required under paragraph 1, it shall, if so requested by the notifier, provide a reasoned explanation **within 3 days**.

A copy of any such reasoned explanation shall be sent to the competent authorities concerned.

#### Article 10

##### Consent by the competent authority of destination, dispatch and transit

1. The competent authorities of destination, dispatch and transit shall have 30 days following dispatch of the acknowledgement by the competent authority of destination in accordance with Article 9 to take one of the following reasoned decisions in writing as regards the notified shipment:

- consenting without conditions;
- consenting with conditions in accordance with Article 11 on conditions; or
- objecting in accordance with Articles 12 and 13 on objections.

Tacit consent may be assumed for the competent authority of transit if no objection has been lodged within the said 30-day limit.

2. The competent authorities of destination, dispatch and transit shall notify its decision and the reasons therefore to the notifier in writing within the 30 days time limit, with copies to the other competent authorities concerned.

3. The competent **authority of dispatch shall** signify its written consent by appropriately stamping, signing and dating the notification document. **The competent authorities of destination and transit shall signify their written consent by issuing a written decision to the other competent authorities and to the notifier.**

4. A written consent to a planned shipment shall expire **180 days** from the date of consent as referred to in paragraph 1 **unless** a shorter period is indicated by the competent authorities **concerned**.

5. Tacit consent expires **180 days** after the expiry of the 30 day period following the dispatch of the acknowledgement of the competent authority of destination in accordance with **Article 9**.

**6. The waste shipment in question shall have taken place, and the waste shipped shall have been finally disposed of or finally recovered in the importing country, no later than when the period referred to in paragraph 4 or 5 expires.**

#### Article 11

##### Conditions to a shipment

1. The competent authorities of dispatch, destination and transit may, within 30 days following the dispatch of the acknowledgement of the competent authority of destination in accordance with Article 9, lay down conditions in connection to their consent to a notified shipment.

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Such conditions may be based on one or more of the reasons specified in either Article 12 or Article 13 as regards waste destined for disposal and recovery respectively.

2. The competent authorities of dispatch, destination and transit may also, within the 30 day time limit referred to in paragraph 1, lay down conditions in respect of the transport of waste within their jurisdiction.

Such transport conditions shall not be more stringent than those laid down in respect of similar shipments occurring wholly within their jurisdiction and shall take due account of existing agreements, in particular relevant international agreements.

3. The competent authorities of dispatch, destination and transit may also, within the 30 day time limit referred to in paragraph 1, lay down a condition that the written consent is to be considered withdrawn if the financial guarantee(s) or equivalent insurance(s) is not applicable at the latest when the notified shipment starts, as required in Articles 5(5) and 7(2).

4. Conditions shall be notified to the notifier in writing by the competent authority that lays down conditions, with copies to the competent authorities concerned.

Conditions shall be entered into or annexed to the notification document by the relevant competent authority.

**5. The facility that receives the waste shall keep incoming and outgoing volume records for each specific treatment line and for each sub-section of each treatment line.**

**6. The authorities of dispatch and destination may oblige the consignee to draw up reports on a regular basis, setting out all the waste treatment operations.**

**These reports shall contain details of all incoming and outgoing waste for each treatment method, so as to enable the authorities to check at any time that shipments are being carried out as per the notification.**

#### Article 12

##### Objections to shipments destined for disposal

1. Where a notification is made regarding a planned shipment of waste destined for disposal, the competent authorities of destination and dispatch may, within 30 days following the dispatch of the acknowledgement of the competent authority of destination in accordance with Article 9, raise reasoned objections based on any or all of the following grounds and in accordance with the Treaty:

- (a) that it wishes to exercise its right pursuant to Article 4(1) of the Basel Convention to prohibit the import of hazardous wastes or of wastes listed in Annex II of the Basel Convention; or**
- (b) that it would not be in accordance with measures taken to implement the principles of proximity, priority for recovery and self-sufficiency at Community and national levels in accordance with Directive 75/442/EEC to prohibit generally or partially or to object systematically to shipments of waste; or**
- (c) that the waste concerned is intended for mixing, repackaging, transshipment, storage or other operations not involving final disposal; or**
- (d) that it would not be in accordance with national laws and regulations relating to environmental protection, public order, public safety or health protection. The competent authority of dispatch may also invoke its national environmental protection laws to oppose planned shipments; or**

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- (e) that the notifier or the consignee was previously convicted of illegal trafficking or other illegal act in relation to environmental protection. In this case, the competent authorities of dispatch and destination may refuse all shipments involving the person in question in accordance with national legislation; or
- (f) that the shipment conflicts with obligations resulting from international conventions concluded by the Member State or Member States concerned or the Community; or
- (g) **that the waste is mixed municipal waste (heading 2003 01 of part 2 of Annex V) from private households; or**
- (h) while taking into account geographical circumstances or the need for specialised installations for certain types of waste if the planned shipment is not in accordance with Directive 75/442/EEC, as amended, especially Articles 5 and 7:
  - (i) in order to implement the principle of self-sufficiency **at national level;**
  - (ii) in cases where the installation has to dispose of waste from a nearer source and the competent authority has given priority to this waste; or
  - (iii) in order to ensure that shipments are in accordance with waste management plans; or
- (i) that the waste will be treated in a facility that is covered by Directive 96/61/EC but does not apply Best Available Techniques as defined in Article 9(4) of that Directive; or
- (j) to ensure that the waste concerned is treated in accordance with legally binding environmental protections standards in relation to disposal operations established in Community legislation;
- (k) **to ensure that the waste concerned is treated in accordance with waste management plans drawn up pursuant to Article 7 of Directive 75/442/EEC, with the purpose of ensuring the implementation of legally binding disposal obligations established in Community legislation. Where there is no Community legislation containing legally binding disposal obligations, Member States may, on the basis of this Regulation, impose disposal obligations of their own, provided that they themselves also comply with those obligations.**

2. The competent authority of transit may, within 30 days following the dispatch of the acknowledgement of the competent authority of destination in accordance with Article 9, raise reasoned objections based only on paragraph 1(d) to (f) and not (a) to (c) and (g) to (k).

3. In the case of **a specific** hazardous waste produced in a Member State of dispatch in such a small quantity overall per year that the provision of new specialised disposal installations within that country would be uneconomic, paragraph 1(b) does not apply.

The competent authority of destination shall co-operate with the competent authority of dispatch, which considers that this paragraph and not paragraph 1(b) applies, with a view to resolving the issue bilaterally.

If there is no satisfactory solution, either Member State may refer the matter to the Commission. The Commission will then determine the issue in accordance with the procedure *referred to* in Article 18 of Directive 75/442/EEC.

4. If, within the time limits of 30 days referred to in Article 10(1), the competent authorities are satisfied that the problems giving rise to their objections have been solved, they shall immediately inform the notifier in writing, with copies to the consignee and to the other competent authorities concerned.

5. If the problems giving rise to the objections have not been solved within the time limit of 30 days referred to in Article 10(1), the notification loses its validity and new notification shall be **made**.

6. Measures taken by Member States in accordance with paragraph 1(b) to prohibit generally or partially or to object systematically to shipments of waste destined for disposal shall immediately be notified to the Commission and the other Member States by that Member State.

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Article 13

Objections to shipments destined for recovery

1. Where a notification is made regarding a planned shipment of waste destined for recovery, the competent authorities of destination and dispatch may, within 30 days following the dispatch of the acknowledgement of the competent authority of destination in accordance with Article 9, raise reasoned objections based on any or all of the following grounds and in accordance with the Treaty:

- (a) *that it wishes to exercise its right pursuant to Article 4(1) of the Basel Convention to prohibit the import of hazardous wastes or of wastes listed in Annex II of the Basel Convention;*
- (b) *that the country of dispatch has the technical capacity and the necessary facilities in order to recover its hazardous waste, or wastes listed in Annex II of the Basel Convention, in an environmentally sound manner that is at least equivalent to the intended recovery operation in the country of destination;*
- (c) that it would not be in accordance with Directive 75/442/EEC, in particular Articles 3, 4 and 7 thereof;
- (d) *that the waste concerned is intended for mixing, repackaging, transshipment, storage or other operations not involving final recovery;*
- (e) that it would not be in accordance with national laws and regulations relating to environmental protection, public order, public safety or health protection. ***The competent authority of dispatch may also invoke its national environmental protection laws to oppose planned shipments;***
- (f) that the notifier or the consignee has previously been convicted of illegal trafficking or other illegal acts in relation to environmental protection. In this case, the competent authorities of dispatch and destination may refuse all shipments involving the person in question in accordance with national legislation;
- (g) that the shipment conflicts with obligations resulting from international conventions concluded by the Member State or the Member States concerned or the Community;
- (h) *that the waste is mixed municipal waste (heading 2003 01 of part 2 of Annex V) from private households;*
- (i) *while taking into account geographical circumstances or the need for specialised installations for certain types of waste if the planned shipment is not in accordance with Directive 75/442/EEC, in particular Articles 5 and 7 thereof:*
  - (i) *in order to implement the principle of self-sufficiency at national level;*
  - (ii) *in cases where the installation has to recover waste from a nearer source and the competent authority has given priority to this waste; or*
  - (iii) *in order to ensure that shipments are in accordance with waste management plans;*
- (j) *that the waste shipment is destined not for recovery, but for disposal;*
- (k) that the ratio of the recoverable and non-recoverable waste, the estimated value of the materials to be finally recovered or the cost of the recovery and the cost of the disposal of the non-recoverable fraction, ***the calorific value of the waste, the mixing with other types of waste, the pollutant content or the risks connected with the transfer of pollutants into products,*** do not justify the recovery under economic and/or environmental considerations. ***Guidelines shall be established in accordance with the procedure referred to in Article 18 of Directive 75/442/EEC before 1 January 2005;***
- (l) that the waste will be treated in a facility that is covered by Directive 96/61/EC but does not apply Best Available Techniques as defined in Article 9(4) of that Directive;



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- (m) to ensure that the waste concerned is treated in accordance with legally binding environmental protection standards in relation to recovery operations or legally binding recovery or recycling obligations established in Community legislation;
  - (n) **to ensure that the waste concerned is treated in accordance with legally binding national environmental standards in relation to recovery operations or legally binding national recovery or recycling obligations, provided that there are no legally binding environmental standards or obligations established in Community legislation and that the national rules are consistent with Articles 3 and 4 of Directive 75/442/EEC;**
  - (o) to ensure that the waste concerned is treated in accordance with waste management plans drawn-up pursuant to Article 7 of Directive 75/442/EEC, with the purpose of ensuring the implementation of legally binding recovery or recycling obligations established in Community legislation. **Where there is no Community legislation containing legally binding recovery or recycling obligations, Member States may, on the basis of this Regulation, impose recovery or recycling obligations of their own, provided that they themselves also comply with those obligations;**
  - (p) **that the calorific value of the waste, the amount of harmful substances contained in the waste or the fact that the waste has been mixed do not justify the recovery under environmental considerations.**
2. The competent authorities of transit may, within 30 days following the dispatch of the acknowledgement of the competent authority of destination in accordance with Article 9, raise reasoned objections to the planned shipment based *only on paragraph 1(e) to (g) and not (a) to (d) and (h) to (p)*.
3. If, within the time limits of 30 days referred to in Article 10(1), the competent authorities are satisfied that the problems giving rise to their objections have been solved, they shall immediately inform the notifier in writing, with copies to the consignee and to the other competent authorities concerned.
4. If the problems giving rise to the objections have not been solved within the time limit of 30 days referred to in Article 10(1), the notification loses its validity and a new notification shall be **made**.

#### Article 14

##### General Notification

1. The notifier may submit a general notification to cover several shipments if, in the case of each shipment:
- (a) the waste has the same physical and chemical characteristics;
  - (b) the waste is shipped to the same consignee and the same facility; and
  - (c) the route of the shipment as indicated in the notification and movement documents is the same.
2. **As part of a general notification procedure, a single notification may cover more than one shipment of waste over a period not exceeding one calendar year. By arrangement with the competent authorities concerned, the period indicated may be shortened.**
- For the other periods in connection with a general notification procedure, the periods under Article 10 shall apply.**
3. **For a general notification the same procedures as set out in Articles 3(1) and 4 to 16 shall apply.**
4. If, owing to unforeseen circumstances, the same route cannot be followed, the notifier shall inform the competent authorities concerned as soon as possible and, if possible, before the shipment commences if the need for modification is already known.

Where the route modification is known before the shipment starts and involves competent authorities other than those concerned by the general notification, the general notification may not be used and a new notification shall be submitted.

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5. The competent authorities concerned may make their agreement to the use of this general notification procedure subject to the subsequent supply of additional information and documentation, in accordance with Article 5(2) and (3).

6. The competent authorities concerned shall withdraw their consent to this procedure if:

- (a) the composition of the waste is not as notified; or
- (b) the conditions imposed on the shipment are not respected; or
- (c) the waste is not recovered in conformity with the permit of the facility that performs the said operation; or
- (d) waste is to be shipped, or has been shipped, in a way that is not in accordance with the information provided in or annexed to the notification document.

7. Any withdrawal of consent shall be made by means of official notice to the notifier and with copies sent to the other competent authorities concerned and to the consignee.

8. Each shipment shall be accompanied by a copy of the general notification and movement documents, including copies of the consents to the general notification of the competent authorities concerned.

9. With the modification of paragraph 1, the provisions of this Regulation are applicable to all intended shipments subject to this Article.

**10. Should a manufacturer voluntarily take back waste, the following provisions shall apply:**

- (a) the general notification shall be valid for a waste coding system, all waste producers in the Member State in question, and a maximum of 250 t of waste per year and waste producer;**
- (b) the manufacturer shall produce a transit authorisation valid for all countries of transit;**
- (c) the manufacturer shall submit to the competent authorities an annual inventory with a list of all waste producers;**
- (d) the competent authority of destination shall supervise the proper disposal of the waste which has been taken back voluntarily;**
- (e) by way of derogation from the fourth subparagraph of Article 5(4), the manufacturer may also submit to the relevant competent authority, on request, the supply contract concluded between it and the waste producer.**

## Article 15

### Requirements following consent to a shipment

After consent to a notified shipment by the competent authorities involved, the following requirements shall be fulfilled:

- (a) Completion of the movement document by all involved: All undertakings involved shall complete the movement document at the points indicated, sign it and retain a copy.
- (b) Completion of the movement document by the notifier: Once the notifier has received consent from the competent authorities of dispatch, destination and transit or, in relation to the competent authority of transit, can assume tacit consent, the notifier shall insert the date of shipment and otherwise complete the movement document.

The notifier shall send copies of the completed movement document to the competent authorities concerned.

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- (c) Prior information regarding actual commencement of shipment: The notifier shall send copies of the then completed movement document, as described in point (b), to the competent authorities concerned and to the consignee **at least** 3 working days before the shipment starts.

***Changes of intended quantity, date of shipment or of carrier shall be submitted to the competent authorities and to the consignee before the shipment starts.***

- (d) Written confirmation of receipt of the waste by the consignee: Within three working days following the receipt of the waste, the consignee shall provide confirmation in writing, that the waste has been received.

This confirmation shall be included in or annexed to the movement document.

The consignee shall send copies of the movement document containing this confirmation to the notifier and to the competent authorities concerned.

- (e) Certificate for final disposal or recovery by the consignee: As soon as possible, but not later than **7 working** days after completion of recovery or disposal and not later than **180 days** following ***mutual written consent concerning the notification***, the consignee shall, under his responsibility, certify final recovery or disposal.

This certificate shall be included in or annexed to the movement document.

The consignee shall send copies of the movement document containing this certification to the notifier and to the competent authorities **concerned**.

#### Article 16

##### Changes in the shipment after consent

1. Should any material changes be made to the details and/or conditions of the consented shipment the notifier shall inform the competent authorities concerned immediately.
2. In such cases a new notification shall be made, unless all the competent authorities concerned are satisfied that the proposed changes do not necessitate a new notification.
3. Where such changes involve other competent authorities than those concerned in the original notification, a new notification shall be made.

### CHAPTER 3

#### GENERAL INFORMATION REQUIREMENTS

#### Article 17

##### Waste to be accompanied by certain information

1. Waste as defined in Article 3(2) and (4) that is intended to be shipped from one Member State to another Member State and/or pass in transit through one or several other Member States is subject to the following procedural requirements:

In order to assist the tracking of shipments of such waste, the person ***who intends to ship the waste shall inform the competent authorities of dispatch and destination 10 working days prior to the planned shipment. The person*** under the jurisdiction of the country of dispatch who arranges the *shipment shall* ensure that the waste is accompanied by the following information:

- (a) the name and address of the producer, the new producer or collector, the person who arranges the shipment, the consignee and the holder(s);
- (b) the waste identification code using the OECD code in Annex III and the European Waste List code in Commission Decision 2000/532/EC<sup>(1)</sup>;
- (c) the usual commercial description of the waste;

<sup>(1)</sup> OJ L 226, 6.9.2000, p. 3.

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- (d) the quantity of the waste;
- (e) the recovery operation, as listed in Annex II B to Directive 75/442/EEC, including the subsequent and final recovery following exchange or storage, as listed in Annex II B to Directive 75/442/EEC;
- (f) the date of shipment; and
- (g) evidence of a contract between the person who arranges the shipment and the consignee for recovery of the waste which is legally binding when the shipment starts.

The accompanying information shall be signed by the person who arranges the shipment before the shipment takes place and shall be signed by the holder(s) and the consignee at the time when the waste in question is transferred to them.

2. The contract referred to in paragraph 1(g) shall be legally binding when the shipment starts and shall include the obligation of the person who arranges the shipment to take the waste back if the shipment has not been completed as planned or if it has been effected in violation of this **Regulation**.

3. The information shall be provided by the person who arranges the shipment in the form contained in Annex VI.

4. Such waste shall also be subject to all the provisions of Directive 75/442/EEC. It shall in particular be:

- destined for duly authorised facilities only, authorised according to Articles 10 and 11 of Directive 75/442/EEC; and
- subject to the provisions of Articles 8, 12, 13 and 14 of Directive 75/442/EEC.

5. For inspection, enforcement, planning and statistical purposes, Member States may in accordance with national legislation require information about shipments subject to the provisions of this article.

6. The information specified in paragraph 1 shall be treated confidentially in accordance with Community and national legislation.

#### Article 18

##### Waste subject to prior information

1. **Hazardous** waste as defined in Article 3(4) is, in addition to the information requirement described in Article 17, subject to the following procedural requirement:

- the person who arranges the shipment shall inform the competent authorities concerned about the shipment 3 working days before it starts.

2. For this submission of information, the information listed in Article 17(1)(a) to (d) and (f) shall be provided and the form contained in Annex VI shall be applied.

#### CHAPTER 4

##### GENERAL REQUIREMENTS

#### Article 19

##### Prohibited to mix waste during shipment

1. During shipment or prior to recovery or disposal, as specified on the notification document, waste shall not be mixed with either waste covered by a different notification or with waste not covered by any notification.

2. Paragraph 1 shall apply also to waste destined for recovery or disposal operations.

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*Article 20*

## Protection of the environment within the Community

The producer and/or the notifier in the Community shall take all necessary steps to ensure that any waste they ship within the Community is managed without endangering human health and without using processes or methods which could harm the environment, as required in Article 4 of Directive 75/442/EEC and in accordance with Community legislation on waste throughout the period of shipment and including final disposal or final recovery in the country of destination.

*Article 21*

## Keeping of documents and information

1. All documents sent to or by the competent authorities in relation to a notified shipment shall be kept in the Community for at least three years, starting when the shipment starts, by the competent authorities, the notifier and the consignee.
2. Information given pursuant to Article 17(1) shall be kept in the Community for at least three years, starting when the shipment starts, by the person who arranges for the shipment and the consignee.

## CHAPTER 5

## TAKE-BACK OBLIGATIONS

*Article 22*

## Take-back when a shipment cannot be completed as intended

1. Where a shipment of waste to which the competent authorities concerned have consented cannot be completed as intended in accordance with the terms of the notification and movement documents and/or contract referred to in Articles 5(4), 6 and 17, the competent authority of destination and/or transit as relevant, shall immediately inform the competent authority of dispatch.
2. The competent authority of dispatch shall ensure that the waste in question is returned to its area of jurisdiction or elsewhere within the country of dispatch by the notifier, or if impracticable by the competent authority itself.

This shall be done within 90 days after it has become aware of or has been informed in writing that the consented shipment cannot be completed and the reason(s) therefor. Such information can be submitted *inter alia* by other competent authorities.

3. The take-back obligation in paragraph 2 does not apply if the competent authority of dispatch is satisfied that the waste can be disposed of or recovered of in an alternative way in the country of destination or elsewhere by the notifier or, if impracticable, by the competent authority itself.
4. In cases of take-back as referred to in paragraph 2, a new notification shall be made unless the competent authorities concerned agree that a duly motivated request by the initial competent authority of dispatch is sufficient.

A new notification shall be made by the notifier or, if impracticable, by the initial competent authority of dispatch.

No competent authorities shall oppose or object to the return of waste of a shipment that cannot be completed.

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5. In cases of alternative arrangements outside the initial country of destination as referred to in paragraph 3, a new notification shall be made by the initial notifier or, if impracticable, by the initial competent authority of dispatch.

When such a new notification is made, the provisions concerning the competent authorities concerned shall also apply to the competent authority of the initial country of dispatch.

6. In cases of alternative arrangements in the initial country of destination as referred to in paragraph 3, a new notification is not required and a duly motivated request by the initial notifier or, if impracticable, by the initial competent authority of destination is sufficient.

7. The obligation of the notifier and the subsidiary obligation of the country of dispatch to take the waste back or arrange for alternative recovery of disposal shall end when the consignee has issued the certificate of final disposal or recovery as referred to in *Article 15(e)*.

8. Where waste of a shipment that cannot be completed is observed within a Member State, the competent authority with jurisdiction over the area where the waste was observed shall be responsible for making arrangements for the safe storage of the waste pending its return or final disposal or recovery in an alternative way as required in this Article.

9. The provisions paragraphs 1, 2, 3, 7 and 8 also apply to shipments of waste which are subject to the requirement of being accompanied by certain information in accordance with *Article 17*.

In such cases the person who arranges the shipment is subject to the same obligations established in this Article as the notifier.

#### *Article 23*

##### Costs for take-back when a shipment cannot be completed

1. Costs arising from the return of waste of a shipment that cannot be completed, including its shipment, its final disposal or recovery pursuant to *Article 22(2)* or (3) and storage costs pursuant to *Article 22(8)*, shall be charged to:

- (i) the notifier, or, if impracticable;
- (ii) the competent authority of dispatch; or, if impracticable,
- (iii) as otherwise agreed by the parties and the competent authorities concerned.

2. The provisions of this Article also apply to shipments of waste which are subject to the requirement of being accompanied by certain information in accordance with *Article 17*.

In such cases the person who arranges the shipment is subject to the same obligations established in this Article as the notifier.

3. This Article is without prejudice to national rules or Community law regarding liability.

#### *Article 24*

##### Take-back when a shipment is illegal

1. Where a competent authority observes a shipment that it considers to be in infringement of this Regulation or of international or Community law, hereinafter an 'illegal shipment', it shall immediately inform the other competent authorities concerned and may return such a shipment.

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2. If an illegal shipment is the responsibility of the notifier, the competent authority country of dispatch shall ensure that the waste in question is:

- (a) taken back by the notifier *de facto*, or, if no notification has been made;
- (b) the notifier *de iure*, in accordance with the hierarchy of *Article 2(7)*, or, if impracticable;
- (c) taken back by any of the natural or legal persons responsible for the illegal shipment mentioned in *Article 2(7)*, or, if impracticable;
- (d) taken back by the competent authority itself, or, if impracticable;
- (e) alternatively disposed of or recovered in the country of destination or dispatch by the competent authority itself; or, if impracticable;
- (f) alternatively disposed of or recovered in another country by the competent authority itself if all the competent authorities concerned agree.

This shall be done within 30 days after it has become aware of or has been informed in writing about the illegal shipment or within such other period of time as may be agreed by the competent authorities concerned. Such information can be submitted *inter alia* by other competent authorities.

In cases of take-back as referred to in (a) to (d), a new notification shall be made unless the competent authorities concerned agree that a duly motivated request by the initial competent authority of dispatch is sufficient.

A new notification shall be made by the person etc. listed in (a), (b), (c) or (d) and in accordance with that ranking.

No competent authorities shall oppose or object to the return of waste of an illegal shipment.

In cases of alternative arrangements as referred to in (e) and (f) by the competent authority of dispatch, a new notification shall be made by the initial competent authority of dispatch unless the competent authorities concerned agree that a duly motivated request by that authority is sufficient.

3. If an illegal shipment is the responsibility of the consignee the competent authority of destination shall ensure that the waste in question is:

- (a) disposed of or recovered in an environmentally sound manner by the consignee, or, if impracticable;
- (b) by the competent authority itself.

This shall be done within 30 days after it has become aware of or has been informed in writing about the illegal shipment or within such other period of time as may be agreed by the competent authorities concerned. Such information can be submitted *inter alia* by other competent authorities.

To this end, they shall co-operate, as necessary, in the disposal or recovery of the waste.

4. ***In particular*** where responsibility for the illegal shipment cannot be imputed to either the notifier or the consignee, the competent authorities shall cooperate to ensure that the waste in question is disposed of or recovered.

5. Where the waste of an illegal shipment is observed within a Member State, the competent authority with jurisdiction over the area where the waste was observed shall be responsible for making arrangements for the safe storage of the waste pending its return, final disposal or final recovery.

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6. The provisions of *Articles 34 and 36* do not apply in cases where illegal shipments are returned to the country of dispatch and that country of dispatch is a country covered by the prohibitions contained in these Articles.

7. The provisions of this Article also apply to shipments of waste which are subject to the requirement of being accompanied by certain information in accordance with *Article 17*.

In such cases the person who arranges the shipment is subject to the same obligations established in this Article as the notifier.

8. This Article is without prejudice to national rules or Community law regarding liability.

9. Guidelines for the co-operation of competent authorities with regard to illegal shipments may be established in accordance with the procedure referred to in *Article 18* of Directive 75/442/EEC.

#### *Article 25*

##### Costs for take-back when a shipment is illegal

1. Costs arising from the return of waste of a shipment that is in infringement of this Regulation or of international or Community law, including its shipment, its final disposal or recovery pursuant to *Article 24(2)* and storage costs pursuant to *Article 24(5)*, shall be charged to:

- (a) the notifier de facto, or, if no notification has been made;
- (b) the notifier de iure in accordance with the hierarchy of *Article 2(7)*, or, if impracticable;
- (c) by any of the natural or legal persons responsible for the illegal shipment mentioned in *Article 2(7)*, or, if impracticable,
- (d) by the competent authority of dispatch.

2. Costs arising from the final disposal or recovery pursuant to *Article 24(3)* and storage costs pursuant to *Article 24(5)* of waste of a shipment that is illegal shall be charged to:

- (a) the consignee, or, if impracticable;
- (b) to the competent authority of destination.

3. Costs arising from the final disposal or recovery pursuant to *Article 24(4)* and including its possible shipment and storage costs pursuant to *Article 24(5)* of waste of a shipment that is illegal shall be charged to:

- (a) the notifier and/or the consignee depending upon the decision by the competent authorities involved, or, if impracticable;
- (b) to the competent authorities of dispatch and destination.

4. The provisions of this Article also apply to shipments of waste which are subject to the requirement of being accompanied by certain information in accordance with *Article 17*.

In such cases the person who arranges the shipment is subject to the same obligations established in this Article as the notifier.

5. This article is without prejudice to national rules or Community law on liability.



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## CHAPTER 6

## GENERAL ADMINISTRATIVE PROVISIONS

## Article 26

## Submission of communication

1. The information and documents listed in paragraph 3 may be submitted using any of the following methods of communication:

- (a) by post;
- (b) by telefax;
- (c) by e-mail with digital signature; or
- (d) by e-mail without digital signature followed by post.

2. Subject to the consent of the competent authorities concerned, the information and documents listed in paragraph 3 may be submitted by means of electronic data interchange with electronic signature or electronic authentication in accordance with Directive 1999/93/EC of the European Parliament and the Council <sup>(1)</sup>, or a comparable electronic authentication system which provides the same level of security.

In such cases the competent authority of dispatch **and the competent authority of destination, working in cooperation with** the other competent authorities **concerned, may carry out the dispatch and reception** of communications listed in paragraph 3.

***In such cases, the electronic exchange of data with the notifier shall be carried out via the authority of dispatch and the electronic exchange of data with the consignee via the authority of destination.***

3. The information and documents referred to in paragraph 1 are the following:

- (a) notification of a planned shipment pursuant to Articles 4 and 14;
- (b) request for information and documentation pursuant to Articles 5, 8 and 9;
- (c) submission of information and documentation pursuant the Articles 5, 8 and 9;
- (d) written consent to a notified shipment pursuant to Article 10;
- (e) conditions to a shipment pursuant to Article 11;
- (f) objections to a shipment pursuant to Articles 12 and **13**;
- (g) **prior** information regarding actual commencement of the shipment pursuant to Article 15;
- (h) written confirmation of receipt of the waste pursuant to Article 15;
- (i) certificate for final recovery or disposal of the waste pursuant to Article 15; and
- (j) information about changes in the shipment after consent pursuant to Article 16.

***4. For the submission of documents and information by means of electronic data interchange in accordance with paragraph 2, the technical requirements for practical implementation of electronic data interchange and any required amendments, especially concerning calculation of time limits and concerning necessary transactions between participants in the electronic data interchange, may be determined in accordance with the procedure referred to in Article 18 of Directive 75/442/EEC.***

<sup>(1)</sup> OJ L 13, 19.1.2000, p. 12.

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Article 27

Language

1. Any notification, information, documentation or other communication submitted pursuant to the provisions of this Title shall be supplied in a language acceptable to the competent authorities concerned.
2. If requested by the competent authorities concerned, the notifier shall provide authorised translation(s) into a language, which is acceptable to them.
3. Further guidance concerning the the use of languages may be determined in accordance with the procedure *referred to* in Article 18 of Directive 75/442/EEC.

Article 28

Disagreement on classification issues

1. If the competent authorities of dispatch and of destination disagree on the classification as regards the distinction between waste and non-waste, the subject matter shall be considered a waste.
2. If the competent authorities of dispatch and of destination cannot agree on the classification of the notified waste as being listed in Annex III or IV, the waste shall be considered listed in Annex IV.
3. If the competent authorities of dispatch and destination disagree on the classification of the waste treatment operation notified as being disposal or recovery, the provisions regarding disposal shall apply.
4. Paragraphs 1 to 3 apply only for the purposes of this Regulation, and are without prejudice to rights of interested parties to resolve any dispute related to these questions before a court of law or tribunal.

Article 29

Administrative costs

Appropriate and proportionate administrative costs of implementing the notification and supervision procedures and usual costs of appropriate analyses and inspections may be charged to the notifier. ***The Commission may decide to set a maximum level for these costs.***

Article 30

**Border-area agreements**

***In exceptional cases, and if the specific geographical situation warrants such a step, Member States may conclude bilateral agreements relaxing the notification procedure for shipments of specific flows of waste in respect of cross-border shipments to the nearest suitable facility located in the border area between the two Member States concerned of notifiable waste generated in that border area.***

***Such agreements shall be notified to the Commission before they take effect.***

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## CHAPTER 7

SHIPMENTS WITHIN THE COMMUNITY  
AND WITH TRANSIT VIA THIRD COUNTRIES

## Article 31

## Shipments destined for disposal

1. Where a shipment of waste takes place within the community with transit via one or more third countries and is destined for disposal, the competent authority of dispatch shall ask the competent authority in the third countries whether it wishes to send its written consent to the planned shipment:
  - (a) in the case of parties to the Basel Convention, within 60 days, unless it has waived this right in accordance with the terms of that Convention, or
  - (b) in the case of countries not parties to the Basel Convention, within a period agreed between the competent authorities.
2. Where a shipment of waste takes place between locations within the same Member State with transit via one or more third countries and is destined for disposal, the requirements of paragraph 1 applies.
3. This Article is without prejudice to the provisions contained in *Chapter 3* of this Title.

## Article 32

## Shipments destined for recovery

1. When a shipment of waste takes place within the Community with transit via one or more third countries to which the OECD Decision does not apply and is destined for recovery, *Article 31* applies.
2. When a shipment of waste takes place within the Community with transit via one or more third countries to which the OECD Decision applies and is destined for recovery, *Article 31(1)* does not apply.

In such cases the consent referred to in *Article 10* may be provided tacitly and if no objection has been lodged or conditions been specified the shipment may commence 30 days after the dispatch of the acknowledgement.

3. Where a shipment of waste that takes place between locations within the same Member States with transit via one or more third countries and is destined for recovery, the requirements of paragraph 1 and 2 applies.
4. This Article is without prejudice to the provisions contained in *Chapter 3* of this Title.

## TITLE III

## SHIPMENTS WITHIN MEMBER STATES

## Article 33

Application of this Regulation to shipments  
within Member States

1. The provision of Title II on shipments within the Community and Title VII on other provisions do not apply to shipments of waste within a Member State.
2. Member States shall, however, establish an appropriate system for the supervision and control of shipments of waste within their jurisdiction. This system should take account of the need for coherence with the Community system established by this Regulation.

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3. Member States shall inform the Commission and the other Member States of their system for the supervision and control of shipments of waste.
4. Member States may apply the system provided for in Titles II and VII within their jurisdiction.

#### TITLE IV

#### EXPORTS OUT OF THE COMMUNITY TO THIRD COUNTRIES

#### CHAPTER 1

#### WASTE FOR DISPOSAL

##### *Article 34*

##### Export prohibited except to EFTA countries

1. All exports of waste out of the Community destined for disposal are prohibited.
2. The prohibition in paragraph 1 does not apply to exports of waste destined for disposal in EFTA countries, which are also Parties to the *Basel Convention*.
3. However, exports of waste for disposal to an EFTA country Party to the *Basel Convention* shall also be prohibited
  - (a) where the EFTA country prohibits imports of such wastes; or,
  - (b) if the competent authority of dispatch has reason to believe that the waste will not be managed in an environmentally sound manner in the country of destination concerned.
4. This provision is without prejudice to the take-back obligations as described in *Articles 22 and 24*.

##### *Article 35*

##### Procedures when exporting to EFTA countries

1. Where waste is exported out of the Community and destined for disposal in EFTA countries parties to the *Basel Convention*, the provisions of Title I shall apply *mutatis mutandis* with the modifications and additions listed in paragraphs 2 and 3.
2. The following modifications apply:
  - (a) the competent authority of transit outside the Community has 60 days following dispatch of its acknowledgement of receipt of the notification to give written consent, set conditions and require additional information to the notified shipment; and
  - (b) the competent authority of dispatch of the community shall take its decision to consent to the shipment as referred to in Article 10 only after having received written consent from the competent authorities of transit and destination outside the community and not earlier than 61 days following the dispatch of the acknowledgement of the competent authority of destination.

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3. The following additional provisions apply:
- (a) the competent authority of transit in the Community shall acknowledge the receipt of the notification to the notifier;
  - (b) the competent authorities of dispatch and transit in the Community shall send a stamped copy of their decisions to consent to the shipment to the customs office of export and to the customs office of exit from the Community;
  - (c) a copy of the movement document shall be delivered by the carrier to the customs office of export and the customs office of exit from the Community;
  - (d) as soon as the waste has left the Community, the customs office of exit from the Community shall send a stamped copy of the movement document to the competent authority of dispatch in the Community stating that the waste has left the Community;
  - (e) if, 42 days after the waste has left the Community, the competent authority of dispatch in the Community has received no information from the consignee about receipt of the waste, it shall inform without delay the competent authority of destination; and
  - (f) the contract referred to in Articles 5(4) and 6 shall stipulate that:
    - if a consignee issues an incorrect certificate of disposal with the consequence that the financial guarantee is released, he shall bear the costs arising from the duty to return the waste to the area of jurisdiction of the competent authority of dispatch and its disposal or recovery in an alternative and environmentally sound manner;
    - within three working days following receipt of the waste for disposal, the consignee shall send copies of the completed movement document, except for the certificate of final disposal referred to in the third indent of this paragraph, to the notifier and the competent authorities concerned; and
    - as soon as possible but not later than 30 days after completion of disposal and not later than one calendar year following the receipt of the waste the consignee shall, under his responsibility, certify final disposal and shall send copies of the movement document containing this certification to the notifier and to the competent authorities concerned.
4. The shipment may only start if:
- (a) the notifier has received written consent from the competent authorities of dispatch, destination and transit and if the conditions laid down are met;
  - (b) a contract between the notifier and consignee is established and legally binding as required in Articles 5(4) and 6;
  - (c) a financial guarantee or equivalent insurance is established, legally binding and applicable as required in Articles 5(5) and 7 and as required by the competent authority of destination outside the Community or any country of transit Party to the Basel Convention; and
  - (d) environmentally sound management as described in *Article 41* is ensured.
5. Where waste is exported, it shall be destined for disposal operations within a facility which under applicable domestic law is operating or is authorised to operate in the country of destination.
6. If a customs office of export or a customs office of exit from the Community observes a shipment that does not comply with the provisions of this Regulation, it shall:
- (a) inform without delay the competent authority of dispatch in the Community; and
  - (b) ensure detention of the waste until that competent authority has decided otherwise and has communicated that to the customs office in writing.

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## CHAPTER 2

### WASTE FOR RECOVERY

#### EXPORTS TO NON-OECD DECISION COUNTRIES

##### *Article 36*

Export prohibited if waste is listed in Annex V

1. The following exports out of the Community of waste destined for recovery in countries to which the *OECD Decision* does not apply are prohibited:
  - (a) hazardous waste as listed in Annex V;
  - (b) hazardous waste not classified under one single entry in Annex V;
  - (c) mixtures of hazardous waste and mixtures of hazardous waste with non-hazardous waste not classified under one single entry in Annex V;
  - (d) waste that the country of destination has notified to be hazardous under Article 3 of the Basel Convention;
  - (e) waste that the country of destination has prohibited the import of; or,
  - (f) waste which the competent authority of dispatch has reason to believe will not be managed in an environmentally sound manner in the country of destination concerned.
2. This provision is without prejudice to the take-back obligations as described in *Articles 22 and 24*.

##### *Article 37*

Procedures when exporting waste listed in Annex III

1. In the case of waste which is listed in Annex III and the export of which is not prohibited under *Article 36*, the Commission shall, within 20 days of the entry into force of this Regulation, send a written request to each country to which the *OECD Decision* does not apply, seeking confirmation in writing that the waste may be exported from the Community for recovery in that country, and an indication as to which control procedure, if any, would be followed in the country of destination.

Each country to which the *OECD Decision* does not apply shall be given the following options:

- (a) a prohibition;
- (b) a prior written notification and consent procedure as described in *Article 35*; and
- (c) no control in the country of destination.

2. Before the date of application of this Regulation, the Commission shall issue a Regulation taking into account all replies received pursuant to paragraph 1 and shall inform the Committee established pursuant to Article 18 of Directive 75/442/EEC.

If a country has not made a confirmation as referred to in paragraph 1 or if a country for any reason has not been contacted, paragraph 1(b) shall apply.

The Commission shall periodically update the Regulation adopted.

3. If a country indicates in its reply that certain shipments of waste are not subject to any control, *Article 17* shall apply *mutatis mutandis* to such shipments.

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4. Where waste is exported, it shall be destined for recovery operations within a facility which, under applicable domestic law, is operating or is authorised to operate in the importing country.

Exports to OECD-Decision countries

*Article 38*

Exports of waste listed in Annexes III, IV and IV A

1. Where waste listed in Annexes III, IV and IV A is exported out of the Community and destined for recovery in countries or through countries to which the OECD Decision applies, the provisions of Title II apply *mutatis mutandis*, with the modification and additions listed in paragraphs (2) and (3).

The following modification apply:

The consent as required in accordance with Article 10 may be provided by tacit consent from the competent authority of destination outside the Community.

2. As regards exports of waste listed in Annex IV and IV A, the following additional provisions apply:

- (a) the competent authority of dispatch shall send a stamped copy of its decision to consent to the shipment to the custom office of exit from the Community;
- (b) the competent authorities of dispatch and transit in the Community shall send a stamped copy of their decisions to consent to the shipment to the customs office of export and to the customs office of exit from the Community;
- (c) a copy of the movement document shall be delivered by the carrier to the customs office of exit from the Community;
- (d) as soon as the waste has left the Community, the customs office of exit from the Community shall send a stamped copy of the movement document to the competent authority of dispatch in the Community stating that the waste has left the Community;
- (e) if, 42 days after the waste has left the Community, the competent authority of dispatch has received no information from the consignee about receipt of the waste, it shall inform without delay the country of destination; and
- (f) the contract referred to in Articles 5(4) and 6 shall stipulate that:
  - if a consignee issues an incorrect certificate of recovery with the consequence that the financial guarantee is released, he shall bear the costs arising from the duty to return the waste to the area of jurisdiction of the competent authority of dispatch and its disposal or recovery in an alternative and environmentally sound manner;
  - within three working days following receipt of the waste for recovery, the consignee shall send copies of the completed movement document, except for the certificate of final recovery referred to in the third indent of this paragraph, to the notifier and the competent authorities concerned; and
  - as soon as possible but not later than 30 days after completion of recovery and not later than one calendar year following the receipt of the waste the consignee shall, under his responsibility, certify final recovery and shall send copies of the movement document containing this certification to the notifier and to the competent authorities concerned.

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3. The shipment may only start if:
  - (a) the notifier has received written consent from the competent authorities of dispatch, destination and transit or, if tacit consent from the competent authority of destination outside the Community is provided and can be assumed, and if the conditions laid down are met;
  - (b) a contract between the notifier and consignee is established and legally binding as required in Articles 5(4) and 6;
  - (c) a financial guarantee or equivalent insurance is established, legally binding and applicable as required in Articles 5(5) and 7 and as required by the competent authority of destination outside the Community or any country of transit Party to the Basel Convention; and
  - (d) environmentally sound management as described in *Article 41* is ensured.
4. If an export as described in paragraph 1 of waste listed in Annex IV and IV A is transiting through a country to which the OECD decision does not apply, the following modifications apply:
  - (a) the competent authority of transit to which the OECD decision does not apply has 60 days following dispatch of its acknowledgement to give written consent, set conditions and require additional information to the notified shipment; and
  - (b) the competent authority of dispatch in the Community shall take its decision to consent to the shipment as referred to in Article 10 only after having received written consent from that competent authority of transit to which the OECD decision does not apply and not earlier than 61 days following the dispatch of the acknowledgement of the competent authority of destination.
5. Where waste is exported, it shall be destined for recovery operations within a facility which under applicable domestic law is operating or is authorised to operate in the importing country.
6. If a custom office of export or a customs office of exit from the Community observes a shipment that does not comply with the provisions of this Regulation, it shall
  - (a) inform without delay the competent authority of dispatch in the Community; and
  - (b) ensure detention of the waste until that competent authority has decided otherwise and has communicated that to the customs office in writing.

### CHAPTER 3

#### GENERAL PROVISIONS

##### *Article 39*

##### Exports to Antarctic

Export of all waste out of the Community to Antarctic is prohibited.

##### *Article 40*

##### Exports to Overseas Countries or Territories

1. Exports out of the Community of all waste destined for disposal in Overseas Countries or Territories are prohibited.
2. As regards exports of waste destined for recovery in Overseas Countries or Territories, the prohibition in *Article 36* applies *mutatis mutandis*.



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3. As regards exports of waste destined for recovery in Overseas Countries or Territories not covered by the prohibition in paragraph 2, the provisions of Title II shall apply *mutatis mutandis*.

#### Article 41

##### Ensuring environmentally sound management in third countries

1. The producer and the notifier and other undertakings involved in a shipment shall take all necessary steps to ensure that any waste they ship is managed in an environmentally sound manner throughout the period of shipment and including final disposal or recovery in the third country of destination.

2. The competent authority of dispatch in the Community shall require and secure that any waste exported is managed in an environmentally sound manner throughout the period of shipment and including final disposal or recovery in the third country of destination.

3. The competent authority of dispatch in the Community shall prohibit an export to third countries if it has any reason to believe that the waste will not be managed in an environmentally sound manner throughout the period of shipment and including final disposal or recovery in the third country of destination.

4. Environmentally sound management may *inter alia* be assumed as regards the waste stream and recovery operation concerned, if **the country of destination can demonstrate as a minimum that the recipient facility will be operated in accordance with occupational health and environmental protection standards that are equivalent to European Union standards.**

This assumption is, however, without prejudice to the overall assessment of environmentally sound management throughout the period of shipment and including final disposal or recovery in the third country of destination.

***To seek guidance on environmentally sound management, the guidelines listed in Annex VIII may be considered.***

***This Article does not apply to exports of waste covered by Article 34 or 36.***

5. Member States shall take all necessary steps to ensure that the obligations laid down in paragraphs 1 to 3 are carried out.

#### TITLE V

##### IMPORTS INTO THE COMMUNITY FROM THIRD COUNTRIES

#### CHAPTER 1

##### IMPORTS OF WASTE FOR DISPOSAL

#### Article 42

Import prohibited except from EFTA- or Basel Party country  
or with an agreement in place

1. All imports into the Community of waste destined for disposal are prohibited except those from:

- (a) countries which are Parties to the Basel Convention; or
- (b) other countries with which the Community, or the Community and its Member States, have concluded bilateral or multilateral agreements or arrangements compatible with Community legislation and in accordance with Article 11 of the Basel Convention; or

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(c) other countries with which individual Member States conclude bilateral agreements or arrangements in accordance with paragraph 2; or

**(d) other areas in cases where, on exceptional grounds during crises or wars, no bilateral agreements or arrangements pursuant to points (b) or (c) can be concluded or no competent authorities in the country of dispatch are able to act.**

2. In exceptional cases individual Member States may conclude bilateral agreements and arrangements for the disposal of specific waste, where such waste will not be managed in an environmentally sound manner in the country of dispatch.

These agreements and arrangements shall be compatible with Community legislation and in accordance with Article 11 of the Basel Convention.

They shall guarantee that the disposal operations are carried out in an authorised facility and comply with the requirements for environmentally sound management.

They shall also guarantee that the waste is produced in the country of dispatch and that disposal will be carried out exclusively in the Member State which has concluded the agreement or arrangement.

These agreements or arrangements shall be notified to the Commission prior to their conclusion. However, in emergency situations they may be notified up to one month after conclusion.

3. Bilateral or multilateral agreements or arrangements entered into in accordance with paragraph 1(b) and (c) shall be based upon the control procedure of Article 43.

4. The countries referred to in paragraph 1(a) to (c) shall be required to present a duly motivated request beforehand to the competent authority of the Member State of destination in the Community on the basis that they do not have and cannot reasonably acquire the technical capacity and the necessary facilities in order to dispose of the waste in an environmentally sound manner.

#### Article 43

##### Procedural requirements if import from EFTA- or Basel Party country

1. Where waste is imported into the Community and destined for disposal from countries Parties to the Basel Convention, the provisions of Title II shall apply mutatis mutandis with the modifications and additions listed in paragraphs 2 and 3.

2. The following modifications apply:

(a) notification shall be made through the competent authority of dispatch to the competent authority of destination by means of a notification document issued by the competent authority of dispatch and with copies to the consignee and the competent authorities of transit;

(b) the competent authority of transit outside the Community has 60 days following dispatch of its acknowledgement of receipt of the notification to give written consent, set conditions and require additional information to the notified shipment;

**(c) in the cases referred to in Article 42(1)(d) involving crises or wars, the consent of the competent authorities of dispatch shall not be required.**

3. The following additional provisions apply:

(a) the competent authority of transit in the Community shall acknowledge the receipt of the notification to the notifier, with copies to the competent authorities concerned;

(b) the competent authorities of destination and transit in the Community shall send a stamped copy of their decisions to consent to the shipment to the customs office of entry into the Community;

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- (c) a specimen of the movement document shall be delivered by the carrier to the customs office of entry into the Community;
  - (d) as soon as the waste enters into the Community, the customs office of entry into the Community shall send a stamped copy of the movement document to the competent authority(ies) of destination and transit in the Community, stating that the waste has entered the Community; and
  - (e) a copy of the movement document and if requested by the competent authorities, a copy of the notification form, together with the stamp of consent from the competent authorities of dispatch, destination and transit shall accompany each shipment.
4. The shipment may only start if:
- (a) the notifier has received written consent from the competent authorities of dispatch, destination and transit and if the conditions laid down are met;
  - (b) a contract between the notifier and consignee is established and legally binding as required in Articles 5(4) and 6;
  - (c) a financial guarantee or equivalent insurance is established, legally binding and applicable as required in Articles 5(5) and 7 and as required by the competent authority of destination in the Community or any country of transit Party to the Basel Convention; and
  - (d) protection of the environment as required in Article 48 is ensured.
5. If a custom office of entry into the Community observes a shipment that does not comply with the provisions of this Regulation, it shall:
- (a) inform without delay the competent authority of destination in the Community, who informs the competent authority of dispatch outside the Community; and
  - (b) ensure detention of the waste until that competent authority has decided otherwise and has communicated that to the customs office in writing.

## CHAPTER 2

### IMPORTS OF WASTE RECOVERY

#### Article 44

Import prohibited except from OECD Decision-, EFTA- or  
Basel Party country or with an agreement in place

1. All imports into the Community of waste destined for recovery are prohibited except those from:
- (a) countries to which the OECD decision applies; or
  - (b) other countries which are Parties to the Basel Convention; or
  - (c) other countries with which the Community, or the Community and its Member States, have concluded bilateral or multilateral agreements or arrangements compatible with Community legislation and in accordance with Article 11 of the Basel Convention; or
  - (d) other countries with which individual Member States conclude bilateral agreements or arrangements in accordance with paragraph 2; or
  - (e) ***other areas in cases where, on exceptional grounds during crises or wars, no bilateral agreements or arrangements pursuant to points (c) or (d) can be concluded or no competent authorities in the country of dispatch are able to act.***

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2. In exceptional cases individual Member States may conclude bilateral agreements and arrangements for the recovery of specific waste, where such waste will not be managed in an environmentally sound manner in the country of dispatch.

In such cases the provisions of Article 42(2) apply.

3. Bilateral or multilateral agreements or arrangements entered into in accordance with paragraph 1(c) and (d) shall be based upon the control procedures of Articles 43 or 45 as relevant.

**4. As far as hazardous wastes are concerned, or in respect of wastes listed in Annex II of the Basel Convention, the countries referred to in paragraph 1(a) to (d) shall present a duly motivated request beforehand to the competent authority of the Member State of destination on the basis that they do not have and cannot reasonably acquire the technical capacity and the necessary facilities in order to recover the waste in an environmentally sound manner.**

#### Article 45

##### Procedural requirements if import from OECD Decision countries

1. Where waste is imported into the Community and destined for recovery

- from a country to which the OECD Decision applies; and/or
- through countries to which the OECD Decision applies

the provisions of Title II shall apply mutatis mutandis, with the modifications and additions listed in paragraphs 2 and 3.

2. The following **modifications** apply:

- (a) the consent as required in accordance with Article 10 may be provided by tacit consent from the competent authority of dispatch outside the Community; *and*
- (b) in the cases referred to in Article 44(1)(e) involving crises or wars, the consent of the competent authorities of dispatch shall not be required.**

3. The following additional provisions apply:

- (a) the competent authorities of import and transit in the Community shall send stamped copies of their decisions to consent to a shipment to the customs office of entry into the Community;
- (b) a copy of the movement document shall be delivered by the carrier to the customs office of entry into the Community; and
- (c) as soon as the waste enters into the Community, the customs office of entry into the community shall send a stamped copy of the movement document to the competent authority of destination and transit in the Community, stating that the waste has entered the community.

4. The shipment may be effected only if:

- (a) the notifier has received written consent from the competent authorities of dispatch, destination and transit or, if tacit consent from the competent authority of dispatch outside the Community is provided and can be assumed, and if the conditions laid down are met;
- (b) a contract between the notifier and consignee is established and legally binding as required in Articles 5(4) and 6;

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- (c) a financial guarantee or equivalent insurance is established, legally binding and applicable as required in Articles 5(5) and 7 and as required by the competent authority of destination in the Community or any country of transit Party to the Basel Convention; and
  - (d) protection of the environment as required in Article 48 is ensured.
5. If a custom office of entry into the Community observes a shipment that does not comply with the provisions of this Article, it shall
- (a) inform without delay the competent authority of destination in the Community, who informs the competent authority of dispatch outside the Community; and
  - (b) ensure detention of the waste until that competent authority has decided otherwise and has communicated that to the customs office in writing.

#### Article 46

#### Procedural requirements if import from non-OECD Decision country Party to the Basel Convention

Where waste is imported into the Community and destined for recovery

- from a country to which the OECD Decision does not apply; and/or
- through any country to which the OECD Decision does not apply and which is also Party to the Basel Convention,

the provisions of Article 43 shall apply mutatis mutandis.

### CHAPTER 3

#### GENERAL PROVISIONS

#### Article 47

#### Imports from Overseas Countries or Territories

1. Where waste is imported into the Community from Overseas Countries or Territories, the provisions of Title II apply mutatis mutandis.
2. One or more Overseas Country and Territory and the Member State to which they are linked may apply national procedures to shipments from the Overseas Country and Territory to that Member State.
3. Member States that apply paragraph 2, shall notify the Commission of the national procedures applied.

#### Article 48

#### Protection of the environment within the Community

1. The producer, the notifier and other undertakings involved in a shipment shall take all necessary steps to ensure that any waste they ship is managed without endangering human health and without using processes or methods which could harm the environment as required in Article 4 of Directive 75/442/EEC and in accordance with Community legislation on waste throughout the period of shipment and including final disposal or final recovery in the country of destination.

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2. The competent authority of destination in the Community shall require and secure that any waste shipped into its area of jurisdiction is managed without endangering human health and without using processes or methods which could harm the environment as required in Article 4 of Directive 75/442/EEC and in accordance with Community legislation on waste throughout the period of shipment and including final disposal or recovery in the country of destination.

3. The competent authority of destination in the Community shall prohibit an import of waste from third countries if it has any reason to believe that the waste will not be managed without endangering human health and without using processes or methods which could harm the environment as required in Article 4 of Directive 75/442/EEC and in accordance with Community legislation on waste throughout the period of shipment and including final disposal or recovery in the country of destination.

## TITLE VI

### TRANSIT THROUGH THE COMMUNITY FROM AND TO THIRD COUNTRIES

#### CHAPTER 1

#### WASTE FOR DISPOSAL

##### *Article 49*

Transit through the Community of waste destined for disposal

1. Where waste destined for disposal is shipped through a Member State from and to third countries the provisions of *Article 43* shall apply *mutatis mutandis*, with the modifications listed in paragraph 2.
2. The following modifications apply:
  - (a) the notifier shall also send a copy of the notification to the customs offices of entry into and exit from the Community;
  - (b) the first and last competent authority of transit in the Community shall send a stamped copy of the decisions to consent to the shipment to the customs offices of entry into and exit from the Community respectively; and
  - (c) as soon as the waste has left the Community, the customs office of exit from the Community shall send a copy of the movement document to the competent authorities of transit in the Community, stating that the waste has left the Community.

#### CHAPTER 2

#### WASTE FOR RECOVERY

##### *Article 50*

Transit through the Community of waste  
from and/or to a non-OECD Decision country

Where waste destined for recovery is shipped through a Member State from and/or to a country to which the OECD Decision does not apply, *Article 49* shall apply *mutatis mutandis*.

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*Article 51*Transit through the Community of waste from and/or to  
an OECD Decision country

1. Where waste destined for recovery is shipped through (a) Member State(s) from and/or to a country to which the OECD Decision applies, the provisions of *Article 45* shall apply mutatis mutandis, with the modifications listed in paragraph 2.
2. The following modifications apply:
  - (a) the notifier shall also send a copy of the notification to the customs offices of entry into and exit from the Community;
  - (b) the first and last competent authority of transit in the Community shall send a stamped copy of the decisions to consent to the shipment to the customs offices of entry into and exit from the Community respectively; and
  - (c) as soon as the waste has left the Community, the customs office of exit from the Community shall send a copy of the movement document to the competent authorities of transit in the Community, stating that the waste has left the Community.

## TITLE VII

## OTHER PROVISIONS

## CHAPTER 1

## ADDITIONAL OBLIGATIONS RELATED TO MEMBER STATES

*Article 52*

## Enforcement in Member States

1. Member States shall take appropriate legal action to prevent and detect illegal shipments, including the imposition of penalties. Any such measures shall be notified to the Commission.
2. Member States may, by way of enforcement measures for this Regulation, make provision for, inter alia, inspections of establishments and undertakings in accordance with Article 13 of Directive 75/442/EEC, and spot checks of shipments.
3. Checks of shipments may take place in particular:
  - (a) at the point of origin, carried out together with the producer, holder or notifier;
  - (b) at the destination, carried out together with the final consignee;
  - (c) at the frontiers of the Community; and/or
  - (d) while the shipment is in transit within the Community.
4. Checks may include the inspection of documents, the confirmation of identity and, if appropriate, physical checking of the waste.
5. Member States may co-operate, bilaterally or multilaterally, with one another in order to facilitate the prevention and detection of illegal shipments.
6. At the request of another Member State, a Member State may take enforcement action against persons suspected of being engaged in the illegal shipment of waste who are located in that Member State.

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#### Article 53

##### Member States reporting

1. ***The competent authority of the exporting or importing Member State shall make publicly available by appropriate means, such as the Internet, all notifications of shipments it has consented to, and all related documents, at the latest 7 days after consent was given.***
2. Before the end of every calendar year, each Member State shall send the Commission a copy of the report for the previous calendar year which, in accordance with Article 13(3) of the Basel Convention, it has drawn up and submitted to the Secretariat of that Convention.
3. Before the end of each calendar year, Member States shall also draw up a report for the previous year based on the additional reporting questionnaire in *Annex IX* and send it to the Commission.
4. The reports drawn up by Member States in accordance with *paragraphs 2 and 3* shall be submitted to the Commission in an electronic as well as a paper version.
5. The Commission shall, based on these reports, establish every three years reports on the implementation of this Regulation by the Community and its Member States. To this end the Commission may request additional information in accordance with Article 6 of Directive 91/692/EEC.

#### Article 54

##### International co-operation

Member States, and as appropriate and necessary in liaison with the Commission, shall co-operate with other parties to the Basel Convention and inter-State organisations, inter alia, via the exchange and/or sharing of information, the promotion of environmentally sound technologies and the development of appropriate codes of good practice.

#### Article 55

##### Designation of customs offices of entry into and exit from the Community

Member States may designate customs offices of entry into and exit from the Community for shipments of waste entering and leaving the Community.

If Member States decide to designate the custom offices referred to in *the first paragraph*, no shipment of waste shall be allowed to use any other frontier crossing points within a Member State for entering or leaving the Community.

#### Article 56

##### Designation of competent authority

Member States shall designate the competent authority or authorities responsible for the application and operation of this Regulation. Only one single competent authority of transit shall be designated by each Member State.

#### Article 57

##### Designation of correspondents

Member States and the Commission shall each designate one correspondent responsible for informing or advising persons or undertakings who or which make enquiries. The Commission correspondent shall forward to the correspondents of the Member States any questions put to him/her which concern the latter, and vice versa.



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## Article 58

## Notification of and information regarding designations

1. Member States shall notify the Commission of designations of custom offices of entry into and departure from the Community, competent authorities and correspondents made pursuant to *Articles 55, 56 and 57* respectively.
2. Member States shall notify the Commission of the following information in relation to those designations
  - the name(s);
  - post address(es);
  - e-mail address(es);
  - telephone number(s); and
  - telefax number(s).
3. Member States shall immediately notify the Commission of any changes in this information.
4. This information as well as any changes in the information shall be submitted to the Commission in an electronic as well as a paper version.
5. The Commission shall publish lists of the designated customs offices of entry into and departure from the Community, competent authorities and correspondents on its web-site and shall, as appropriate, update these lists.

## CHAPTER 2

## OTHER PROVISIONS

## Article 59

## Meeting of the Correspondents

The Commission shall, if requested by Member States or if otherwise appropriate, periodically hold a Meeting of the Correspondents to examine with them the questions raised by the implementation of this Regulation.

## Article 60

## Amendment of Annexes

1. The Annexes of this Regulation shall be amended by the Commission by means of Commission Regulations and in accordance with the procedure *referred to* in Article 18 of Directive 75/442/EEC **to take account of scientific and technical progress**.
2. Amendments to Annex III, IV and V shall consider changes agreed under the Basel Convention and the OECD Decision.
3. Amendments to Annex V shall, however, also reflect changes agreed on the list of hazardous waste adopted in accordance with Article 1(4) of Directive 91/689/EEC.
4. Amendments to *Annex VIII* shall reflect relevant international conventions and agreements.

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Article 61

Additional measures

1. The Commission may adopt additional measures related to the implementation, application, administration and enforcement of this Regulation **and the provisions of the 2003 Act of Accession that relate to shipments of waste**.
2. Such measures shall be decided in accordance with the procedure referred to in Article 18 of Directive 75/442/EEC and Article 5 of Decision 1999/468/EC.
3. The period laid down in Article 5(6) of Decision 1999/468/EC shall be 30 days.

Article 62

Repeals

1. Regulation (EEC) No 259/93 on shipments of waste and Decision 94/774/EC concerning a standard consignment note are hereby repealed with effect from the date of application of this Regulation.
2. Decision 1999/412/EC concerning a questionnaire for the reporting obligation of Member States pursuant to Article 41(2) of Regulation (EEC) No 259/93 is repealed with effect from the 31 December following the date of application of this Regulation.

Article 63

Transition rules

1. Any shipment that has been notified to the competent authority of dispatch and has started before the date of application of this Regulation is subject to the provisions of Regulation (EEC) No 259/93.
2. Any shipment for which the competent authorities concerned have given their consent pursuant to Regulation (EEC) No 259/93 shall be completed not later than one year from the date of application of this Regulation.
3. Reporting pursuant to Article 41(2) of Regulation (EEC) No 259/93 and Article 53 of this Regulation for the year by which this Regulation is applied shall be based on the questionnaire contained in Decision 1999/412/EC.

Article 64

Entry into force and application

This Regulation shall enter into force on the third day following that of its publication in the Official Journal of the European Union.

It shall apply 10 months after publication.

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

Wednesday 19 November 2003

## ANNEX IA

## NOTIFICATION DOCUMENT FOR TRANSBOUNDARY MOVEMENTS OF WASTE — EU

|                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1. Exporter — Notifier</p> <p>Registration No: .....</p> <p>Name: .....</p> <p>Address: .....</p> <p>Contact person: .....</p> <p>Tel.: ..... Fax: .....</p> <p>E-mail: .....</p>                                                                                                           | <p>3. Notification No: .....</p> <p>Notification concerning</p> <p>A. (i) Individual shipment: <input type="checkbox"/></p> <p>(ii) Multiple shipments: <input type="checkbox"/></p> <p>B. (i) Disposal <sup>(1)</sup>: <input type="checkbox"/></p> <p>(ii) Recovery: <input type="checkbox"/></p> <p>C. Pre-consented recovery facility <sup>(2)</sup> <sup>(3)</sup> Yes <input type="checkbox"/><br/>No <input type="checkbox"/></p> |
| <p>2. Importer — Consignee</p> <p>Registration No: .....</p> <p>Name: .....</p> <p>Address: .....</p> <p>Contact person: .....</p> <p>Tel.: ..... Fax: .....</p> <p>E-mail: .....</p>                                                                                                          | <p>4. Total intended number of shipments: .....</p> <p>5. Total intended quantity (kg/litre) <sup>(4)</sup>: .....</p> <p>6. Intended period of time for shipment(s) <sup>(4)</sup>: .....</p> <p>First departure: ..... Last departure: .....</p> <p>7. Packaging type(s) <sup>(5)</sup>:<br/>Special handling requirements <sup>(6)</sup>: Yes <input type="checkbox"/> No <input type="checkbox"/></p>                                |
| <p>8. Intended carrier(s)</p> <p>Registration No: .....</p> <p>Name <sup>(7)</sup>: .....</p> <p>Address: .....</p> <p>Contact person: .....</p> <p>Tel.: ..... Fax: .....</p> <p>E-mail: .....</p> <p>Means of transport <sup>(8)</sup>: .....</p>                                            | <p>11. Disposal/recovery operation(s) <sup>(2)</sup></p> <p>D code/R code <sup>(5)</sup>: .....</p> <p>Technology employed <sup>(6)</sup>: .....</p> <p>Reason for export <sup>(1)</sup> <sup>(6)</sup>: .....</p>                                                                                                                                                                                                                       |
| <p>Waste generators <sup>(1)</sup> <sup>(7)</sup> <sup>(8)</sup>: .....</p> <p>Registration No: .....</p> <p>Name: .....</p> <p>Address: .....</p> <p>Contact person: .....</p> <p>Tel.: ..... Fax: .....</p> <p>E-mail: .....</p> <p>Site and process of generation <sup>(6)</sup>: .....</p> | <p>12. Designation and composition of the waste <sup>(6)</sup>: .....</p> <p>13. Physical characteristics <sup>(5)</sup>: .....</p>                                                                                                                                                                                                                                                                                                      |
| <p>10. Disposal facility <sup>(2)</sup>: <input type="checkbox"/><br/>or Recovery facility <sup>(2)</sup>: <input type="checkbox"/></p> <p>Registration No: .....</p> <p>Name: .....</p> <p>Address: .....</p>                                                                                 | <p>14. Waste identification (fill in relevant codes)</p> <p>(i) Basel Annex VIII (or IX if applicable): .....</p> <p>(ii) OECD code (if different from (i)): .....</p> <p>(iii) EC list of wastes: .....</p> <p>(iv) National code in country of export: .....</p> <p>(v) National code in country of import: .....</p> <p>(vi) Other (specify): .....</p> <p>(vii) Y-code: .....</p> <p>(viii) H-code <sup>(5)</sup>: .....</p>         |

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|                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                           |             |                                       |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|-------------|---------------------------------------|
| Contact person: .....                                                                                                                                                                                                                                                                                                                                                        | (ix) UN class <sup>(3)</sup> : .....                                                                                      |             |                                       |
| Tel.: ..... Fax: .....                                                                                                                                                                                                                                                                                                                                                       | (x) UN Number: .....                                                                                                      |             |                                       |
| E-mail: .....                                                                                                                                                                                                                                                                                                                                                                | (xi) UN Shipping name: .....                                                                                              |             |                                       |
| Actual site of disposal/recovery: .....                                                                                                                                                                                                                                                                                                                                      | (xii) Customs code(s) (HS): .....                                                                                         |             |                                       |
| 15. Countries/states concerned (a), code number of competent authorities where applicable (b), specific points of exit or entry (c)                                                                                                                                                                                                                                          |                                                                                                                           |             |                                       |
| State of Export                                                                                                                                                                                                                                                                                                                                                              | State(s) of Transit (entry and exit)                                                                                      |             | State of Import                       |
| (a)                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                           |             |                                       |
| (b)                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                           |             |                                       |
| (c)                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                           |             |                                       |
| 16. Customs offices of entry and/or exit and/or export: (European Community): .....                                                                                                                                                                                                                                                                                          | Entry: .....                                                                                                              | Exit: ..... | Export: .....                         |
| 17. Exporter's/Notifier's/Generator's <sup>(1)</sup> declaration:<br>I certify that the information is complete and correct to my best knowledge. I also certify that legally-enforceable written contractual obligations have been entered into and that any applicable insurance or other financial guarantee is or shall be in force covering the transboundary movement. |                                                                                                                           |             |                                       |
| Name: .....                                                                                                                                                                                                                                                                                                                                                                  | Signature: .....                                                                                                          |             | 18. Number of annexes attached: ..... |
| Date: .....                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                           |             |                                       |
| FOR USE BY COMPETENT AUTHORITIES                                                                                                                                                                                                                                                                                                                                             |                                                                                                                           |             |                                       |
| 19. Acknowledgement from the relevant competent authority of countries of import – destination/transit <sup>(1)</sup> /export – dispatch <sup>(9)</sup> : .....                                                                                                                                                                                                              | 20. Written consent <sup>(1)</sup> <sup>(8)</sup> to the movement provided by the competent authority of (country): ..... |             |                                       |
| Country: .....                                                                                                                                                                                                                                                                                                                                                               | Consent given on: .....                                                                                                   |             |                                       |
| Notification received on: .....                                                                                                                                                                                                                                                                                                                                              | Consent valid from: ..... to: .....                                                                                       |             |                                       |
| Acknowledgement sent on: .....                                                                                                                                                                                                                                                                                                                                               | Specific conditions: No <input type="checkbox"/> If yes, see block 21 <sup>(6)</sup> <input type="checkbox"/>             |             |                                       |
| Name of competent authority: .....                                                                                                                                                                                                                                                                                                                                           | Name of competent authority: .....                                                                                        |             |                                       |
| Stamp and/or signature: .....                                                                                                                                                                                                                                                                                                                                                | Stamp and/or signature: .....                                                                                             |             |                                       |
| 21. SPECIFIC CONDITIONS ON CONSENTING TO THE MOVEMENT OR REASONS FOR OBJECTING                                                                                                                                                                                                                                                                                               |                                                                                                                           |             |                                       |

<sup>(1)</sup> Required by the Basel Convention.<sup>(2)</sup> In the case of R12/R13 or D13-D15 operation, also attach corresponding information on the subsequent R1-R11 or D1-D12 facility(ies) when required.<sup>(3)</sup> To be completed for movements within the OECD area and only if B(ii) applies.<sup>(4)</sup> Attach detailed list if multiple shipments.<sup>(5)</sup> See list of abbreviations and codes included.<sup>(6)</sup> Attach details if necessary.<sup>(7)</sup> Attach list if more than one.<sup>(8)</sup> If required by national legislation.<sup>(9)</sup> If applicable under the OECD Decision.

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## LIST OF ABBREVIATIONS AND CODES USED IN THE NOTIFICATION DOCUMENT

## DISPOSAL OPERATIONS (Block 11)

- D1 Deposit into or onto land, (e.g. landfill, etc.)
- D2 Land treatment, (e.g. biodegradation of liquid or sludgy discards in soils, etc.)
- D3 Deep injection, (e.g. injection of pumpable discards into wells, salt domes or naturally occurring repositories, etc.)
- D4 Surface impoundment, (e.g. placement of liquid or sludge discards into pits, ponds or lagoons, etc.)
- D5 Specially engineered landfill, (e.g. placement into lined discrete cells which are capped and isolated from one another and the environment, etc.)
- D6 Release into a water body except seas/oceans
- D7 Release into seas/oceans including sea-bed insertion
- D8 Biological treatment not specified elsewhere in this list which results in final compounds or mixtures which are discarded by means of any of the operations in this list
- D9 Physico- chemical treatment not specified elsewhere in this list which results in final compounds or mixtures which are discarded by means of any of the operations in this list (e.g. evaporation, drying, calcination, etc.)
- D10 Incineration on land
- D11 Incineration at sea
- D12 Permanent storage, (e.g. emplacement of containers in a mine, etc.)
- D13 Blending or mixing prior to submission to any of the operations in this list
- D14 Repackaging prior to submission to any of the operations in this list
- D15 Storage pending any of the operations numbered in this list

## RECOVERY OPERATIONS (Block 11)

- R1 Use as a fuel (other than in direct incineration) or other means to generate energy
- R2 Solvent reclamation/regeneration
- R3 Recycling/reclamation of organic substances which are not used as solvents
- R4 Recycling/reclamation of metals and metal compounds
- R5 Recycling/reclamation of other inorganic materials
- R6 Regeneration of acids or bases
- R7 Recovery of components used for pollution abatement
- R8 Recovery of components from catalysts
- R9 Used oil re-refining or other reuses of previously used oil
- R10 Land treatment resulting in benefit to agriculture or ecological improvement
- R11 Uses of residual materials obtained from any of the operations numbered R1-R10
- R12 Exchange of wastes for submission to any of the operations numbered R1-R11
- R13 Accumulation of material intended for any operation in this list.

## PACKAGING TYPES (Block 7)

- 1. Drum
- 2. Wooden barrel
- 3. Jerrican
- 4. Box
- 5. Bag
- 6. Composite packaging
- 7. Pressure receptacle
- 8. Bulk
- 9. Other (specify)

## MEANS OF TRANSPORT (Block 8)

- R = Road
- T = Train/Rail
- S = Sea
- A = Air
- W = Inland Waterways

## PHYSICAL CHARACTERISTICS (Block 13)

- 1. Powdery/powder
- 2. Solid
- 3. Viscous/paste
- 4. Sludgy
- 5. Liquid
- 6. Gaseous
- 7. Other (specify)

## H CODE AND UN CLASS (Block 14)

| UN class | H code | Characteristics                                                                                                                             |
|----------|--------|---------------------------------------------------------------------------------------------------------------------------------------------|
| 1        | H1     | Explosive                                                                                                                                   |
| 3        | H3     | Flammable liquids                                                                                                                           |
| 4.1      | H4.1   | Flammable solids                                                                                                                            |
| 4.2      | H4.2   | Substances or wastes liable to spontaneous combustion                                                                                       |
| 4.3      | H4.3   | Substances or wastes which, in contact with water, emit flammable gases                                                                     |
| 5.1      | H5.1   | Oxidizing                                                                                                                                   |
| 5.2      | H5.2   | Organic peroxides                                                                                                                           |
| 6.1      | H6.1   | Poisonous (acute)                                                                                                                           |
| 6.2      | H6.2   | Infectious substances                                                                                                                       |
| 8        | H8     | Corrosives                                                                                                                                  |
| 9        | H10    | Liberation of toxic gases in contact with air or water                                                                                      |
| 9        | H11    | Toxic (delayed or chronic)                                                                                                                  |
| 9        | H12    | Ecotoxic                                                                                                                                    |
| 9        | H13    | Capable, by any means, after disposal of yielding another material, e.g. leachate, which possesses any of the characteristics listed above. |

Further information, in particular related to waste identification (block 14), i.e. on Basel Annexes VIII and IX codes, OECD codes and Y codes, can be found in a Guidance/Instruction Manual available from OECD and the Secretariat of the Basel Convention

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## ANNEX IB

## MOVEMENT DOCUMENT FOR TRANSBOUNDARY MOVEMENTS OF WASTE — EU

|                                                                                                                                                                                                                                                                                     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 1. Corresponding to Notification:<br>No: .....                                                                                                                                                                                                                                      |  | 2. Serial number of shipment: ..... / .....<br>total number of shipments: .....                                                                                                                                                                                                                                                                                                                                                                                                                         |  |
| 3. Exporter — Notifier<br>Registration No: .....<br>Name: .....<br>Address: .....<br>Contact person: .....<br>Tel.: ..... Fax: .....<br>E-mail: .....                                                                                                                               |  | 4. Importer — Consignee<br>Registration No: .....<br>Name: .....<br>Address: .....<br>Contact person: .....<br>Tel.: ..... Fax: .....<br>E-mail: .....                                                                                                                                                                                                                                                                                                                                                  |  |
| 5. Actual quantity: kg: ..... litres: .....                                                                                                                                                                                                                                         |  | 6 Actual date of shipment: .....                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |
| 7. Packaging Type(s) (1): ..... Number of packages: .....<br>Special handling requirements (2): Yes <input type="checkbox"/> No <input type="checkbox"/>                                                                                                                            |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |
| 8. (a) 1st Carrier (3)<br>Registration No: .....<br>Name: .....<br>Address: .....<br>Tel.: .....<br>Fax: .....<br>Email: .....                                                                                                                                                      |  | 8. (b) 2nd Carrier<br>Registration No: .....<br>Name: .....<br>Address: .....<br>Tel.: .....<br>Fax: .....<br>Email: .....                                                                                                                                                                                                                                                                                                                                                                              |  |
|                                                                                                                                                                                                                                                                                     |  | 8. (c) Last Carrier<br>Registration No: .....<br>Name: .....<br>Address: .....<br>Tel.: .....<br>Fax: .....<br>Email: .....                                                                                                                                                                                                                                                                                                                                                                             |  |
| ----- To be completed by carrier's representative ----- More than three carriers(2) <input type="checkbox"/>                                                                                                                                                                        |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |
| Means of transport (1): .....<br>Date of transfer: .....<br>Signature: .....                                                                                                                                                                                                        |  | Means of transport (1): .....<br>Date of transfer: .....<br>Signature: .....                                                                                                                                                                                                                                                                                                                                                                                                                            |  |
| 9. Waste generator(s) (4) (5) (6):<br>Registration No: .....<br>Name: .....<br>Address: .....<br>Contact person: .....<br>Tel.: ..... Fax: .....<br>Email: .....<br>Site of generation (2): .....                                                                                   |  | 12. Designation and composition of the waste (2):<br>.....<br>.....                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |
| 10. Disposal facility: <input type="checkbox"/><br>or Recovery facility (2): <input type="checkbox"/><br>Registration No: .....<br>Name: .....<br>Address: .....<br>Contact person: .....<br>Tel.: ..... Fax: .....<br>E-mail: .....<br>Actual site of disposal/recovery (2): ..... |  | 13. Physical characteristics (1):<br>.....<br>.....                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |
| 11. Disposal/recovery operation(s)<br>D code/R code (1): .....                                                                                                                                                                                                                      |  | 14. Waste identification (fill in relevant codes)<br>(i) Basel Annex VIII (or IX if applicable): .....<br>(ii) OECD code (if different from (i)): .....<br>(iii) EC list of wastes: .....<br>(iv) National code in country of export: .....<br>(v) National code in country of import: .....<br>(vi) Other (specify): .....<br>(vii) Y-code: .....<br>(viii) H-code (1): .....<br>(ix) UN class (1): .....<br>(x) UN Number: .....<br>(xi) UN Shipping name: .....<br>(xii) Customs code(s) (HS): ..... |  |

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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| <p>15. Exporter's/Notifier's/Generator's (*) declaration:<br/>         I certify that the above information is complete and correct to my best knowledge. I also certify that legally-enforceable written contractual obligations have been entered into, that any applicable insurance or other financial guarantee is in force covering the transboundary movement and that all necessary consents have been received from the competent authorities of the countries concerned.</p> |                                                                                                                                        |
| <p>Name: ..... Signature: .....</p> <p>Date: .....</p>                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                        |
| <p>16. For use by any person involved in the transboundary movement in case additional information is required</p> <p>.....</p> <p>.....</p>                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                        |
| <p>TO BE COMPLETED BY DISPOSAL/RECOVERY FACILITY</p>                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                        |
| <p>17. Shipment received at disposal facility <input type="checkbox"/> or recovery facility <input type="checkbox"/></p> <p>Date of reception: ..... Accepted: <input type="checkbox"/> Rejected *: <input type="checkbox"/></p> <p>Quantity received: kg: ..... litres: ..... * <i>immediately contact competent authorities</i></p> <p>Approximate date of disposal/recovery: .....</p> <p>Disposal/Recovery operation (1): .....</p>                                                | <p>18. I certify that the disposal/recovery of the waste described above has been completed.</p> <p>Date: .....</p> <p>Name: .....</p> |
| <p>Date: .....</p> <p>Name: .....</p> <p>Signature: .....</p>                                                                                                                                                                                                                                                                                                                                                                                                                          | <p>Signature and stamp: .....</p>                                                                                                      |

(1) See list of abbreviations and codes included.

(2) Attach details if necessary.

(3) If more than three carriers, attach information as required in blocks 8 (a, b, c).

(4) Required by the Basel Convention.

(5) Attach list if more than one.

(6) If required by national legislation.

| FOR USE BY CUSTOMS OFFICES (if required by national legislation)                                                                                                                                  |  |                                                                                                                                                                                                          |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <p>19. COUNTRY OF EXPORT — DISPATCH OR CUSTOMS OFFICE OF EXIT</p> <p>The waste described in this movement document has left the country on: .....</p> <p>Signature: .....</p> <p>Stamp: .....</p> |  | <p>20. COUNTRY OF IMPORT — DESTINATION OR CUSTOMS OFFICE OF ENTRY</p> <p>The waste described in this movement document has entered the country on: .....</p> <p>Signature: .....</p> <p>Stamp: .....</p> |  |
| 21. STAMPS OF CUSTOMS OFFICES OF TRANSIT COUNTRIES                                                                                                                                                |  |                                                                                                                                                                                                          |  |
| <p>Name of country: .....</p> <p>Entry: ..... Exit: .....</p>                                                                                                                                     |  | <p>Name of country: .....</p> <p>Entry: ..... Exit: .....</p>                                                                                                                                            |  |
| <p>Name of country: .....</p> <p>Entry: ..... Exit: .....</p>                                                                                                                                     |  | <p>Name of country: .....</p> <p>Entry: ..... Exit: .....</p>                                                                                                                                            |  |

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## LIST OF ABBREVIATIONS AND CODES USED IN THE MOVEMENT DOCUMENT

## DISPOSAL OPERATIONS (Block 11)

- D1 Deposit into or onto land, (e.g. landfill, etc.)
- D2 Land treatment (e.g. biodegradation of liquid or sludgy discards in soils, etc.)
- D3 Deep injection, (e.g. injection of pumpable discards into wells, salt domes or naturally occurring repositories, etc.)
- D4 Surface impoundment, (e.g. placement of liquid or sludge discards into pits, ponds or lagoons, etc.)
- D5 Specially engineered landfill, (e.g. placement into lined discrete cells which are capped and isolated from one another and the environment)
- D6 Release into a water body except seas/oceans
- D7 Release into seas/oceans including sea-bed insertion
- D8 Biological treatment not specified elsewhere in this list which results in final compounds or mixtures which are discarded by means of any of the operations in this list
- D9 Physico-chemical treatment not specified elsewhere in this list which results in final compounds or mixtures which are discarded by means of any of the operations in this list (e.g. evaporation, drying, calcination)
- D10 Incineration on land
- D11 Incineration at sea
- D12 Permanent storage, (e.g. emplacement of containers in a mine, etc.)
- D13 Blending or mixing prior to submission to any of the operations in this list
- D14 Repackaging prior to submission to any of the operations in this list
- D15 Storage pending any of the operations in this list

## RECOVERY OPERATIONS (Block 11)

- R1 Use as a fuel (other than in direct incineration) or other means to generate energy
- R2 Solvent reclamation/regeneration
- R3 Recycling/reclamation of organic substances which are not used as solvents
- R4 Recycling/reclamation of metals and metal compounds
- R5 Recycling/reclamation of other inorganic materials
- R6 Regeneration of acids or bases
- R7 Recovery of components used for pollution abatement
- R8 Recovery of components from catalysts
- R9 Used oil re-refining or other reuses of previously used oil
- R10 Land treatment resulting in benefit to agriculture or ecological improvement
- R11 Uses of residual materials obtained from any of the operations numbered R1-R10
- R12 Exchange of wastes for submission to any of the operations numbered R1-R11
- R13 Accumulation of material intended for any operation in this list

## PACKAGING TYPES (Block 7)

- 1. Drum
- 2. Wooden barrel
- 3. Jerrican
- 4. Box
- 5. Bag
- 6. Composite packaging
- 7. Pressure receptacle
- 8. Bulk
- 9. Other (specify)

## MEANS OF TRANSPORT (Block 8)

- R = Road
- T = Train/Rail
- S = Sea
- A = Air
- W = Inland Waterways

## PHYSICAL CHARACTERISTICS (Block 13)

- 1. Powdery/powder
- 2. Solid
- 3. Viscous/paste
- 4. Sludgy
- 5. Liquid
- 6. Gaseous
- 7. Other (specify)

## H CODE AND UN CLASS (Block 14)

| UN class | H code | Characteristics                                                                                                                            |
|----------|--------|--------------------------------------------------------------------------------------------------------------------------------------------|
| 1        | H1     | Explosive                                                                                                                                  |
| 3        | H3     | Flammable liquids                                                                                                                          |
| 4.1      | H4.1   | Flammable solids                                                                                                                           |
| 4.2      | H4.2   | Substances or wastes liable to spontaneous combustion                                                                                      |
| 4.3      | H4.3   | Substances or wastes which, in contact with water, emit flammable gases                                                                    |
| 5.1      | H5.1   | Oxidizing                                                                                                                                  |
| 5.2      | H5.2   | Organic peroxides                                                                                                                          |
| 6.1      | H6.1   | Poisonous (acute)                                                                                                                          |
| 6.2      | H6.2   | Infectious substances                                                                                                                      |
| 8        | H8     | Corrosives                                                                                                                                 |
| 9        | H10    | Liberation of toxic gases in contact with air or water                                                                                     |
| 9        | H11    | Toxic (delayed or chronic)                                                                                                                 |
| 9        | H12    | Ecotoxic                                                                                                                                   |
| 9        | H13    | Capable, by any means, after disposal of yielding another material, e.g. leachate, which possesses any of the characteristics listed above |

Further information, in particular related to waste identification (block 14), i.e. on Basel Annexes VIII and IX codes, OECD codes and Y codes, can be found in a Guidance/Instruction Manual available from OECD and the Secretariat of the Basel Convention.



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## ANNEX II

## INFORMATION AND DOCUMENTATION RELATED TO NOTIFICATION

1. Information to be included in or annexed to the notification document:
  1. Serial number or other accepted identifier of notification document.
  2. Notifier name, address, telephone, telefax, e-mail and contact person.
  3. Recovery or disposal facility name, address, telephone, telefax, e-mail, technologies **employed**.  
*If the recovery or disposal facility is listed in Annex I, Category 5 of Directive 96/61/EC, evidence of valid permit issued in accordance with Articles 4 and 5 of that Directive shall be provided.*
  4. Consignee name, address, telephone, telefax, e-mail.
  5. Intended carrier(s) and/or their agents name, address, telephone, telefax and e-mail
  6. Country of dispatch and relevant competent authority.
  7. Countries of transit and relevant competent authorities.
  8. Country of destination and relevant competent authority.
  9. Single notification or general notification. If general notification, period of validity requested.
  10. Date(s) foreseen for commencement of the shipment(s).
  11. Means of transport, routing (point of exit and entry into and out of each country concerned, including customs offices of exit and entry into the Community) and route (route between points of exit and entry), including possible alternatives.
  12. Evidence of registration of the carrier regarding waste transports.
  13. Designation of waste type on the appropriate list, the source(s), description, quantity(ies), composition and any hazardous characteristics. In case of waste from various sources, also a detailed inventory of the waste.
  14. Specification of the recovery or disposal operation(s) as referred to in Annex IIA and B of Directive 75/442/EEC.
  15. If the waste is destined for recovery:
    - (a) The planned method of disposal for the residual waste after recovery
    - (b) The amount of recovered material in relation to the residual waste and the non-recoverable waste
    - (c) The estimated value of the recovered material
    - (d) The cost of recovery and the cost of disposal of the residual waste
  16. Evidence of insurance against liability for damage to third parties.
  17. Evidence of liability insurance for the transport vehicles.
  18. Evidence of a contract between the notifier and consignee for the treatment of the waste that is established and legally binding upon notification as required in Articles 5(4) and 6.
  19. Evidence of a financial guarantee or equivalent insurance that is established and legally binding upon notification and activated when the shipment starts, as required in Articles 5(5) and 7.

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20. Certification by the notifier that the information is completed and correct to the best of his knowledge.
21. Customs offices of entry and/or exit and/or export.
2. Information to be included in or annexed to the movement document:  
Include all information listed in part 1 above plus:
  1. Date shipment has commenced.
  2. Carrier(s) name, address, telephone, telefax, e-mail.
  3. Type of packaging envisaged.
  4. Any special precautions to be taken by carrier(s).
  5. Declaration by notifier that no objection has been lodged by the competent authorities of all countries concerned. This declaration requires signature of the notifier.
  6. Appropriate signatures for each custody transfer.
3. Additional information and documentation that may be requested by the competent authorities:
  1. In the case of the notifier not being the producer, the original producer(s) identity.
  2. the type and duration of the authorisation under which the treatment facility operates.
  3. Information about the measures to be taken to ensure transport safety.
  4. The transport distance(s) between notifier and consignee, including possible alternative routes.
  5. Chemical analysis of the composition of the waste.
  6. Description of the production process of the waste.
  7. Description of the treatment process of the receiving plant
  8. Information about calculation of the financial guarantee or equivalent insurance as required in Articles 5(5) and 7.

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### ANNEX III

#### LIST OF WASTE SUBJECT TO THE PROCEDURE OF BEING ACCOMPANIED BY CERTAIN INFORMATION ('GREEN' LISTED WASTE) <sup>(1)</sup>

Regardless of whether or not wastes are included on this list, they may not be subject to the control procedure of being accompanied by certain information if they are contaminated by other materials to an extent which (a) increases the risks associated with the wastes sufficiently to render them appropriate for submission to the control procedure of written notification and consent, when taking into account the hazardous characteristics listed in Annex III of *Directive 91/689/EEC*, or (b) prevents the recovery of the wastes in an environmentally sound manner.

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<sup>(1)</sup> This list originates from the OECD Decision, Appendix 3.

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## PART I

Wastes listed in Annex IX of the Basel Convention <sup>(1)</sup>.

For the purposes of this Regulation:

- (a) Any reference to list A in Annex IX of the Basel Convention shall be understood as a reference to Annex IV of this Regulation.
- (b) In Basel entry B1020 the term 'bulk finished form' includes all metallic non-dispersible <sup>(2)</sup> forms of the scrap listed therein.
- (c) The part of Basel entry B1100 that refers to 'Slags from copper processing' etc. does not apply and (OECD) entry GB040 in Part II applies instead.
- (d) Basel entry B1110 does not apply and (OECD) entries GC010 and GC020 in Part II apply instead.
- (e) Basel entry B2050 does not apply and (OECD) entry GG040 in Part II applies instead.
- (f) The reference in Basel entry B3010 to fluorinated polymer wastes shall be deemed to include polymers and co-polymers of fluorinated ethylene (PTFE).
- (g) ***Basel entries B1200 and B1210 do not apply provided that the slags were specifically produced to meet both national and relevant international requirements and standards.***

## PART II

The following wastes will also be subject to the procedure of being accompanied by certain information:

*Metal and Metal-Alloy Wastes in Metallic, Non-Dispersible Form*

GA300            ex 811220            Chromium waste and scrap

*Metal Bearing Wastes Arising from Melting, Smelting and Refining of Metals*

GB040            7112            Slags from precious metals and copper processing for further refining  
                      262030  
                      262090

*Other Wastes Containing Metals*

|       |                          |                                                                                                                                                                                                                 |
|-------|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| GC010 |                          | Electrical assemblies consisting only of metals or alloys                                                                                                                                                       |
| GC020 |                          | Electronic scrap (e.g. printed circuit boards, electronic components, wire, etc.) and reclaimed electronic components suitable for base and precious metal recovery                                             |
| GC030 | ex 890800                | Vessels and other floating structures for breaking up, properly emptied of any cargo and other materials <b>contained in</b> the vessel which may have been classified as a dangerous substance or <b>waste</b> |
| GC040 | ex 8701-05<br>ex 8709-11 | Motor vehicle wrecks, drained of liquids                                                                                                                                                                        |
| GC050 |                          | Spent Fluid Catalytic Cracking (FCC) Catalysts (e.g.: aluminium oxide, zeolites)                                                                                                                                |

<sup>(1)</sup> Annex IX of the Basel Convention is listed in this Regulation in Annex V, Part 1, List B.

<sup>(2)</sup> 'Non-dispersible' does not include any wastes in the form of powder, sludge, dust or solid items containing encased hazardous waste liquids.

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The following metal and metal alloy wastes in metallic dispersible form:

|       |            |
|-------|------------|
| GC090 | Molybdenum |
| GC100 | Tungsten   |
| GC110 | Tantalum   |
| GC120 | Titanium   |
| GC130 | Niobium    |
| GC140 | Rhenium    |

**Glass Waste in Non-dispersible Form**

|       |           |                   |
|-------|-----------|-------------------|
| GE020 | ex 7001   | Glass Fibre Waste |
|       | ex 701939 |                   |

**Ceramic Wastes in Non-Dispersible Form**

|       |                                                                                                         |
|-------|---------------------------------------------------------------------------------------------------------|
| GF010 | Ceramic wastes which have been fired after shaping, including ceramic vessels (before and/or after use) |
|-------|---------------------------------------------------------------------------------------------------------|

**Other Wastes Containing Principally Inorganic Constituents, Which May Contain Metals and Organic Materials**

|       |         |                                                                                                 |
|-------|---------|-------------------------------------------------------------------------------------------------|
| GG030 | ex 2621 | Bottom ash and slag tap from coal fired power plants                                            |
| GG040 | ex 2621 | Coal fired power plants fly ash                                                                 |
| GG160 |         | Bituminous materials (asphalt waste) from road construction and maintenance, not containing tar |

**Solid Plastic Wastes**

|       |              |                            |
|-------|--------------|----------------------------|
| GH013 | 391530       | Polymers of vinyl chloride |
|       | ex 390410-40 |                            |

**Textile Wastes**

|       |         |                                        |
|-------|---------|----------------------------------------|
| GJ140 | ex 6310 | Waste textile floor coverings, carpets |
|-------|---------|----------------------------------------|

**Wastes Arising from Agro-Food Industries**

|       |         |                                                                             |
|-------|---------|-----------------------------------------------------------------------------|
| GM140 | ex 1500 | Waste edible fats and oils of animal or vegetable origin (e.g. frying oils) |
|-------|---------|-----------------------------------------------------------------------------|

**Wastes Arising from Tanning and Fellingmongery Operations and Leather Use**

|       |           |                                                                                                                                                                                                                                |
|-------|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| GN010 | ex 050200 | Waste of pigs', hogs' or boars' bristles and hair or of badger hair and other brush making hair                                                                                                                                |
| GN020 | ex 050300 | Horsehair waste, whether or not put up as a layer with or without supporting material                                                                                                                                          |
| GN030 | ex 050590 | Waste of skins and other parts of birds, with their feathers or down, of feathers and parts of feathers (whether or not with trimmed edges) and down, not further worked than cleaned, disinfected or treated for preservation |

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ANNEX IV

LIST OF WASTE SUBJECT TO THE PROCEDURE OF WRITTEN NOTIFICATION  
AND CONSENT ('AMBER' LISTED WASTE) <sup>(1)</sup>

PART I

Wastes listed in Annexes II and VIII of the Basel Convention <sup>(2)</sup>.

For the purposes of this Regulation:

- (a) Any reference to list B in Annex VIII of the Basel Convention shall be understood as a reference to Annex III of this Regulation.

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<sup>(1)</sup> This list originates from the OECD Decision, Appendix 4.

<sup>(2)</sup> Annex VIII of the Basel Convention is listed in this Regulation in Annex V, Part 1, List A.

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- (b) In Basel entry A1010, the term 'excluding such wastes specifically listed on List B (Annex IX)' is a reference both to Basel entry B1020 and the note on B1020 in Annex III to this Regulation, Part I (b).
- (c) Basel entries A1180 and A2060 do not apply and OECD entries GC010, GC020 and GG040 in Annex III, Part II apply instead when appropriate.
- (d) Basel entry A4050 includes spent potlinings from aluminium smelting because they contain Y33 inorganic cyanides. If the cyanides have been destroyed, spent potlinings are assigned to Part II entry AB120 because they contain Y32, inorganic fluorine compounds excluding calcium fluoride.

## PART II

The following wastes will also be subject to the procedure of written notification and consent:

## Metal Bearing Wastes

|       |                      |                                                                                                                                    |
|-------|----------------------|------------------------------------------------------------------------------------------------------------------------------------|
| AA010 | 261900               | Dross, scalings and other wastes from the manufacture of iron and steel <sup>(1)</sup>                                             |
| AA060 | 262050               | Vanadium ashes and residues                                                                                                        |
| AA190 | 810420<br>ex 8/10430 | Magnesium waste and scrap that is flammable, pyrophoric or emits, upon contact with water, flammable gases in dangerous quantities |

## Wastes Containing Principally Inorganic Constituents, Which May Contain Metals and Organic Materials

|       |                      |                                                                                      |
|-------|----------------------|--------------------------------------------------------------------------------------|
| AB030 |                      | Wastes from non-cyanide based systems which arise from surface treatment of metals   |
| AB070 |                      | Sands used in foundry operations                                                     |
| AB120 | ex 281290<br>ex 3824 | Inorganic halide compounds, not elsewhere specified or included                      |
| AB130 |                      | Used blasting grit                                                                   |
| AB150 | ex 382490            | Unrefined calcium sulphite and calcium sulphate from flue gas desulphurisation (FGD) |

## Wastes Containing Principally Organic Constituents, Which May Contain Metals and Inorganic Materials

|       |           |                                                                          |
|-------|-----------|--------------------------------------------------------------------------|
| AC020 |           | Bituminous materials (asphalt waste) not elsewhere specified or included |
| AC060 | ex 381900 | Hydraulic fluids                                                         |
| AC070 | ex 381900 | Brake fluids                                                             |
| AC080 | ex 382000 | Antifreeze fluids                                                        |
| AC150 |           | Chlorofluorocarbons                                                      |
| AC160 |           | Halons                                                                   |
| AC170 | ex 440310 | Treated cork and wood wastes                                             |
| AC250 |           | Surface active agents (surfactants)                                      |
| AC260 | ex 3101   | Liquid pig manure; faeces                                                |
| AC270 |           | Sewage sludge                                                            |

<sup>(1)</sup> This listing includes wastes in the form of ash, residue, slag, dross, skimming, scaling, dust, powder, sludge and cake, unless a material is expressly listed elsewhere.

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Wastes Which May Contain either Inorganic or Organic Constituents

|       |                      |                                                                                                                                          |
|-------|----------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| AD090 | ex 382490            | Wastes from production, formulation and use of reprographic and photographic chemicals and materials not elsewhere specified or included |
| AD100 |                      | Wastes from non-cyanide based systems which arise from surface treatment of plastics                                                     |
| AD120 | ex 391400<br>ex 3915 | Ion exchange resins                                                                                                                      |
| AD150 |                      | Naturally occurring organic material used as a filter medium (such as bio-filters)                                                       |

Wastes Containing Principally Inorganic Constituents, Which May Contain Metals and Organic Materials

|       |         |                                                                                       |
|-------|---------|---------------------------------------------------------------------------------------|
| RB020 | ex 6815 | Ceramic based fibres of physico-chemical characteristics similar to those of asbestos |
|-------|---------|---------------------------------------------------------------------------------------|

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ANNEX IVA

WASTE LISTED IN ANNEX III BUT SUBJECT TO THE PROCEDURE OF  
WRITTEN NOTIFICATION AND CONSENT (ARTICLE 3(3))

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ANNEX V

WASTE SUBJECT TO THE EXPORT BAN IN ARTICLE 36

INTRODUCTORY NOTES

1. Annex V shall apply without prejudice to Directive 75/442/EEC and Directive 91/689/EEC.
2. This Annex consists of three parts, whereby parts 2 and 3 only apply when **List A of** part 1 is not of application. Consequently, to determine if a specific waste is covered by Annex V of this Regulation, one has to first check whether the waste features in **List A of** part 1 of Annex V, if this is not the case whether it features in part 2, and if this is not the case whether it features in part 3.

Part 1 is divided into two sub-sections: List A enumerating wastes which are classified as hazardous for the purposes of the Basel **Convention and** List B enumerating wastes which are not **classified as hazardous**.

**If a waste features in List A of part 1, it is covered by the export ban. If a waste does not feature in List A of part 1, but in part 2 or in part 3, it is also covered by the export ban.**

3. Member States may make provisions, in exceptional cases, to determine, on the basis of documentary evidence provided in an appropriate way by the holder, that a specific hazardous waste on this Annex is excluded from the export ban referred to in Article 36 of this Regulation if it does not display any of the properties listed in Annex III to Directive 91/689/EEC, taking into account, as regards H3 to H8, H10 and H11 of the said Annex, the limit values laid down in Decision 2000/532/EC.

In such a case, the Member State concerned shall inform the envisaged importing country prior to taking a decision. Member States shall notify such cases to the Commission before the end of each calendar year. The Commission shall forward the information to all Member States and to the Secretariat of the Basel Convention. On the basis of the information provided, the Commission may make comments and, where appropriate, submit proposals to the Committee established pursuant to Article 18 of Directive 75/442/EEC with a view to adapting Annex V of this Regulation.

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4. The fact that a waste is not listed as hazardous in this **Annex does** not preclude, in exceptional cases, characterisation of such a waste as hazardous and therefore subject to the export ban referred to in Article 36 of this Regulation if it displays any of the properties listed in Annex III to Directive 91/689/EEC, taking into account, as regards H3 to H8, H10 and H11 of the said Annex, the limit values laid down in Decision 2000/532/EC as provided for in Article 1(4), second indent, of Directive 91/689/EEC and in the Header of Annex III to this Regulation.

In such a case, the Member State concerned shall inform the envisaged importing country prior to taking a decision. Member States shall notify such cases to the Commission before the end of each calendar year. The Commission shall forward the information to all Member States and to the Secretariat of the Basel Convention. On the basis of the information provided, the Commission may make comments and, where appropriate, submit proposals to the Committee established pursuant to Article 18 of Directive 75/442/EEC with a view to adapting Annex V of this Regulation.

## PART 1

## List A (Annex VIII to the Basel Convention)

## A1 METAL AND METAL BEARING WASTES

## A1010 Metal wastes and waste consisting of alloys of any of the following:

- Antimony
- Arsenic
- Beryllium
- Cadmium
- Lead
- Mercury
- Selenium
- Tellurium
- Thallium

but excluding such wastes specifically listed on list B.

## A1020 Waste having as constituents or contaminants, excluding metal waste in massive form, any of the following:

- Antimony; antimony compounds
- Beryllium; beryllium compounds
- Cadmium; cadmium compounds
- Lead; lead compounds
- Selenium; selenium compounds
- Tellurium; tellurium compounds

## A1030 Wastes having as constituents or contaminants any of the following:

- Arsenic; arsenic compounds
- Mercury; mercury compounds
- Thallium; thallium compounds

## A1040 Wastes having as constituents any of the following:

- Metal carbonyls
- Hexavalent chromium compounds

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|       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|-------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A1050 | Galvanic sludges                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| A1060 | Waste liquors from the pickling of metals                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| A1070 | Leaching residues from zinc processing, dust and sludges such as jarosite, hematite, etc.                                                                                                                                                                                                                                                                                                                                                                                                      |
| A1080 | Waste zinc residues not included on list B, containing lead and cadmium in concentrations sufficient to exhibit Annex III characteristics                                                                                                                                                                                                                                                                                                                                                      |
| A1090 | Ashes from the incineration of insulated copper wire                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| A1100 | Dusts and residues from gas cleaning systems of copper smelters                                                                                                                                                                                                                                                                                                                                                                                                                                |
| A1110 | Spent electrolytic solutions from copper electrorefining and electrowinning operations                                                                                                                                                                                                                                                                                                                                                                                                         |
| A1120 | Waste sludges, excluding anode slimes, from electrolyte purification systems in copper electrorefining and electrowinning operations                                                                                                                                                                                                                                                                                                                                                           |
| A1130 | Spent etching solutions containing dissolved copper                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| A1140 | Waste cupric chloride and copper cyanide catalysts                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| A1150 | Precious metal ash from incineration of printed circuit boards not included on list B <sup>(1)</sup>                                                                                                                                                                                                                                                                                                                                                                                           |
| A1160 | Waste lead-acid batteries, whole or crushed                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| A1170 | Unsorted waste batteries excluding mixtures of only list B batteries. Waste batteries not specified on list B containing Annex 1 constituents to an extent to render them hazardous.                                                                                                                                                                                                                                                                                                           |
| A1180 | Waste electrical and electronic assemblies or scrap <sup>(2)</sup> containing components such as accumulators and other batteries included on list A, mercury-switches, glass from cathode-ray tubes and other activated glass and PCB-capacitors, or contaminated with Annex I constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they possess any of the characteristics contained in Annex III (note the related entry on list B, B1110) <sup>(3)</sup> |
| A2    | WASTES CONTAINING PRINCIPALLY INORGANIC CONSTITUENTS WHICH MAY CONTAIN METALS AND ORGANIC MATERIALS                                                                                                                                                                                                                                                                                                                                                                                            |
| A2010 | Glass waste from cathode-ray tubes and other activated glasses                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| A2020 | Waste inorganic fluorine compounds in the form of liquids or sludges but excluding such wastes specified on list B                                                                                                                                                                                                                                                                                                                                                                             |
| A2030 | Waste catalysts but excluding such wastes specified on list B                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| A2040 | Waste gypsum arising from chemical industry processes, when containing Annex I constituents to the extent that it exhibits an Annex III hazardous characteristic (note the related entry on list B, B2080)                                                                                                                                                                                                                                                                                     |

<sup>(1)</sup> Note that mirror entry on list B (B1160) does not specify exceptions.

<sup>(2)</sup> This entry does not include scrap assemblies from electric power generation.

<sup>(3)</sup> PCBs are at a concentration level of 50 mg/kg or more.



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|       |                                                                                                                                                                                                                       |
|-------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A2050 | Waste asbestos (dusts and fibres)                                                                                                                                                                                     |
| A2060 | Coal-fired power plant fly-ash containing Annex I substances in concentrations sufficient to exhibit Annex III characteristics (note the related entry on list B, B2050)                                              |
| A3    | WASTES CONTAINING PRINCIPALLY ORGANIC CONSTITUENTS, WHICH MAY CONTAIN METALS AND INORGANIC MATERIALS                                                                                                                  |
| A3010 | Waste from the production or processing of petroleum coke and bitumen                                                                                                                                                 |
| A3020 | Waste mineral oils unfit for their originally intended use                                                                                                                                                            |
| A3030 | Wastes that contain, consist of or are contaminated with leaded anti-knock compound sludges                                                                                                                           |
| A3040 | Waste thermal (heat transfer) fluids                                                                                                                                                                                  |
| A3050 | Wastes from production, formulation and use of resins, latex, plasticizers, glues/adhesives excluding such wastes specified on list B (note the related entry on list B, B4020)                                       |
| A3060 | Waste nitrocellulose                                                                                                                                                                                                  |
| A3070 | Waste phenols, phenol compounds including chlorophenol in the form of liquids or sludges                                                                                                                              |
| A3080 | Waste ethers not including those specified on list B                                                                                                                                                                  |
| A3090 | Waste leather dust, ash, sludges and flours when containing hexavalent chromium compounds or biocides (note the related entry on list B, B3100)                                                                       |
| A3100 | Waste paring and other waste of leather or of composition leather not suitable for the manufacture of leather articles containing hexavalent chromium compounds or biocides (note the related entry on list B, B3090) |
| A3110 | Fellmongery wastes containing hexavalent chromium compounds or biocides or infectious substances (note the related entry on list B, B3110)                                                                            |
| A3120 | Fluff — light fraction from shredding                                                                                                                                                                                 |
| A3130 | Waste organic phosphorous compounds                                                                                                                                                                                   |
| A3140 | Waste non-halogenated organic solvents but excluding such wastes specified on list B                                                                                                                                  |
| A3150 | Waste halogenated organic solvents                                                                                                                                                                                    |
| A3160 | Waste halogenated or unhalogenated non-aqueous distillation residues arising from organic solvent recovery operations                                                                                                 |
| A3170 | Wastes arising from the production of aliphatic halogenated hydrocarbons (such as chloromethane, dichloro-ethane, vinyl chloride, vinylidene chloride, allyl chloride and epichlorhydrin)                             |

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- A3180 Wastes, substances and articles containing, consisting of or contaminated with polychlorinated biphenyl (PCB), polychlorinated terphenyl (PCT), polychlorinated naphthalene (PCN) or polybrominated biphenyl (PBB), or any other polybrominated analogues of these compounds, at a contraction level of 50 mg/kg or more <sup>(1)</sup>
- A3190 Waste tarry residues (excluding asphalt cements) arising from refining, distillation and any pyrolytic treatment of organic materials
- A4 WASTES WHICH MAY CONTAIN EITHER INORGANIC OR ORGANIC CONSTITUENTS
- A4010 Wastes from the production, preparation and use of pharmaceutical products but excluding such wastes specified on list B
- A4020 Clinical and related wastes; that is wastes arising from medical, nursing, dental, veterinary, or similar practices, and wastes generated in hospitals or other facilities during the investigation or treatment of patients, or research projects
- A4030 Wastes from the production, formulation and use of biocides and phytopharmaceuticals, including waste pesticides and herbicides which are off-specification, out-dated <sup>(2)</sup>, or unfit for their originally intended use
- A4040 Wastes from the manufacture, formulation and use of wood-preserving chemicals <sup>(3)</sup>
- A4050 Wastes that contain, consist of or are contaminated with any of the following:
- Inorganic cyanides, excepting precious-metal-bearing residues in solid form containing traces of inorganic cyanides
  - Organic cyanides
- A4060 Waste oils/water, hydrocarbons/water mixtures, emulsions
- A4070 Wastes from the production, formulation and use of inks, dyes, pigments, paints, lacquers, varnish excluding any such waste specified on list B (note the related entry on list B, B4010)
- A4080 Wastes of an explosive nature (but excluding such wastes specified on list B)
- A4090 Waste acidic or basic solutions, other than those specified in the corresponding entry on list B (note the related entry on list B, B2120)
- A4100 Wastes from industrial pollution control devices for cleaning of industrial off-gases but excluding such wastes specified on list B
- A4110 Wastes that contain, consist of or are contaminated with any of the following:
- any congener of polychlorinated dibenzo-furan
  - any congener of polychlorinated dibenzo-dioxin

<sup>(1)</sup> The 50 mg/kg level is considered to be an internationally practical level for all wastes. However, many individual countries have established lower regulatory levels (e.g. 20 mg/kg) for specific wastes.

<sup>(2)</sup> 'Out-dated' means unused within the period recommended by the manufacturer.

<sup>(3)</sup> This entry does not include wood treated with wood-preserving chemicals.

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- A4120 Wastes that contain, consist of or are contaminated with peroxides
- A4130 Waste packages and containers containing Annex I substances in concentrations sufficient to exhibit Annex III hazard characteristics
- A4140 Waste consisting of or containing off-specification or out-dated<sup>(1)</sup> chemicals corresponding to Annex I categories and exhibiting Annex III hazard characteristics
- A4150 Waste chemical substances arising from research and development or teaching activities which are not identified and/or are new and whose effects on human health and/or the environment are not known
- A4160 Spent activated carbon not included on list B (note the related entry on list B, B2060)  
List B (Annex IX to the Basel Convention)
- B1 METAL AND METAL BEARING WASTES
- B1010 Metal and metal-alloy wastes in metallic, non-dispersible form:
- Precious metals (gold, silver, the platinum group, but not mercury)
  - Iron and steel scrap
  - Copper scrap
  - Nickel scrap
  - Aluminium scrap
  - Zinc scrap
  - Tin scrap
  - Tungsten scrap
  - Molybdenum scrap
  - Tantalum scrap
  - Magnesium scrap
  - Cobalt scrap
  - Bismuth scrap
  - Titanium scrap
  - Zirconium scrap
  - Manganese scrap
  - Germanium scrap
  - Vanadium scrap
  - Scrap of Hafnium, Indium, Niobium, Rhenium and Gallium
  - Thorium scrap
  - Rare earths scrap

<sup>(1)</sup> 'Out-dated' means unused within the period recommended by the manufacturer.

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- B1020 Clean, uncontaminated metal scrap, including alloys, in bulk finished form (sheet, plate, beams, rods, etc.):
- Antimony scrap
  - Beryllium scrap
  - Cadmium scrap
  - Lead scrap (but excluding lead-acid batteries)
  - Selenium scrap
  - Tellurium scrap
- B1030 Refractory metals containing residues
- B1040 Scrap assemblies from electrical power generation not contaminated with lubricating oil, PCB or PCT to an extent to render them hazardous
- B1050 Mixed non-ferrous metal, heavy fraction scrap, not containing Annex I materials in concentrations sufficient to exhibit Annex III characteristics <sup>(1)</sup>
- B1060 Waste Selenium and Tellurium in metallic elemental form including powder
- B1070 Waste of copper and copper alloys in dispersible form, unless they contain Annex I constituents to an extent that they exhibit Annex III characteristics
- B1080 Zinc ash and residues including zinc alloys residues in dispersible form unless containing Annex I constituents in concentration such as to exhibit Annex III characteristics or exhibiting hazard characteristic H4.3 <sup>(2)</sup>
- B1090 Waste batteries conforming to a specification, excluding those made with lead, cadmium or mercury
- B1100 Metal-bearing wastes arising from melting, smelting and refining of metals:
- Hard zinc spelter
  - Zinc-containing drosses:
  - Galvanizing slab zinc top dross (> 90 % Zn)
  - Galvanizing slab zinc bottom dross (> 92 % Zn)
  - Zinc die casting dross (> 85 % Zn)
  - Hot dip galvanizers slab zinc dross (batch) (> 92 % Zn)
  - Zinc skimmings
  - Aluminium skimmings (or skims) excluding salt slag
  - Slags from copper processing for further processing or refining not containing arsenic, lead or cadmium to an extent that they exhibit Annex III hazard characteristics

<sup>(1)</sup> Note that even where low level contamination with Annex I materials initially exists, subsequent processes, including recycling processes, may result in separated fractions containing significantly enhanced concentrations of those Annex I materials.

<sup>(2)</sup> The status of zinc ash is currently under review and there is a recommendation with United Nations Conference on Trade and Development (Unctad) that zinc ashes should not be dangerous goods.

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- Wastes of refractory linings, including crucibles, originating from copper smelting
  - Slags from precious metals processing for further refining
  - Tantalum bearing tin slags with less than 0,5 % tin
- B1110 Electrical and electronic assemblies:
- Electronic assemblies consisting only of metals or alloys
  - Waste electrical and electronic assemblies or scrap <sup>(1)</sup> (including printed circuit boards) not containing components such as accumulators and other batteries included on list A, mercury-switches, glass from cathode-ray tubes and other activated glass and PCB-capacitors, or not contaminated with Annex I constituents (e.g. cadmium, mercury, lead, polychlorinated biphenyl) or from which these have been removed, to an extent that they do not possess any of the characteristics contained in Annex III (note the related entry on list A, A1180)
  - Electrical and electronic assemblies (including printed circuit boards, electronic components and wires) destined for direct re-use <sup>(2)</sup> and not for recycling or final disposal <sup>(3)</sup>
- B1120 Spent catalysts excluding liquids used as catalysts, containing any of:
- Transition Metals, excluding waste catalysts (spent catalysts, liquid used catalysts or other catalysts) on list A  
Scandium, Vanadium, Manganese, Cobalt, Copper, Yttrium, Niobium, Hafnium, Tungsten, Titanium, Chromium, Iron, Nickel, Zinc, Zirconium, Molybdenum, Tantalum, Rhenium
  - Lanthanides (rare earth metals):  
Lanthanum, Praseodymium, Samarium, Gadolinium, Dysprosium, Erbium, Ytterbium, Cerium, Neodymium, Europium, Terbium, Holmium, Thulium, Lutetium
- B1130 Cleaned spent precious-metal-bearing catalysts
- B1140 Precious-metal-bearing residues in solid form which contain traces of inorganic cyanides
- B1150 Precious metals and alloy wastes (gold, silver, the platinum group, but not mercury) in a dispersible, non-liquid form with appropriate packaging and *labelling*
- B1160 Precious-metal ash from the incineration of printed circuit boards (note the related entry on list A, A1150)
- B1170 Precious-metal ash from the incineration of photographic film
- B1180 Waste photographic film containing silver halides and metallic silver
- B1190 Waste photographic paper containing silver halides and metallic silver
- B1200 Granulated slag arising from the manufacture of iron and steel
- B1210 Slag arising from the manufacture of iron and steel including slags as a source of TiO<sub>2</sub> and Vanadium

<sup>(1)</sup> This entry does not include scrap from electrical power generation.

<sup>(2)</sup> Re-use can include repair, refurbishment or upgrading, but not major reassembly.

<sup>(3)</sup> In some countries these materials destined for direct re-use are not considered wastes.

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- B1220 Slag from zinc production, chemically stabilized, having a high iron content (above 20 %) and processed according to industrial specifications (e.g. DIN 4301) mainly for construction
- B1230 Mill scaling arising from the manufacture of iron and steel
- B1240 Copper oxide mill-scale
- B2 WASTES CONTAINING PRINCIPALLY INORGANIC CONSTITUENTS, WHICH MAY CONTAIN METALS AND INORGANIC MATERIALS
- B2010 Wastes from mining operations in non-dispersible form:
- Natural graphite waste
  - Slate waste, whether or not roughly trimmed or merely cut, by sawing or otherwise
  - Mica waste
  - Leucite, nepheline and nepheline syenite waste
  - Feldspar waste
  - Fluorspar waste
  - Silica wastes in solid form excluding those used in foundry operations
- B2020 Glass waste in non-dispersible form:
- Cullet and other waste and scrap of glass except for glass from cathode-ray tubes and other activated glasses
- B2030 Ceramic wastes in non-dispersible form:
- Cermet wastes and scrap (metal ceramic composites)
  - Ceramic based fibres not elsewhere specified or included
- B2040 Other wastes containing principally inorganic constituents:
- Partially refined calcium sulphate produced from flue-gas desulphurization (FGD)
  - Waste gypsum wallboard or plasterboard arising from the demolition of buildings
  - Slag from copper production, chemically stabilized, having a high iron content (above 20 %) and processed according to industrial specifications (e.g. DIN 4301 and DIN 8201) mainly for construction and abrasive applications
  - Sulphur in solid form
  - Limestone from the production of calcium cyanamide (having a pH less than 9)
  - Sodium, potassium, calcium chlorides
  - Carborundum (silicon carbide)
  - Broken concrete
  - Lithium-Tantalum and Lithium-Niobium containing glass scraps

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- B2050 Coal-fired power plant fly-ash, not included on list A (note the related entry on list A, A2060)
- B2060 Spent activated carbon resulting from the treatment of potable water and processes of the food industry and vitamin production (note the related entry on list A, A4160)
- B2070 Calcium fluoride sludge
- B2080 Waste gypsum arising from chemical industry processes not included on list A (note the related entry on list A, A2040)
- B2090 Waste anode butts from steel or aluminium production made of petroleum coke or bitumen and cleaned to normal industry specifications (excluding anode butts from chlor alkali electrolyses and from metallurgical industry)
- B2100 Waste hydrates of aluminium and waste alumina and residues from alumina production excluding such materials used for gas cleaning, flocculation or filtration processes
- B2110 Bauxite residue ('red mud') (pH moderated to less than 11,5)
- B2120 Waste acidic or basic solutions with a pH greater than 2 and less than 11,5, which are not corrosive or otherwise hazardous (note the related entry on list A, A4090)
- B3 WASTES CONTAINING PRINCIPALLY ORGANIC CONSTITUENTS, WHICH MAY CONTAIN METALS AND INORGANIC MATERIALS
- B3010 Solid plastic waste:  
The following plastic or mixed plastic materials, provided they are not mixed with other wastes and are prepared to a specification:
- Scrap plastic of non-halogenated polymers and co-polymers, including but not limited to the following <sup>(1)</sup>:
    - ethylene
    - styrene
    - polypropylene
    - polyethylene terephthalate
    - acrylonitrile
    - butadiene
    - polyacetals
    - polyamides
    - polybutylene terephthalate
    - polycarbonates
    - polyethers
    - polyphenylene sulphides
    - acrylic polymers
    - alkanes C10-C13 (plasticiser)
    - polyurethane (not containing CFCs)
    - polysiloxanes
    - polymethyl methacrylate
    - polyvinyl alcohol
    - polyvinyl butyral
    - polyvinyl acetate

<sup>(1)</sup> It is understood that such scraps are completely polymerized.

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- Cured waste resins or condensation products including the following:
  - urea formaldehyde resins
  - phenol formaldehyde resins
  - melamine formaldehyde resins
  - epoxy resins
  - alkyd resins
  - polyamides
- The following fluorinated polymer wastes <sup>(1)</sup>
  - Perfluoroethylene/propylene (FEP)
  - Perfluoroalkoxy alkane (PFA)
  - Perfluoroalkoxy alkane (MFA)
  - Polyvinylfluoride (PVF)
  - Polyvinylidene fluoride (PVDF)

**B3020** Paper, paperboard and paper product wastes

The following materials, provided they are not mixed with hazardous wastes:

Waste and scrap of paper or paperboard of:

- unbleached paper or paperboard or of corrugated paper or paperboard
- other paper or paperboard, made mainly of bleached chemical pulp, not coloured in the mass
- paper or paperboard made mainly of mechanical pulp (for example, newspapers, journals and similar printed matter)
- other, including but not limited to 1) laminated paperboard; 2) unsorted scrap

**B3030** Textile wastes

The following materials, provided they are not mixed with other wastes and are prepared to a specification:

- Silk waste (including cocoons unsuitable for reeling, yarn waste and garnetted stock)
  - not carded or combed
  - other
- Waste of wool or of fine or coarse animal hair, including yarn waste but excluding garnetted stock
  - noils of wool or of fine animal hair
  - other waste of wool or of fine animal hair
  - waste of coarse animal hair
- Cotton waste (including yarn waste and garnetted stock)
  - yarn waste (including thread waste)
  - garnetted stock
  - other
- Flax tow and waste
- Tow and waste (including yarn waste and garnetted stock) of true hemp (*Cannabis sativa* L.)
- Tow and waste (including yarn waste and garnetted stock) of jute and other textile bast fibres (excluding flax, true hemp and ramie)

<sup>(1)</sup> — Post-consumer wastes are excluded from this entry.  
— Wastes shall not be mixed.  
— Problems arising from open-burning practices to be considered.



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- Tow and waste (including yarn waste and garnetted stock) of sisal and other textile fibres of the genus *Agave*
- Tow, noils and waste (including yarn waste and garnetted stock) of coconut
- Tow, noils and waste (including yarn waste and garnetted stock) of abaca (*Manila hemp* or *Musa textilis* Nee)
- Tow, noils and waste (including yarn waste and garnetted stock) of ramie and other vegetable textile fibres, not elsewhere specified or included
- Waste (including noils, yarn waste and garnetted stock) of man-made fibres
  - of synthetic fibres
  - of artificial fibres
- Worn clothing and other worn textile articles
- Used rags, scrap twine, cordage, rope and cables and worn out articles of twine, cordage, rope or cables of textile
  - sorted
  - other

**B3040 Rubber wastes**

The following materials, provided they are not mixed with other wastes:

- Waste and scrap of hard rubber (e.g. ebonite)
- Other rubber wastes (excluding such wastes specified elsewhere)

**B3050 Untreated cork and wood waste:**

- Wood waste and scrap, whether or not agglomerated in logs, briquettes, pellets or similar forms
- Cork waste: crushed, granulated or ground cork

**B3060 Wastes arising from agro-food industries provided it is not infectious:**

- Wine lees
- Dried and sterilized vegetable waste, residues and byproducts, whether or not in the form of pellets, or a kind used in animal feeding, not elsewhere specified or included
- Degras: residues resulting from the treatment of fatty substances or animal or vegetable waxes
- Waste of bones and horn-cores, unworked, defatted, simply prepared (but not cut to shape), treated with acid or degelatinised
- Fish waste
- Cocoa shells, husks, skins and other cocoa waste
- Other wastes from the agro-food industry excluding by-products which meet national and international requirements and standards for human or animal consumption

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- B3070      The following wastes:
- Waste of human hair
  - Waste straw
  - Deactivated fungus mycelium from penicillin production to be used as animal feed
- B3080      Waste parings and scrap of rubber
- B3090      Paring and other wastes of leather or of composition leather not suitable for the manufacture of leather articles, excluding leather sludges, not containing hexavalent chromium compounds and biocides (note the related entry on list A, A3100)
- B3100      Leather dust, ash, sludges or flours not containing hexavalent chromium compounds or biocides (note the related entry on list A, A3090)
- B3110      Fellmongery wastes not containing hexavalent chromium compounds or biocides or infectious substances (note the related entry on list A, A3110)
- B3120      Wastes consisting of food dyes
- B3130      Waste polymer ethers and waste non-hazardous monomer ethers incapable of forming peroxides
- B3140      Waste pneumatic tyres, excluding those destined for Annex IVA operations
- B4          WASTES WHICH MAY CONTAIN EITHER INORGANIC OR ORGANIC CONSTITUENTS
- B4010      Wastes consisting mainly of water-based/latex paints, inks and hardened varnishes not containing organic solvents, heavy metals or biocides to an extent to render them hazardous (note the related entry on list A, A4070)
- B4020      Wastes from production, formulation and use of resins, latex, plasticizers, glues/adhesives, not listed on list A, free of solvents and other contaminants to an extent that they do not exhibit Annex III characteristics, e.g. water based, or glues based on casein starch, dextrin, cellulose ethers, polyvinyl alcohols (note the related entry on list A, A3050)
- B4030      Used single use cameras, with batteries not included on list A

**PART 2**

Wastes listed in the Annex to Commission Decision 2000/532/EC. Wastes marked with an asterisk are considered to be hazardous waste pursuant to Directive 91/689/EEC on hazardous waste <sup>(1)</sup>.

- 01          WASTES RESULTING FROM EXPLORATION, MINING, QUARRYING, AND PHYSICAL AND CHEMICAL TREATMENT OF MINERALS
- 01 01      wastes from mineral excavation
- 01 01 01   wastes from mineral metalliferous excavation
- 01 01 02   wastes from mineral non-metalliferous excavation
- 01 03      wastes from physical and chemical processing of metalliferous minerals
- 01 03 04 \*   acid-generating tailings from processing of sulphide ore

<sup>(1)</sup> When identifying a waste in the list below, the introduction to the Annex of Decision 2000/532/EC is relevant.

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|            |                                                                                                                     |
|------------|---------------------------------------------------------------------------------------------------------------------|
| 01 03 05 * | other tailings containing dangerous substances                                                                      |
| 01 03 06   | tailings other than those mentioned in 01 03 04 and 01 03 05                                                        |
| 01 03 07 * | other wastes containing dangerous substances from physical and chemical processing of metalliferous minerals        |
| 01 03 08   | dusty and powdery wastes other than those mentioned in 01 03 07                                                     |
| 01 03 09   | red mud from alumina production other than the wastes mentioned in 01 03 07                                         |
| 01 03 99   | wastes not otherwise specified                                                                                      |
| 01 04      | wastes from physical and chemical processing of non-metalliferous minerals                                          |
| 01 04 07 * | wastes containing dangerous substances from physical and chemical processing of non-metalliferous minerals          |
| 01 04 08   | waste gravel and crushed rocks other than those mentioned in 01 04 07                                               |
| 01 04 09   | waste sand and clays                                                                                                |
| 01 04 10   | dusty and powdery wastes other than those mentioned in 01 04 07                                                     |
| 01 04 11   | wastes from potash and rock-salt processing other than those mentioned in 01 04 07                                  |
| 01 04 12   | tailings and other wastes from washing and cleaning of minerals other than those mentioned in 01 04 07 and 01 04 11 |
| 01 04 13   | wastes from stone cutting and sawing other than those mentioned in 01 04 07                                         |
| 01 04 99   | wastes not otherwise specified                                                                                      |
| 01 05      | drilling muds and other drilling wastes                                                                             |
| 01 05 04   | fresh-water drilling muds and wastes                                                                                |
| 01 05 05 * | oil-containing drilling muds and wastes                                                                             |
| 01 05 06 * | drilling muds and other drilling wastes containing dangerous substances                                             |
| 01 05 07   | barite-containing drilling muds and wastes other than those mentioned in 01 05 05 and 01 05 06                      |
| 01 05 08   | chloride-containing drilling muds and wastes other than those mentioned in 01 05 05 and 01 05 06                    |
| 01 05 99   | wastes not otherwise specified                                                                                      |
| 02         | WASTES FROM AGRICULTURE, HORTICULTURE, AQUACULTURE, FORESTRY, HUNTING AND FISHING, FOOD PREPARATION AND PROCESSING  |
| 02 01      | wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing                                   |
| 02 01 01   | sludges from washing and cleaning                                                                                   |
| 02 01 02   | animal-tissue waste                                                                                                 |

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|            |                                                                                                                                                                                                                |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 02 01 03   | plant-tissue waste                                                                                                                                                                                             |
| 02 01 04   | waste plastics (except packaging)                                                                                                                                                                              |
| 02 01 06   | animal faeces, urine and manure (including spoiled straw), effluent, collected separately and treated off-site                                                                                                 |
| 02 01 07   | wastes from forestry                                                                                                                                                                                           |
| 02 01 08 * | agrochemical waste containing dangerous substances                                                                                                                                                             |
| 02 01 09   | agrochemical waste other than those mentioned in 02 01 08                                                                                                                                                      |
| 02 01 10   | waste metal                                                                                                                                                                                                    |
| 02 01 99   | wastes not otherwise specified                                                                                                                                                                                 |
| 02 02      | wastes from the preparation and processing of meat, fish and other foods of animal origin                                                                                                                      |
| 02 02 01   | sludges from washing and cleaning                                                                                                                                                                              |
| 02 02 02   | animal-tissue waste                                                                                                                                                                                            |
| 02 02 03   | materials unsuitable for consumption or processing                                                                                                                                                             |
| 02 02 04   | sludges from on-site effluent treatment                                                                                                                                                                        |
| 02 02 99   | wastes not otherwise specified                                                                                                                                                                                 |
| 02 03      | wastes from fruit, vegetables, cereals, edible oils, cocoa, coffee, tea and tobacco preparation and processing; conserve production; yeast and yeast extract production, molasses preparation and fermentation |
| 02 03 01   | sludges from washing, cleaning, peeling, centrifuging and separation                                                                                                                                           |
| 02 03 02   | wastes from preserving agents                                                                                                                                                                                  |
| 02 03 03   | wastes from solvent extraction                                                                                                                                                                                 |
| 02 03 04   | materials unsuitable for consumption or processing                                                                                                                                                             |
| 02 03 05   | sludges from on-site effluent treatment                                                                                                                                                                        |
| 02 03 99   | wastes not otherwise specified                                                                                                                                                                                 |
| 02 04      | wastes from sugar processing                                                                                                                                                                                   |
| 02 04 01   | soil from cleaning and washing beet                                                                                                                                                                            |
| 02 04 02   | off-specification calcium carbonate                                                                                                                                                                            |
| 02 04 03   | sludges from on-site effluent treatment                                                                                                                                                                        |
| 02 04 99   | wastes not otherwise specified                                                                                                                                                                                 |
| 02 05      | wastes from the dairy products industry                                                                                                                                                                        |
| 02 05 01   | materials unsuitable for consumption or processing                                                                                                                                                             |
| 02 05 02   | sludges from on-site effluent treatment                                                                                                                                                                        |
| 02 05 99   | wastes not otherwise specified                                                                                                                                                                                 |

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|            |                                                                                                     |
|------------|-----------------------------------------------------------------------------------------------------|
| 02 06      | wastes from the baking and confectionery industry                                                   |
| 02 06 01   | materials unsuitable for consumption or processing                                                  |
| 02 06 02   | wastes from preserving agents                                                                       |
| 02 06 03   | sludges from on-site effluent treatment                                                             |
| 02 06 99   | wastes not otherwise specified                                                                      |
| 02 07      | wastes from the production of alcoholic and non-alcoholic beverages (except coffee, tea and cocoa)  |
| 02 07 1    | wastes from washing, cleaning and mechanical reduction of raw materials                             |
| 02 07 02   | wastes from spirits distillation                                                                    |
| 02 07 03   | wastes from chemical treatment                                                                      |
| 02 07 04   | materials unsuitable for consumption or processing                                                  |
| 02 07 05   | sludges from on-site effluent treatment                                                             |
| 02 07 99   | wastes not otherwise specified                                                                      |
| 03         | WASTES FROM WOOD PROCESSING AND THE PRODUCTION OF PANELS AND FURNITURE, PULP, PAPER AND CARDBOARD   |
| 03 01      | wastes from wood processing and the production of panels and furniture                              |
| 03 01 01   | waste bark and cork                                                                                 |
| 03 01 04 * | sawdust, shavings, cuttings, wood, particle board and veneer containing dangerous substances        |
| 03 01 05   | sawdust, shavings, cuttings, wood, particle board and veneer other than those mentioned in 03 01 04 |
| 03 01 99   | wastes not otherwise specified                                                                      |
| 03 02      | wastes from wood preservation                                                                       |
| 03 02 01 * | non-halogenated organic wood preservatives                                                          |
| 03 02 02 * | organochlorinated wood preservatives                                                                |
| 03 02 03 * | organometallic wood preservatives                                                                   |
| 03 02 04 * | inorganic wood preservatives                                                                        |
| 03 02 05 * | other wood preservatives containing dangerous substances                                            |
| 03 02 99   | wood preservatives not otherwise specified                                                          |
| 03 03      | wastes from pulp, paper and cardboard production and processing                                     |
| 03 03 01   | waste bark and wood                                                                                 |
| 03 03 02   | green liquor sludge (from recovery of cooking liquor)                                               |

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|            |                                                                                             |
|------------|---------------------------------------------------------------------------------------------|
| 03 03 05   | de-inking sludges from paper recycling                                                      |
| 03 03 07   | mechanically separated rejects from pulping of waste paper and cardboard                    |
| 03 03 08   | wastes from sorting of paper and cardboard destined for recycling                           |
| 03 03 09   | lime mud waste                                                                              |
| 03 03 10   | fibre rejects, fibre-, filler- and coating sludges from mechanical separation               |
| 03 03 11   | sludges from on-site effluent treatment other than those mentioned in 03 03 10              |
| 03 03 99   | wastes not otherwise specified                                                              |
| 04         | WASTES FROM THE LEATHER, FUR AND TEXTILE INDUSTRIES                                         |
| 04 01      | wastes from the leather and fur industry                                                    |
| 04 01 01   | fleshings and lime split wastes                                                             |
| 04 01 02   | liming waste                                                                                |
| 04 01 03 * | degreasing wastes containing solvents without a liquid phase                                |
| 04 01 04   | tanning liquor containing chromium                                                          |
| 04 01 05   | tanning liquor free of chromium                                                             |
| 04 01 06   | sludges, in particular from on-site effluent treatment containing chromium                  |
| 04 01 07   | sludges, in particular from on-site effluent treatment free of chromium                     |
| 04 01 08   | waste tanned leather (blue sheetings, shavings, cuttings, buffing dust) containing chromium |
| 04 01 09   | wastes from dressing and finishing                                                          |
| 04 01 99   | wastes not otherwise specified                                                              |
| 04 02      | wastes from the textile industry                                                            |
| 04 02 09   | wastes from composite materials (impregnated textile, elastomer, plastomer)                 |
| 04 02 10   | organic matter from natural products (e.g. grease, wax)                                     |
| 04 02 14 * | wastes from finishing containing organic solvents                                           |
| 04 02 15   | wastes from finishing other than those mentioned in 04 02 14                                |
| 04 02 16 * | dyestuffs and pigments containing dangerous substances                                      |
| 04 02 17   | dyestuffs and pigments other than those mentioned in 04 02 16                               |
| 04 02 19 * | sludges from on-site effluent treatment containing dangerous substances                     |
| 04 02 20   | sludges from on-site effluent treatment other than those mentioned in 04 02 19              |

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|            |                                                                                          |
|------------|------------------------------------------------------------------------------------------|
| 04 02 21   | wastes from unprocessed textile fibres                                                   |
| 04 02 22   | wastes from processed textile fibres                                                     |
| 04 02 99   | wastes not otherwise specified                                                           |
| 05         | WASTES FROM PETROLEUM REFINING, NATURAL GAS PURIFICATION AND PYROLYTIC TREATMENT OF COAL |
| 05 01      | wastes from petroleum refining                                                           |
| 05 01 02 * | desalter sludges                                                                         |
| 05 01 03 * | tank bottom sludges                                                                      |
| 05 01 04 * | acid alkyl sludges                                                                       |
| 05 01 05 * | oil spills                                                                               |
| 05 01 06 * | oily sludges from maintenance operations of the plant or equipment                       |
| 05 01 07 * | acid tars                                                                                |
| 05 01 08 * | other tars                                                                               |
| 05 01 09 * | sludges from on-site effluent treatment containing dangerous substances                  |
| 05 01 10   | sludges from on-site effluent treatment other than those mentioned in 05 01 09           |
| 05 01 11 * | wastes from cleaning of fuels with bases                                                 |
| 05 01 12 * | oil containing acids                                                                     |
| 05 01 13   | boiler feedwater sludges                                                                 |
| 05 01 14   | wastes from cooling columns                                                              |
| 05 01 15 * | spent filter clays                                                                       |
| 05 01 16   | sulphur-containing wastes from petroleum desulphurisation                                |
| 05 01 17   | bitumen                                                                                  |
| 05 01 99   | wastes not otherwise specified                                                           |
| 05 06      | wastes from the pyrolytic treatment of coal                                              |
| 05 06 01 * | acid tars                                                                                |
| 05 06 03 * | other tars                                                                               |
| 05 06 04   | waste from cooling columns                                                               |
| 05 06 99   | wastes not otherwise specified                                                           |
| 05 07      | wastes from natural gas purification and transportation                                  |
| 05 07 01 * | wastes containing mercury                                                                |

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|            |                                                                               |
|------------|-------------------------------------------------------------------------------|
| 05 07 02   | wastes containing sulphur                                                     |
| 05 07 99   | wastes not otherwise specified                                                |
| 06         | WASTES FROM INORGANIC CHEMICAL PROCESSES                                      |
| 06 01      | wastes from the manufacture, formulation, supply and use (MFSU) of acids      |
| 06 01 01 * | sulphuric acid and sulphurous acid                                            |
| 06 01 02 * | hydrochloric acid                                                             |
| 06 01 03 * | hydrofluoric acid                                                             |
| 06 01 04 * | phosphoric and phosphorous acid                                               |
| 06 01 05 * | nitric acid and nitrous acid                                                  |
| 06 01 06 * | other acids                                                                   |
| 06 01 99   | wastes not otherwise specified                                                |
| 06 02      | wastes from the MFSU of bases                                                 |
| 06 02 01 * | calcium hydroxide                                                             |
| 06 02 03 * | ammonium hydroxide                                                            |
| 06 02 04 * | sodium and potassium hydroxide                                                |
| 06 02 05 * | other bases                                                                   |
| 06 02 99   | wastes not otherwise specified                                                |
| 06 03      | wastes from the MFSU of salts and their solutions and metallic oxides         |
| 06 03 11 * | solid salts and solutions containing cyanides                                 |
| 06 03 13 * | solid salts and solutions containing heavy metals                             |
| 06 03 14   | solid salts and solutions other than those mentioned in 06 03 11 and 06 03 13 |
| 06 03 15 * | metallic oxides containing heavy metals                                       |
| 06 03 16   | metallic oxides other than those mentioned in 06 03 15                        |
| 06 03 99   | wastes not otherwise specified                                                |
| 06 04      | metal-containing wastes other than those mentioned in 06 03                   |
| 06 04 03 * | wastes containing arsenic                                                     |
| 06 04 04 * | wastes containing mercury                                                     |
| 06 04 05 * | wastes containing other heavy metals                                          |
| 06 04 99   | wastes not otherwise specified                                                |
| 06 05      | sludges from on-site effluent treatment                                       |



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| 06 05 02 * | sludges from on-site effluent treatment containing dangerous substances                              |
| 06 05 03   | sludges from on-site effluent treatment other than those mentioned in 06 05 02                       |
| 06 06      | wastes from the MFSU of sulphur chemicals, sulphur chemical processes and desulphurisation processes |
| 06 06 02 * | wastes containing dangerous sulphides                                                                |
| 06 06 3    | wastes containing sulphides other than those mentioned in 06 06 02                                   |
| 06 06 99   | wastes not otherwise specified                                                                       |
| 06 07      | wastes from the MFSU of halogens and halogen chemical processes                                      |
| 06 07 01 * | wastes containing asbestos from electrolysis                                                         |
| 06 07 02 * | activated carbon from chlorine production                                                            |
| 06 07 03 * | barium sulphate sludge containing mercury                                                            |
| 06 07 04 * | solutions and acids, e.g. contact acid                                                               |
| 06 07 99   | wastes not otherwise specified                                                                       |
| 06 08      | wastes from the MFSU of silicon and silicon derivatives                                              |
| 06 08 02 * | wastes containing dangerous chlorosilanes                                                            |
| 06 08 99   | wastes not otherwise specified                                                                       |
| 06 09      | wastes from the MSFU of phosphorous chemicals and phosphorous chemical processes                     |
| 06 09 02   | phosphorous slag                                                                                     |
| 06 09 03 * | calcium-based reaction wastes containing or contaminated with dangerous substances                   |
| 06 09 04   | calcium-based reaction wastes other than those mentioned in 06 09 03                                 |
| 06 09 99   | wastes not otherwise specified                                                                       |
| 06 10      | wastes from the MFSU of nitrogen chemicals, nitrogen chemical processes and fertiliser manufacture   |
| 06 10 02 * | wastes containing dangerous substances                                                               |
| 06 10 99   | wastes not otherwise specified                                                                       |
| 06 11      | wastes from the manufacture of inorganic pigments and opacifiers                                     |
| 06 11 01   | calcium-based reaction wastes from titanium dioxide production                                       |
| 06 11 99   | wastes not otherwise specified                                                                       |
| 06 13      | wastes from inorganic chemical processes not otherwise specified                                     |
| 06 13 01 * | inorganic plant protection products, wood-preserving agents and other biocides.                      |
| 06 13 02 * | spent activated carbon (except 06 07 02)                                                             |

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| 06 13 03   | carbon black                                                                               |
| 06 13 04 * | wastes from asbestos processing                                                            |
| 06 13 05 * | Soot                                                                                       |
| 06 13 99   | wastes not otherwise specified                                                             |
| 07         | WASTES FROM ORGANIC CHEMICAL PROCESSES                                                     |
| 07 01      | wastes from the manufacture, formulation, supply and use (MFSU) of basic organic chemicals |
| 07 01 01 * | aqueous washing liquids and mother liquors                                                 |
| 07 01 03 * | organic halogenated solvents, washing liquids and mother liquors                           |
| 07 01 04 * | other organic solvents, washing liquids and mother liquors                                 |
| 07 01 07 * | halogenated still bottoms and reaction residues                                            |
| 07 01 08 * | other still bottoms and reaction residues                                                  |
| 07 01 09 * | halogenated filter cakes and spent absorbents                                              |
| 07 01 10 * | other filter cakes and spent absorbents                                                    |
| 07 01 11 * | sludges from on-site effluent treatment containing dangerous substances                    |
| 07 01 12   | sludges from on-site effluent treatment other than those mentioned in 07 01 11             |
| 07 01 99   | wastes not otherwise specified                                                             |
| 07 02      | wastes from the MFSU of plastics, synthetic rubber and man-made fibres                     |
| 07 02 01 * | aqueous washing liquids and mother liquors                                                 |
| 07 02 03 * | organic halogenated solvents, washing liquids and mother liquors                           |
| 07 02 04 * | other organic solvents, washing liquids and mother liquors                                 |
| 07 02 07 * | halogenated still bottoms and reaction residues                                            |
| 07 02 08 * | other still bottoms and reaction residues                                                  |
| 07 02 09 * | halogenated filter cakes and spent absorbents                                              |
| 07 02 10 * | other filter cakes and spent absorbents                                                    |
| 07 02 11 * | sludges from on-site effluent treatment containing dangerous substances                    |
| 07 02 12   | sludges from on-site effluent treatment other than those mentioned in 07 02 11             |
| 07 02 13   | waste plastic                                                                              |
| 07 02 14 * | wastes from additives containing dangerous substances                                      |
| 07 02 15   | wastes from additives other than those mentioned in 07 02 14                               |
| 07 02 16 * | wastes containing dangerous silicones                                                      |

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| 07 02 17   | waste containing silicones other than those mentioned in 07 02 16                                                                                  |
| 07 02 99   | wastes not otherwise specified                                                                                                                     |
| 07 03      | wastes from the MFSU of organic dyes and pigments (except 06 11)                                                                                   |
| 07 03 01 * | aqueous washing liquids and mother liquors                                                                                                         |
| 07 03 03 * | organic halogenated solvents, washing liquids and mother liquors                                                                                   |
| 07 03 04 * | other organic solvents, washing liquids and mother liquors                                                                                         |
| 07 03 07 * | halogenated still bottoms and reaction residues                                                                                                    |
| 07 03 08 * | other still bottoms and reaction residues                                                                                                          |
| 07 03 09 * | halogenated filter cakes and spent absorbents                                                                                                      |
| 07 03 10 * | other filter cakes and spent absorbents                                                                                                            |
| 07 03 11 * | sludges from on-site effluent treatment containing dangerous substances                                                                            |
| 07 03 12   | sludges from on-site effluent treatment other than those mentioned in 07 03 11                                                                     |
| 07 03 99   | wastes not otherwise specified                                                                                                                     |
| 07 04      | Wastes from the MFSU of organic plant protection products (except 02 01 08 and 02 01 09), wood preserving agents (except 03 02) and other biocides |
| 07 04 01 * | aqueous washing liquids and mother liquors                                                                                                         |
| 07 04 03 * | organic halogenated solvents, washing liquids and mother liquors                                                                                   |
| 07 04 04 * | other organic solvents, washing liquids and mother liquors                                                                                         |
| 07 04 07 * | halogenated still bottoms and reaction residues                                                                                                    |
| 07 04 08 * | other still bottoms and reaction residues                                                                                                          |
| 07 04 09 * | halogenated filter cakes and spent absorbents                                                                                                      |
| 07 04 10 * | other filter cakes and spent absorbents                                                                                                            |
| 07 04 11 * | sludges from on-site effluent treatment containing dangerous substances                                                                            |
| 07 04 12   | sludges from on-site effluent treatment other than those mentioned in 07 04 11                                                                     |
| 07 04 13 * | solid wastes containing dangerous substances                                                                                                       |
| 07 04 99   | wastes not otherwise specified                                                                                                                     |
| 07 05      | wastes from the MFSU of pharmaceuticals                                                                                                            |
| 07 05 01 * | aqueous washing liquids and mother liquors                                                                                                         |
| 07 05 03 * | organic halogenated solvents, washing liquids and mother liquors                                                                                   |
| 07 05 04 * | other organic solvents, washing liquids and mother liquors                                                                                         |
| 07 05 07 * | halogenated still bottoms and reaction residues                                                                                                    |

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| 07 05 08 * | other still bottoms and reaction residues                                            |
| 07 05 09 * | halogenated filter cakes and spent absorbents                                        |
| 07 05 10 * | other filter cakes and spent absorbents                                              |
| 07 05 11 * | sludges from on-site effluent treatment containing dangerous substances              |
| 07 05 12   | sludges from on-site effluent treatment other than those mentioned in 07 05 11       |
| 07 05 13 * | solid wastes containing dangerous substances                                         |
| 07 05 14   | solid wastes other than those mentioned in 07 05 13                                  |
| 07 05 99   | wastes not otherwise specified                                                       |
| 07 06      | wastes from the MFSU of fats, grease, soaps, detergents, disinfectants and cosmetics |
| 07 06 01 * | aqueous washing liquids and mother liquors                                           |
| 07 06 03 * | organic halogenated solvents, washing liquids and mother liquors                     |
| 07 06 04 * | other organic solvents, washing liquids and mother liquors                           |
| 07 06 07 * | halogenated still bottoms and reaction residues                                      |
| 07 06 08 * | other still bottoms and reaction residues                                            |
| 07 06 09 * | halogenated filter cakes and spent absorbents                                        |
| 07 06 10 * | other filter cakes and spent absorbents                                              |
| 07 06 11 * | sludges from on-site effluent treatment containing dangerous substances              |
| 07 06 12   | sludges from on-site effluent treatment other than those mentioned in 07 06 11       |
| 07 06 99   | wastes not otherwise specified                                                       |
| 07 07      | wastes from the MFSU of fine chemicals and chemical products not otherwise specified |
| 07 07 01 * | aqueous washing liquids and mother liquors                                           |
| 07 07 03 * | organic halogenated solvents, washing liquids and mother liquors                     |
| 07 07 04 * | other organic solvents, washing liquids and mother liquors                           |
| 07 07 07 * | halogenated still bottoms and reaction residues                                      |
| 07 07 08 * | other still bottoms and reaction residues                                            |
| 07 07 09 * | halogenated filter cakes and spent absorbents                                        |
| 07 07 10 * | other filter cakes and spent absorbents                                              |
| 07 07 11 * | sludges from on-site effluent treatment containing dangerous substances              |
| 07 07 12   | sludges from on-site effluent treatment other than those mentioned in 07 07 11       |
| 07 07 99   | wastes not otherwise specified                                                       |

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| 08         | WASTES FROM THE MANUFACTURE, FORMULATION, SUPPLY AND USE (MFSU) OF COATINGS (PAINTS, VARNISHES AND VITREOUS ENAMELS), ADHESIVES, SEALANTS AND PRINTING INKS |
| 08 01      | wastes from MFSU and removal of paint and varnish                                                                                                           |
| 08 01 11 * | waste paint and varnish containing organic solvents or other dangerous substances                                                                           |
| 08 01 12   | waste paint and varnish other than those mentioned in 08 01 11                                                                                              |
| 08 01 13 * | sludges from paint or varnish containing organic solvents or other dangerous substances                                                                     |
| 08 01 14   | sludges from paint or varnish other than those mentioned in 08 01 13                                                                                        |
| 08 01 15 * | aqueous sludges containing paint or varnish containing organic solvents or other dangerous substances                                                       |
| 08 01 16   | aqueous sludges containing paint or varnish other than those mentioned in 08 01 15                                                                          |
| 08 01 17 * | wastes from paint or varnish removal containing organic solvents or other dangerous substances                                                              |
| 08 01 18   | wastes from paint or varnish removal other than those mentioned in 08 01 17                                                                                 |
| 08 01 19 * | aqueous suspensions containing paint or varnish containing organic solvents or other dangerous substances                                                   |
| 08 01 20   | aqueous suspensions containing paint or varnish other than those mentioned in 08 01 19                                                                      |
| 08 01 21 * | waste paint or varnish remover                                                                                                                              |
| 08 01 99   | wastes not otherwise specified                                                                                                                              |
| 08 02      | wastes from MFSU of other coatings (including ceramic materials)                                                                                            |
| 08 02 01   | waste coating powders                                                                                                                                       |
| 08 02 02   | aqueous sludges containing ceramic materials                                                                                                                |
| 08 02 03   | aqueous suspensions containing ceramic materials                                                                                                            |
| 08 02 99   | wastes not otherwise specified                                                                                                                              |
| 08 03      | wastes from MFSU of printing inks                                                                                                                           |
| 08 03 07   | aqueous sludges containing ink                                                                                                                              |
| 08 03 08   | aqueous liquid waste containing ink                                                                                                                         |
| 08 03 12 * | waste ink containing dangerous substances                                                                                                                   |
| 08 03 13   | waste ink other than those mentioned in 08 03 12                                                                                                            |
| 08 03 14 * | ink sludges containing dangerous substances                                                                                                                 |
| 08 03 15   | ink sludges other than those mentioned in 08 03 14                                                                                                          |

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| 08 03 16 * | waste etching solutions                                                                                         |
| 08 03 17 * | waste printing toner containing dangerous substances                                                            |
| 08 03 18   | waste printing toner other than those mentioned in 08 03 17                                                     |
| 08 03 19 * | disperse oil                                                                                                    |
| 08 03 99   | wastes not otherwise specified                                                                                  |
| 08 04      | wastes from MFSU of adhesives and sealants (including waterproofing products)                                   |
| 08 04 09 * | waste adhesives and sealants containing organic solvents or other dangerous substances                          |
| 08 04 10   | waste adhesives and sealants other than those mentioned in 08 04 09                                             |
| 08 04 11 * | adhesive and sealant sludges containing organic solvents or other dangerous substances                          |
| 08 04 12   | adhesive and sealant sludges other than those mentioned in 08 04 11                                             |
| 08 04 13 * | aqueous sludges containing adhesives or sealants containing organic solvents or other dangerous substances      |
| 08 04 14   | aqueous sludges containing adhesives or sealants other than those mentioned in 08 04 13                         |
| 08 04 15 * | aqueous liquid waste containing adhesives or sealants containing organic solvents or other dangerous substances |
| 08 04 16   | aqueous liquid waste containing adhesives or sealants other than those mentioned in 08 04 15                    |
| 08 04 17 * | rosin oil                                                                                                       |
| 08 04 99   | wastes not otherwise specified                                                                                  |
| 08 05      | wastes not otherwise specified in 08                                                                            |
| 08 05 01 * | waste isocyanates                                                                                               |
| 09         | WASTES FROM THE PHOTOGRAPHIC INDUSTRY                                                                           |
| 09 01      | wastes from the photographic industry                                                                           |
| 09 01 01 * | water-based developer and activator solutions                                                                   |
| 09 01 02 * | water-based offset plate developer solutions                                                                    |
| 09 01 03 * | solvent-based developer solutions                                                                               |
| 09 01 04 * | fixer solutions                                                                                                 |
| 09 01 05 * | bleach solutions and bleach fixer solutions                                                                     |
| 09 01 06 * | wastes containing silver from on-site treatment of photographic wastes                                          |
| 09 01 07   | photographic film and paper containing silver or silver compounds                                               |
| 09 01 08   | photographic film and paper free of silver or silver compounds                                                  |
| 09 01 10   | single-use cameras without batteries                                                                            |

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| 09 01 11 * | single-use cameras containing batteries included in 16 06 01, 16 06 02 or 16 06 03             |
| 09 01 12   | single-use cameras containing batteries other than those mentioned in 09 01 11                 |
| 09 01 13 * | aqueous liquid waste from on-site reclamation of silver other than those mentioned in 09 01 06 |
| 09 01 99   | wastes not otherwise specified                                                                 |
| 10         | WASTES FROM THERMAL PROCESSES                                                                  |
| 10 01      | wastes from power stations and other combustion plants (except 19)                             |
| 10 01 01   | bottom ash, slag and boiler dust (excluding boiler dust mentioned in 10 01 04)                 |
| 10 01 02   | coal fly ash                                                                                   |
| 10 01 03   | fly ash from peat and untreated wood                                                           |
| 10 01 04 * | oil fly ash and -boiler dust                                                                   |
| 10 01 05   | calcium-based reaction wastes from flue-gas desulphurisation in solid form                     |
| 10 01 07   | calcium-based reaction wastes from flue-gas desulphurisation in sludge form                    |
| 10 01 09 * | sulphuric acid                                                                                 |
| 10 01 13 * | fly ash from emulsified hydrocarbons used as fuel                                              |
| 10 01 14 * | bottom ash, slag and boiler dust from co-incineration containing dangerous substances          |
| 10 01 15   | bottom ash, slag and boiler dust from co-incineration other than those mentioned in 10 01 14   |
| 10 01 16 * | fly ash from co-incineration containing dangerous substances                                   |
| 10 01 17   | fly ash from co-incineration other than those mentioned in 10 01 16                            |
| 10 01 18 * | wastes from gas cleaning containing dangerous substances                                       |
| 10 01 19   | wastes from gas cleaning other than those mentioned in 10 01 05, 10 01 07 and 10 01 18         |
| 10 01 20 * | sludges from on-site effluent treatment containing dangerous substances                        |
| 10 01 21   | sludges from on-site effluent treatment other than those mentioned in 10 01 20                 |
| 10 01 22 * | aqueous sludges from boiler cleansing containing dangerous substances                          |
| 10 01 23   | aqueous sludges from boiler cleansing other than those mentioned in 10 01 22                   |
| 10 01 24   | sands from fluidised beds                                                                      |

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| 10 01 25   | wastes from fuel storage and preparation of coal-fired power plants                                    |
| 10 01 26   | wastes from cooling-water treatment                                                                    |
| 10 01 99   | wastes not otherwise specified                                                                         |
| 10 02      | wastes from the iron and steel industry                                                                |
| 10 02 01   | wastes from the processing of slag                                                                     |
| 10 02 02   | unprocessed slag                                                                                       |
| 10 02 07 * | solid wastes from gas treatment containing dangerous substances                                        |
| 10 02 08   | solid wastes from gas treatment other than those mentioned in 10 02 07                                 |
| 10 02 10   | mill scales                                                                                            |
| 10 02 11 * | wastes from cooling-water treatment containing oil                                                     |
| 10 02 12   | wastes from cooling-water treatment other than those mentioned in 10 02 11                             |
| 10 02 13 * | sludges and filter cakes from gas treatment containing dangerous substances                            |
| 10 02 14   | sludges and filter cakes from gas treatment other than those mentioned in 10 02 13                     |
| 10 02 15   | other sludges and filter cakes                                                                         |
| 10 02 99   | wastes not otherwise specified                                                                         |
| 10 03      | wastes from aluminium thermal metallurgy                                                               |
| 10 03 02   | anode scraps                                                                                           |
| 10 03 04 * | primary production slags                                                                               |
| 10 03 05   | waste alumina                                                                                          |
| 10 03 08 * | salt slags from secondary production                                                                   |
| 10 03 09 * | black drosses from secondary production                                                                |
| 10 03 15 * | skimmings that are flammable or emit, upon contact with water, flammable gases in dangerous quantities |
| 10 03 16   | skimmings other than those mentioned in 10 03 15                                                       |
| 10 03 17 * | tar-containing wastes from anode manufacture                                                           |
| 10 03 18   | carbon-containing wastes from anode manufacture other than those mentioned in 10 03 17                 |
| 10 03 19 * | flue-gas dust containing dangerous substances                                                          |
| 10 03 20   | flue-gas dust other than those mentioned in 10 03 19                                                   |
| 10 03 21 * | other particulates and dust (including ball-mill dust) containing dangerous substances                 |



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| 10 03 22   | other particulates and dust (including ball-mill dust) other than those mentioned in 10 03 21 |
| 10 03 23 * | solid wastes from gas treatment containing dangerous substances                               |
| 10 03 24   | solid wastes from gas treatment other than those mentioned in 10 03 23                        |
| 10 03 25 * | sludges and filter cakes from gas treatment containing dangerous substances                   |
| 10 03 26   | sludges and filter cakes from gas treatment other than those mentioned in 10 03 25            |
| 10 03 27 * | wastes from cooling-water treatment containing oil                                            |
| 10 03 28   | wastes from cooling-water treatment other than those mentioned in 10 03 27                    |
| 10 03 29 * | wastes from treatment of salt slags and black drosses containing dangerous substances         |
| 10 03 30   | wastes from treatment of salt slags and black drosses other than those mentioned in 10 03 29  |
| 10 03 99   | wastes not otherwise specified                                                                |
| 10 04      | wastes from lead thermal metallurgy                                                           |
| 10 04 01 * | slags from primary and secondary production                                                   |
| 10 04 02 * | dross and skimmings from primary and secondary production                                     |
| 10 04 03 * | calcium arsenate                                                                              |
| 10 04 04 * | flue-gas dust                                                                                 |
| 10 04 05 * | other particulates and dust                                                                   |
| 10 04 06 * | solid wastes from gas treatment                                                               |
| 10 04 07 * | sludges and filter cakes from gas treatment                                                   |
| 10 04 09 * | wastes from cooling-water treatment containing oil                                            |
| 10 04 10   | wastes from cooling-water treatment other than those mentioned in 10 04 09                    |
| 10 04 99   | wastes not otherwise specified                                                                |
| 10 05      | wastes from zinc thermal metallurgy                                                           |
| 10 05 01   | slags from primary and secondary production                                                   |
| 10 05 03 * | flue-gas dust                                                                                 |
| 10 05 04   | other particulates and dust                                                                   |

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| 10 05 05 * | solid waste from gas treatment                                                                                   |
| 10 05 06 * | sludges and filter cakes from gas treatment                                                                      |
| 10 05 08 * | wastes from cooling-water treatment containing oil                                                               |
| 10 05 09   | wastes from cooling-water treatment other than those mentioned in 10 05 08                                       |
| 10 05 10 * | dross and skimmings that are flammable or emit, upon contact with water, flammable gases in dangerous quantities |
| 10 05 11   | dross and skimmings other than those mentioned in 10 05 10                                                       |
| 10 05 99   | wastes not otherwise specified                                                                                   |
| 10 06      | wastes from copper thermal metallurgy                                                                            |
| 10 06 01   | slags from primary and secondary production                                                                      |
| 10 06 02   | dross and skimmings from primary and secondary production                                                        |
| 10 06 03 * | flue-gas dust                                                                                                    |
| 10 06 04   | other particulates and dust                                                                                      |
| 10 06 06 * | solid wastes from gas treatment                                                                                  |
| 10 06 07 * | sludges and filter cakes from gas treatment                                                                      |
| 10 06 09 * | wastes from cooling-water treatment containing oil                                                               |
| 10 06 10   | wastes from cooling-water treatment other than those mentioned in 10 06 09                                       |
| 10 06 99   | wastes not otherwise specified                                                                                   |
| 10 07      | wastes from silver, gold and platinum thermal metallurgy                                                         |
| 10 07 01   | slags from primary and secondary production                                                                      |
| 10 07 02   | dross and skimmings from primary and secondary production                                                        |
| 10 07 03   | solid wastes from gas treatment                                                                                  |
| 10 07 04   | other particulates and dust                                                                                      |
| 10 07 05   | sludges and filter cakes from gas treatment                                                                      |
| 10 07 07 * | wastes from cooling-water treatment containing oil                                                               |
| 10 07 08   | wastes from cooling-water treatment other than those mentioned in 10 07 07                                       |
| 10 07 99   | wastes not otherwise specified                                                                                   |
| 10 08      | wastes from other non-ferrous thermal metallurgy                                                                 |
| 10 08 04   | particulates and dust                                                                                            |

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| 10 08 08 * | salt slag from primary and secondary production                                                                  |
| 10 08 09   | other slags                                                                                                      |
| 10 08 10 * | dross and skimmings that are flammable or emit, upon contact with water, flammable gases in dangerous quantities |
| 10 08 11   | dross and skimmings other than those mentioned in 10 08 10                                                       |
| 10 08 12 * | tar-containing wastes from anode manufacture                                                                     |
| 10 08 13   | carbon-containing wastes from anode manufacture other than those mentioned in 10 08 12                           |
| 10 08 14   | anode scrap                                                                                                      |
| 10 08 15 * | flue-gas dust containing dangerous substances                                                                    |
| 10 08 16   | flue-gas dust other than those mentioned in 10 08 15                                                             |
| 10 08 17 * | sludges and filter cakes from flue-gas treatment containing dangerous substances                                 |
| 10 08 18   | sludges and filter cakes from flue-gas treatment other than those mentioned in 10 08 17                          |
| 10 08 19 * | wastes from cooling-water treatment containing oil                                                               |
| 10 08 20   | wastes from cooling-water treatment other than those mentioned in 10 08 19                                       |
| 10 08 99   | wastes not otherwise specified                                                                                   |
| 10 09      | wastes from casting of ferrous pieces                                                                            |
| 10 09 03   | furnace slag                                                                                                     |
| 10 09 05 * | casting cores and moulds which have not undergone pouring containing dangerous substances                        |
| 10 09 06   | casting cores and moulds which have not undergone pouring other than those mentioned in 10 09 05                 |
| 10 09 07 * | casting cores and moulds which have undergone pouring containing dangerous substances                            |
| 10 09 08   | casting cores and moulds which have undergone pouring other than those mentioned in 10 09 07                     |
| 10 09 09 * | flue-gas dust containing dangerous substances                                                                    |
| 10 09 10   | flue-gas dust other than those mentioned in 10 09 09                                                             |
| 10 09 11 * | other particulates containing dangerous substances                                                               |
| 10 09 12   | other particulates other than those mentioned in 10 09 11                                                        |
| 10 09 13 * | waste binders containing dangerous substances                                                                    |
| 10 09 14   | waste binders other than those mentioned in 10 09 13                                                             |

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| 10 09 15 * | waste crack-indicating agent containing dangerous substances                                          |
| 10 09 16   | waste crack-indicating agent other than those mentioned in 10 09 15                                   |
| 10 09 99   | wastes not otherwise specified                                                                        |
| 10 10      | wastes from casting of non-ferrous pieces                                                             |
| 10 10 03   | furnace slag                                                                                          |
| 10 10 05 * | casting cores and moulds which have not undergone pouring containing dangerous substances             |
| 10 10 06   | casting cores and moulds which have not undergone pouring other than those mentioned in 10 10 05      |
| 10 10 07 * | casting cores and moulds which have undergone pouring containing dangerous substances                 |
| 10 10 08   | casting cores and moulds which have undergone pouring other than those mentioned in 10 10 07          |
| 10 10 09 * | flue-gas dust containing dangerous substances                                                         |
| 10 10 10   | flue-gas dust other than those mentioned in 10 10 09                                                  |
| 10 10 11 * | other particulates containing dangerous substances                                                    |
| 10 10 12   | other particulates other than those mentioned in 10 10 11                                             |
| 10 10 13 * | waste binders containing dangerous substances                                                         |
| 10 10 14   | waste binders other than those mentioned in 10 10 13                                                  |
| 10 10 15 * | waste crack-indicating agent containing dangerous substances                                          |
| 10 10 16   | waste crack-indicating agent other than those mentioned in 10 10 15                                   |
| 10 10 99   | wastes not otherwise specified                                                                        |
| 10 11      | wastes from manufacture of glass and glass products                                                   |
| 10 11 03   | waste glass-based fibrous materials                                                                   |
| 10 11 05   | particulates and dust                                                                                 |
| 10 11 09 * | waste preparation mixture before thermal processing containing dangerous substances                   |
| 10 11 10   | waste preparation mixture before thermal processing other than those mentioned in 10 11 09            |
| 10 11 11 * | waste glass in small particles and glass powder containing heavy metals (e.g. from cathode ray tubes) |
| 10 11 12   | waste glass other than those mentioned in 10 11 11                                                    |
| 10 11 13 * | glass-polishing and -grinding sludge containing dangerous substances                                  |
| 10 11 14   | glass-polishing and -grinding sludge other than those mentioned in 10 11 13                           |
| 10 11 15 * | solid wastes from flue-gas treatment containing dangerous substances                                  |

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| 10 11 16   | solid wastes from flue-gas treatment other than those mentioned in 10 11 15                      |
| 10 11 17 * | sludges and filter cakes from flue-gas treatment containing dangerous substances                 |
| 10 11 18   | sludges and filter cakes from flue-gas treatment other than those mentioned in 10 11 17          |
| 10 11 19 * | solid wastes from on-site effluent treatment containing dangerous substances                     |
| 10 11 20   | solid wastes from on-site effluent treatment other than those mentioned in 10 11 19              |
| 10 11 99   | wastes not otherwise specified                                                                   |
| 10 12      | wastes from manufacture of ceramic goods, bricks, tiles and construction products                |
| 10 12 01   | waste preparation mixture before thermal processing                                              |
| 10 12 03   | particulates and dust                                                                            |
| 10 12 05   | sludges and filter cakes from gas treatment                                                      |
| 10 12 06   | discarded molds                                                                                  |
| 10 12 08   | waste ceramics, bricks, tiles and construction products (after thermal processing)               |
| 10 12 09 * | solid wastes from gas treatment containing dangerous substances                                  |
| 10 12 10   | solid wastes from gas treatment other than those mentioned in 10 12 09                           |
| 10 12 11 * | wastes from glazing containing heavy metals                                                      |
| 10 12 12   | wastes from glazing other than those mentioned in 10 12 11                                       |
| 10 12 13   | sludge from on-site effluent treatment                                                           |
| 10 12 99   | wastes not otherwise specified                                                                   |
| 10 13      | wastes from manufacture of cement, lime and plaster and articles and products made from them     |
| 10 13 01   | waste preparation mixture before thermal processing                                              |
| 10 13 04   | wastes from calcination and hydration of lime                                                    |
| 10 13 06   | particulates and dust (except 10 13 12 and 10 13 13)                                             |
| 10 13 07   | sludges and filter cakes from gas treatment                                                      |
| 10 13 09 * | wastes from asbestos-cement manufacture containing asbestos                                      |
| 10 13 10   | wastes from asbestos-cement manufacture other than those mentioned in 10 13 09                   |
| 10 13 11   | wastes from cement-based composite materials other than those mentioned in 10 13 09 and 10 13 10 |

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- 10 13 12 \* solid wastes from gas treatment containing dangerous substances
- 10 13 13 solid wastes from gas treatment other than those mentioned in 10 13 12
- 10 13 14 waste concrete and concrete sludge
- 10 13 99 wastes not otherwise specified
- 10 14 waste from crematoria
- 10 14 01 \* waste from gas cleaning containing mercury
- 11 WASTES FROM CHEMICAL SURFACE TREATMENT AND COATING OF METALS AND OTHER MATERIALS; NON-FERROUS HYDRO-METALLURGY
- 11 01 wastes from chemical surface treatment and coating of metals and other materials (e.g. galvanic processes, zinc coating processes, pickling processes, etching, phosphating, alkaline degreasing, anodising)
- 11 01 05 \* pickling acids
- 11 01 06 \* acids not otherwise specified
- 11 01 07 \* pickling bases
- 11 01 08 \* phosphatising sludges
- 11 01 09 \* sludges and filter cakes containing dangerous substances
- 11 01 10 sludges and filter cakes other than those mentioned in 11 01 09
- 11 01 11 \* aqueous rinsing liquids containing dangerous substances
- 11 01 12 aqueous rinsing liquids other than those mentioned in 11 01 11
- 11 01 13 \* degreasing wastes containing dangerous substances
- 11 01 14 degreasing wastes other than those mentioned in 11 01 13
- 11 01 15 \* eluate and sludges from membrane systems or ion exchange systems containing dangerous substances
- 11 01 16 \* saturated or spent ion exchange resins
- 11 01 98 \* other wastes containing dangerous substances
- 11 01 99 wastes not otherwise specified
- 11 02 wastes from non-ferrous hydrometallurgical processes
- 11 02 02 \* sludges from zinc hydrometallurgy (incl. Jarosite, goethite)
- 11 02 03 wastes from the production of anodes for aqueous electrolytical processes
- 11 02 05 \* wastes from copper hydrometallurgical processes containing dangerous substances
- 11 02 06 wastes from copper hydrometallurgical processes other than those mentioned in 11 02 05

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|            |                                                                                          |
|------------|------------------------------------------------------------------------------------------|
| 11 02 07 * | other wastes containing dangerous substances                                             |
| 11 02 99   | wastes not otherwise specified                                                           |
| 11 03      | sludges and solids from tempering processes                                              |
| 11 03 01 * | wastes containing cyanide                                                                |
| 11 03 02 * | other wastes                                                                             |
| 11 05      | wastes from hot galvanising processes                                                    |
| 11 05 01   | hard zinc                                                                                |
| 11 05 02   | zinc ash                                                                                 |
| 11 05 03 * | solid wastes from gas treatment                                                          |
| 11 05 04 * | spent flux                                                                               |
| 11 05 99   | wastes not otherwise specified                                                           |
| 12         | WASTES FROM SHAPING AND PHYSICAL AND MECHANICAL SURFACE TREATMENT OF METALS AND PLASTICS |
| 12 01      | wastes from shaping and physical and mechanical surface treatment of metals and plastics |
| 12 01 01   | ferrous metal filings and turnings                                                       |
| 12 01 02   | ferrous metal dust and particles                                                         |
| 12 01 03   | non-ferrous metal filings and turnings                                                   |
| 12 01 04   | non-ferrous metal dust and particles                                                     |
| 12 01 05   | plastics shavings and turnings                                                           |
| 12 01 06 * | mineral-based machining oils containing halogens (except emulsions and solutions)        |
| 12 01 07 * | mineral-based machining oils free of halogens (except emulsions and solutions)           |
| 12 01 08 * | machining emulsions and solutions containing halogens                                    |
| 12 01 09 * | machining emulsions and solutions free of halogens                                       |
| 12 01 10 * | synthetic machining oils                                                                 |
| 12 01 12 * | spent waxes and fats                                                                     |
| 12 01 13   | welding wastes                                                                           |
| 12 01 14 * | machining sludges containing dangerous substances                                        |
| 12 01 15   | machining sludges other than those mentioned in 12 01 14                                 |
| 12 01 16 * | waste blasting material containing dangerous substances                                  |
| 12 01 17   | waste blasting material other than those mentioned in 12 01 16                           |
| 12 01 18 * | metal sludge (grinding, honing and lapping sludge) containing oil                        |

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- 12 01 19 \* readily biodegradable machining oil
- 12 01 20 \* spent grinding bodies and grinding materials containing dangerous substances
- 12 01 21 spent grinding bodies and grinding materials other than those mentioned in 12 01 20
- 12 01 99 wastes not otherwise specified
- 12 03 wastes from water and steam degreasing processes (except 11)
- 12 03 01 \* aqueous washing liquids
- 12 03 02 \* steam degreasing wastes
- 13 OIL WASTES AND WASTES OF LIQUID FUELS (except edible oils, and those in chapters 05, 12 and 19)
- 13 01 waste hydraulic oils
- 13 01 01 \* hydraulic oils, containing PCBs <sup>(1)</sup>
- 13 01 04 \* chlorinated emulsions
- 13 01 05 \* non-chlorinated emulsions
- 13 01 09 \* mineral-based chlorinated hydraulic oils
- 13 01 10 \* mineral based non-chlorinated hydraulic oils
- 13 01 11 \* synthetic hydraulic oils
- 13 01 12 \* readily biodegradable hydraulic oils
- 13 01 13 \* other hydraulic oils
- 13 02 waste engine, gear and lubricating oils
- 13 02 04 \* mineral-based chlorinated engine, gear and lubricating oils
- 13 02 05 \* mineral-based non-chlorinated engine, gear and lubricating oils
- 13 02 06 \* synthetic engine, gear and lubricating oils
- 13 02 07 \* readily biodegradable engine, gear and lubricating oils
- 13 02 08 \* other engine, gear and lubricating oils
- 13 03 waste insulating and heat transmission oils
- 13 03 01 \* insulating or heat transmission oils containing PCBs
- 13 03 06 \* mineral-based chlorinated insulating and heat transmission oils other than those mentioned in 13 03 01
- 13 03 07 \* mineral-based non-chlorinated insulating and heat transmission oils
- 13 03 08 \* synthetic insulating and heat transmission oils
- 13 03 09 \* readily biodegradable insulating and heat transmission oils
- 13 03 10 \* other insulating and heat transmission oils

<sup>(1)</sup> For the purpose of this list of wastes, PCBs will be defined as in Directive 96/59/EC.



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|            |                                                                                                              |
|------------|--------------------------------------------------------------------------------------------------------------|
| 13 04      | bilge oils                                                                                                   |
| 13 04 01 * | bilge oils from inland navigation                                                                            |
| 13 04 02 * | bilge oils from jetty sewers                                                                                 |
| 13 04 03 * | bilge oils from other navigation                                                                             |
| 13 05      | oil/water separator contents                                                                                 |
| 13 05 01 * | solids from grit chambers and oil/water separators                                                           |
| 13 05 02 * | sludges from oil/water separators                                                                            |
| 13 05 03 * | interceptor sludges                                                                                          |
| 13 05 06 * | oil from oil/water separators                                                                                |
| 13 05 07 * | oily water from oil/water separators                                                                         |
| 13 05 08 * | mixtures of wastes from grit chambers and oil/water separators                                               |
| 13 07      | wastes of liquid fuels                                                                                       |
| 13 07 01 * | fuel oil and diesel                                                                                          |
| 13 07 02 * | petrol                                                                                                       |
| 13 07 03 * | other fuels (including mixtures)                                                                             |
| 13 08      | oil wastes not otherwise specified                                                                           |
| 13 08 01 * | desalter sludges or emulsions                                                                                |
| 13 08 02 * | other emulsions                                                                                              |
| 13 08 99 * | wastes not otherwise specified                                                                               |
| 14         | WASTE ORGANIC SOLVENTS, REFRIGERANTS AND PROPELLANTS (EXCEPT 07 AND 08)                                      |
| 14 06      | waste organic solvents, refrigerants and foam/aerosol propellants                                            |
| 14 06 01 * | chlorofluorocarbons, HCFC, HFC                                                                               |
| 14 06 02 * | other halogenated solvents and solvent mixtures                                                              |
| 14 06 03 * | other solvents and solvent mixtures                                                                          |
| 14 06 04 * | sludges or solid wastes containing halogenated solvents                                                      |
| 14 06 05 * | sludges or solid wastes containing other solvents                                                            |
| 15         | WASTE PACKAGING; ABSORBENTS, WIPING CLOTHS, FILTER MATERIALS AND PROTECTIVE CLOTHING NOT OTHERWISE SPECIFIED |
| 15 01      | packaging (including separately collected municipal packaging waste)                                         |
| 15 01 01   | paper and cardboard packaging                                                                                |
| 15 01 02   | plastic packaging                                                                                            |

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- 15 01 03 wooden packaging
- 15 01 04 metallic packaging
- 15 01 05 composite packaging
- 15 01 06 mixed packaging
- 15 01 07 glass packaging
- 15 01 09 textile packaging
- 15 01 10 \* packaging containing residues of or contaminated by dangerous substances
- 15 01 11 \* metallic packaging containing a dangerous solid porous matrix (e.g. asbestos), including empty pressure containers
- 15 02 absorbents, filter materials, wiping cloths and protective clothing
- 15 02 02 \* absorbents, filter materials (including oil filters not otherwise specified), wiping cloths, protective clothing contaminated by dangerous substances
- 15 02 03 absorbents, filter materials, wiping cloths and protective clothing other than those mentioned in 15 02 02
- 16 WASTES NOT OTHERWISE SPECIFIED IN THE LIST
- 16 01 end-of-life vehicles from different means of transport (including off-road machinery, **vessels and aircraft**) and wastes from dismantling of end-of-life vehicles and vehicle maintenance (except 13, 14, 16 06 and 16 08)
- 16 01 03 end-of-life tyres
- 16 01 04 \* end-of-life vehicles
- 16 01 04 \* a vessels and other floating structures for breaking up, not properly emptied of any cargo and other materials contained in the vessel which may have been classified as a dangerous substance or waste**
- 16 01 06 end-of-life vehicles, containing neither liquids nor other hazardous components
- 16 01 06 a vessels and other floating structures for breaking up, properly emptied of any cargo and other materials contained in the vessel which may have been classified as a dangerous substance or waste**
- 16 01 07 \* oil filters
- 16 01 08 \* components containing mercury
- 16 01 09 \* components containing PCBs
- 16 01 10 \* explosive components (e.g. air bags)
- 16 01 11 \* brake pads containing asbestos
- 16 01 12 brake pads other than those mentioned in 16 01 11
- 16 01 13 \* brake fluids
- 16 01 14 \* antifreeze fluids containing dangerous substances

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|            |                                                                                                                       |
|------------|-----------------------------------------------------------------------------------------------------------------------|
| 16 01 15   | antifreeze fluids other than those mentioned in 16 01 14                                                              |
| 16 01 16   | tanks for liquefied gas                                                                                               |
| 16 01 17   | ferrous metal                                                                                                         |
| 16 01 18   | non-ferrous metal                                                                                                     |
| 16 01 19   | plastic                                                                                                               |
| 16 01 20   | glass                                                                                                                 |
| 16 01 21 * | hazardous components other than those mentioned in 16 01 07 to 16 01 11 and 16 01 13 and 16 01 14                     |
| 16 01 22   | components not otherwise specified                                                                                    |
| 16 01 99   | wastes not otherwise specified                                                                                        |
| 16 02      | wastes from electrical and electronic equipment                                                                       |
| 16 02 09 * | transformers and capacitors containing PCBs                                                                           |
| 16 02 10 * | discarded equipment containing or contaminated by PCBs other than those mentioned in 16 02 09                         |
| 16 02 11 * | discarded equipment containing chlorofluorocarbons, HCFC, HFC                                                         |
| 16 02 12 * | discarded equipment containing free asbestos                                                                          |
| 16 02 13 * | discarded equipment containing hazardous components <sup>(1)</sup> other than those mentioned in 16 02 09 to 16 02 12 |
| 16 02 14   | discarded equipment other than those mentioned in 16 02 09 to 16 02 13                                                |
| 16 02 15 * | hazardous components removed from discarded equipment                                                                 |
| 16 02 16   | components removed from discarded equipment other than those mentioned in 16 02 15                                    |
| 16 03      | off-specification batches and unused products                                                                         |
| 16 03 03 * | inorganic wastes containing dangerous substances                                                                      |
| 16 03 04   | inorganic wastes other than those mentioned in 16 03 03                                                               |
| 16 03 05 * | organic wastes containing dangerous substances                                                                        |
| 16 03 06   | organic wastes other than those mentioned in 16 03 05                                                                 |
| 16 04      | waste explosives                                                                                                      |
| 16 04 01 * | waste ammunition                                                                                                      |
| 16 04 02 * | fireworks wastes                                                                                                      |
| 16 04 03 * | other waste explosives                                                                                                |
| 16 05      | gases in pressure containers and discarded chemicals                                                                  |
| 16 05 04 * | gases in pressure containers (including halons) containing dangerous substances                                       |
| 16 05 05   | gases in pressure containers other than those mentioned in 16 05 04                                                   |

<sup>(1)</sup> hazardous components from electrical and electronic equipment may include accumulators and batteries mentioned in 16 06 and marked as hazardous; mercury switches, glass from cathode ray tubes and other activated glass, etc.

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- 16 05 06 \* laboratory chemicals consisting of or containing dangerous substances including mixtures of laboratory chemicals
- 16 05 07 \* discarded inorganic chemicals consisting of or containing dangerous substances
- 16 05 08 \* discarded organic chemicals consisting of or containing dangerous substances
- 16 05 09 discarded chemicals other than those mentioned in 16 05 06, 16 05 07 or 16 05 08
- 16 06 batteries and accumulators
- 16 06 01 \* lead batteries
- 16 06 02 \* Ni-Cd batteries
- 16 06 03 \* mercury- containing batteries
- 16 06 04 alkaline batteries (except 16 06 03)
- 16 06 05 other batteries and accumulators
- 16 06 06 \* separately collected electrolyte from batteries and accumulators
- 16 07 wastes from transport tank, storage tank and barrel cleaning (except 05 and 13)
- 16 07 08 \* wastes containing oil
- 16 07 09 \* wastes containing other dangerous substances
- 16 07 99 wastes not otherwise specified
- 16 08 spent catalysts
- 16 08 01 spent catalysts containing gold, silver, rhenium, rhodium, palladium, iridium or platinum (except 16 08 07)
- 16 08 02 \* spent catalysts containing dangerous transition metals<sup>(1)</sup> or dangerous transition metal compounds
- 16 08 03 spent catalysts containing transition metals or transition metal compounds not otherwise specified
- 16 08 04 spent fluid catalytic cracking catalysts (except 16 08 07)
- 16 08 05 \* spent catalysts containing phosphoric acid
- 16 08 06 \* spent liquids used as catalysts
- 16 08 07 \* spent catalysts contaminated with dangerous substances
- 16 09 oxidising substances
- 16 09 01 \* permanganates, e.g. potassium permanganate
- 16 09 02 \* chromates, e.g. potassium chromate, potassium or sodium dichromate
- 16 09 03 \* peroxides, e.g. hydrogen peroxide
- 16 09 04 \* oxidising substances, not otherwise specified

<sup>(1)</sup> For the purpose of this entry, transition metals are: Scandium, Vanadium, Manganese, Cobalt, Copper, Yttrium, Niobium, Hafnium, Tungsten, Titanium, Chromium, Iron, Nickel, Zinc, Zirconium, Molybdenum and Tantalum. These metals or their compounds are dangerous if they are classified as dangerous substances. The classification of dangerous substances shall determine which among those transition metals and which transition metal compounds are hazardous.

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|            |                                                                                                            |
|------------|------------------------------------------------------------------------------------------------------------|
| 16 10      | aqueous liquid wastes destined for off-site treatment                                                      |
| 16 10 01 * | aqueous liquid wastes containing dangerous substances                                                      |
| 16 10 02   | aqueous liquid wastes other than those mentioned in 16 10 01                                               |
| 16 10 03 * | aqueous concentrates containing dangerous substances                                                       |
| 16 10 04   | aqueous concentrates other than those mentioned in 16 10 03                                                |
| 16 11      | waste linings and refractories                                                                             |
| 16 11 01 * | carbon-based linings and refractories from metallurgical processes containing dangerous substances         |
| 16 11 02   | carbon-based linings and refractories from metallurgical processes others than those mentioned in 16 11 01 |
| 16 11 03 * | other linings and refractories from metallurgical processes containing dangerous substances                |
| 16 11 04   | other linings and refractories from metallurgical processes other than those mentioned in 16 11 03         |
| 16 11 05 * | linings and refractories from non-metallurgical processes containing dangerous substances                  |
| 16 11 06   | linings and refractories from non-metallurgical processes others than those mentioned in 16 11 05          |
| 17         | CONSTRUCTION AND DEMOLITION WASTES (INCLUDING EXCAVATED SOIL FROM CONTAMINATED SITES)                      |
| 17 01      | concrete, bricks, tiles and ceramics                                                                       |
| 17 01 01   | concrete                                                                                                   |
| 17 01 02   | bricks                                                                                                     |
| 17 01 03   | tiles and ceramics                                                                                         |
| 17 01 06 * | mixtures of, or separate fractions of concrete, bricks, tiles and ceramics containing dangerous substances |
| 17 01 07   | mixtures of concrete, bricks, tiles and ceramics other than those mentioned in 17 01 06                    |
| 17 02      | wood, glass and plastic                                                                                    |
| 17 02 01   | wood                                                                                                       |
| 17 02 02   | glass                                                                                                      |
| 17 02 03   | plastic                                                                                                    |
| 17 02 04 * | glass, plastic and wood containing or contaminated with dangerous substances                               |
| 17 03      | bituminous mixtures, coal tar and tarred products                                                          |
| 17 03 01 * | bituminous mixtures containing coal tar                                                                    |

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- 17 03 02 bituminous mixtures other than those mentioned in 17 03 01
- 17 03 03 \* coal tar and tarred products
- 17 04 metals (including their alloys)
- 17 04 01 copper, bronze, brass
- 17 04 02 aluminium
- 17 04 03 lead
- 17 04 04 zinc
- 17 04 05 iron and steel
- 17 04 06 tin
- 17 04 07 mixed metals
- 17 04 09 \* metal waste contaminated with dangerous substances
- 17 04 10 \* cables containing oil, coal tar and other dangerous substances
- 17 04 11 cables other than those mentioned in 17 04 10
- 17 05 soil (including excavated soil from contaminated sites), stones and dredging spoil
- 17 05 03 \* soil and stones containing dangerous substances
- 17 05 04 soil and stones other than those mentioned in 17 05 03
- 17 05 05 \* dredging spoil containing dangerous substances
- 17 05 06 dredging spoil other than those mentioned in 17 05 05
- 17 05 07 \* track ballast containing dangerous substances
- 17 05 08 track ballast other than those mentioned in 17 05 07
- 17 06 insulation materials and asbestos-containing construction materials
- 17 06 01 \* insulation materials containing asbestos
- 17 06 03 \* other insulation materials consisting of or containing dangerous substances
- 17 06 04 insulation materials other than those mentioned in 17 06 01 and 17 06 03
- 17 06 05 \* construction materials containing asbestos
- 17 08 gypsum-based construction material
- 17 08 01 \* gypsum-based construction materials contaminated with dangerous substances
- 17 08 02 gypsum-based construction materials other than those mentioned in 17 08 01
- 17 09 other construction and demolition wastes
- 17 09 01 \* construction and demolition wastes containing mercury
- 17 09 02 \* construction and demolition wastes containing PCB (e.g. PCB-containing sealants, PCB-containing resin-based floorings, PCB-containing sealed glazing units, PCB-containing capacitors)

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- 17 09 03 \* other construction and demolition wastes (including mixed wastes) containing dangerous substances
- 17 09 04 mixed construction and demolition wastes other than those mentioned in 17 09 01, 17 09 02 and 17 09 03
- 18 WASTES FROM HUMAN OR ANIMAL HEALTH CARE AND/OR RELATED RESEARCH (EXCEPT KITCHEN AND RESTAURANT WASTES NOT ARISING FROM IMMEDIATE HEALTH CARE)
  - 18 01 wastes from natal care, diagnosis, treatment or prevention of disease in humans
    - 18 01 01 sharps (except 18 01 03)
    - 18 01 02 body parts and organs including blood bags and blood preserves (except 18 01 03)
    - 18 01 03 \* wastes whose collection and disposal is subject to special requirements in order to prevent infection
    - 18 01 04 wastes whose collection and disposal is not subject to special requirements in order to prevent infection (e.g. dressings, plaster casts, linen, disposable clothing, diapers)
    - 18 01 06 \* chemicals consisting of or containing dangerous substances
    - 18 01 07 chemicals other than those mentioned in 18 01 06
    - 18 01 08 \* cytotoxic and cytostatic medicines
    - 18 01 09 medicines other than those mentioned in 18 01 08
    - 18 01 10 \* amalgam waste from dental care
  - 18 02 wastes from research, diagnosis, treatment or prevention of disease involving animals
    - 18 02 01 sharps (except 18 02 02)
    - 18 02 02 \* wastes whose collection and disposal is subject to special requirements in order to prevent infection
    - 18 02 03 wastes whose collection and disposal is not subject to special requirements in order to prevent infection
    - 18 02 05 \* chemicals consisting of or containing dangerous substances
    - 18 02 06 chemicals other than those mentioned in 18 02 05
    - 18 02 07 \* cytotoxic and cytostatic medicines
    - 18 02 08 medicines other than those mentioned in 18 02 07
- 19 WASTES FROM WASTE MANAGEMENT FACILITIES, OFF-SITE WASTE WATER TREATMENT PLANTS AND THE PREPARATION OF WATER INTENDED FOR HUMAN CONSUMPTION AND WATER FOR INDUSTRIAL USE
  - 19 01 wastes from incineration or pyrolysis of waste
    - 19 01 02 ferrous materials removed from bottom ash
    - 19 01 05 \* filter cake from gas treatment

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|            |                                                                                                            |
|------------|------------------------------------------------------------------------------------------------------------|
| 19 01 06 * | aqueous liquid wastes from gas treatment and other aqueous liquid wastes                                   |
| 19 01 07 * | solid wastes from gas treatment                                                                            |
| 19 01 10 * | spent activated carbon from flue-gas treatment                                                             |
| 19 01 11 * | bottom ash and slag containing dangerous substances                                                        |
| 19 01 12   | bottom ash and slag other than those mentioned in 19 01 11                                                 |
| 19 01 13 * | fly ash containing dangerous substances                                                                    |
| 19 01 14   | fly ash other than those mentioned in 19 01 13                                                             |
| 19 01 15 * | boiler dust containing dangerous substances                                                                |
| 19 01 16   | boiler dust other than those mentioned in 19 01 15                                                         |
| 19 01 17 * | pyrolysis wastes containing dangerous substances                                                           |
| 19 01 18   | pyrolysis wastes other than those mentioned in 19 01 17                                                    |
| 19 01 19   | sands from fluidised beds                                                                                  |
| 19 01 99   | wastes not otherwise specified                                                                             |
| 19 02      | wastes from physico/chemical treatments of waste (including dechromatation, decyanidation, neutralisation) |
| 19 02 03   | premixed wastes composed only of non hazardous wastes                                                      |
| 19 02 04 * | premixed wastes composed of at least one hazardous waste                                                   |
| 19 02 05 * | sludges from physico/chemical treatment containing dangerous substances                                    |
| 19 02 06   | sludges from physico/chemical treatment other than those mentioned in 19 02 05                             |
| 19 02 07 * | oil and concentrates from separation                                                                       |
| 19 02 08 * | liquid combustible wastes containing dangerous substances                                                  |
| 19 02 09 * | solid combustible wastes containing dangerous substances                                                   |
| 19 02 10   | combustible wastes other than those mentioned in 19 02 08 and 19 02 09                                     |
| 19 02 11 * | other wastes containing dangerous substances                                                               |
| 19 02 99   | wastes not otherwise specified                                                                             |
| 19 03      | stabilised/solidified wastes <sup>(1)</sup>                                                                |
| 19 03 04 * | wastes marked as hazardous, partly <sup>(2)</sup> stabilised                                               |
| 19 03 05   | stabilised wastes other than those mentioned in 19 03 04                                                   |

<sup>(1)</sup> Stabilisation processes change the dangerousness of the constituents in the waste and thus transform hazardous waste into non hazardous waste. Solidification processes only change the physical state of the waste (e.g. liquid into solid) by using additives without changing the chemical properties of the waste.

<sup>(2)</sup> A waste is considered as partly stabilised if after the stabilisation process dangerous constituents which have not been changed completely into non dangerous constituents could be released into the environment in short, middle or long term.



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|            |                                                                                         |
|------------|-----------------------------------------------------------------------------------------|
| 19 03 06 * | wastes marked as hazardous, solidified                                                  |
| 19 03 07   | solidified wastes other than those mentioned in 19 03 06                                |
| 19 04      | vitrified waste and wastes from vitrification                                           |
| 19 04 01   | vitrified waste                                                                         |
| 19 04 02 * | fly ash and other flue-gas treatment wastes                                             |
| 19 04 03 * | non-vitrified solid phase                                                               |
| 19 04 04   | aqueous liquid wastes from vitrified waste tempering                                    |
| 19 05      | wastes from aerobic treatment of solid wastes                                           |
| 19 05 01   | non-composted fraction of municipal and similar wastes                                  |
| 19 05 02   | non-composted fraction of animal and vegetable waste                                    |
| 19 05 03   | off-specification compost                                                               |
| 19 05 99   | wastes not otherwise specified                                                          |
| 19 06      | wastes from anaerobic treatment of waste                                                |
| 19 06 03   | liquor from anaerobic treatment of municipal waste                                      |
| 19 06 04   | digestate from anaerobic treatment of municipal waste                                   |
| 19 06 05   | liquor from anaerobic treatment of animal and vegetable waste                           |
| 19 06 06   | digestate from anaerobic treatment of animal and vegetable waste                        |
| 19 06 99   | wastes not otherwise specified                                                          |
| 19 07      | landfill leachate                                                                       |
| 19 07 02 * | landfill leachate containing dangerous substances                                       |
| 19 07 03   | landfill leachate other than those mentioned in 19 07 02                                |
| 19 08      | wastes from waste water treatment plants not otherwise specified                        |
| 19 08 01   | screenings                                                                              |
| 19 08 02   | waste from desanding                                                                    |
| 19 08 05   | sludges from treatment of urban waste water                                             |
| 19 08 06 * | saturated or spent ion exchange resins                                                  |
| 19 08 07 * | solutions and sludges from regeneration of ion exchangers                               |
| 19 08 08 * | membrane system waste containing heavy metals                                           |
| 19 08 09   | grease and oil mixture from oil/water separation containing only edible oil and fats    |
| 19 08 10 * | grease and oil mixture from oil/water separation other than those mentioned in 19 08 09 |

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|            |                                                                                                    |
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| 19 08 11 * | sludges containing dangerous substances from biological treatment of industrial waste water        |
| 19 08 12   | sludges from biological treatment of industrial waste water other than those mentioned in 19 08 11 |
| 19 08 13 * | sludges containing dangerous substances from other treatment of industrial waste water             |
| 19 08 14   | sludges from other treatment of industrial waste water other than those mentioned in 19 08 13      |
| 19 08 99   | wastes not otherwise specified                                                                     |
| 19 09      | wastes from the preparation of water intended for human consumption or water for industrial use    |
| 19 09 01   | solid waste from primary filtration and screenings                                                 |
| 19 09 02   | sludges from water clarification                                                                   |
| 19 09 03   | sludges from decarbonation                                                                         |
| 19 09 04   | spent activated carbon                                                                             |
| 19 09 05   | saturated or spent ion exchange resins                                                             |
| 19 09 06   | solutions and sludges from regeneration of ion exchangers                                          |
| 19 09 99   | wastes not otherwise specified                                                                     |
| 19 10      | wastes from shredding of metal-containing wastes                                                   |
| 19 10 01   | iron and steel waste                                                                               |
| 19 10 02   | non-ferrous waste                                                                                  |
| 19 10 03 * | fluff-light fraction and dust containing dangerous substances                                      |
| 19 10 04   | fluff-light fraction and dust other than those mentioned in 19 10 03                               |
| 19 10 05 * | other fractions containing dangerous substances                                                    |
| 19 10 06   | other fractions other than those mentioned in 19 10 05                                             |
| 19 11      | wastes from oil regeneration                                                                       |
| 19 11 01 * | spent filter clays                                                                                 |
| 19 11 02 * | acid tars                                                                                          |
| 19 11 03 * | aqueous liquid wastes                                                                              |
| 19 11 04 * | wastes from cleaning of fuel with bases                                                            |
| 19 11 05 * | sludges from on-site effluent treatment containing dangerous substances                            |
| 19 11 06   | sludges from on-site effluent treatment other than those mentioned in 19 11 05                     |
| 19 11 07 * | wastes from flue-gas cleaning                                                                      |
| 19 11 99   | wastes not otherwise specified                                                                     |

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|            |                                                                                                                                         |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| 19 12      | wastes from the mechanical treatment of waste (e.g. sorting, crushing, compacting, pelletising) not otherwise specified                 |
| 19 12 01   | paper and cardboard                                                                                                                     |
| 19 12 02   | ferrous metal                                                                                                                           |
| 19 12 03   | non-ferrous metal                                                                                                                       |
| 19 12 04   | plastic and rubber                                                                                                                      |
| 19 12 05   | glass                                                                                                                                   |
| 19 12 06 * | wood containing dangerous substances                                                                                                    |
| 19 12 07   | wood other than that mentioned in 19 12 06                                                                                              |
| 19 12 08   | textiles                                                                                                                                |
| 19 12 09   | minerals (e.g. sand, stones)                                                                                                            |
| 19 12 10   | combustible waste (refuse derived fuel)                                                                                                 |
| 19 12 11 * | other wastes (including mixtures of materials) from mechanical treatment of waste containing dangerous substances                       |
| 19 12 12   | other wastes (including mixtures of materials) from mechanical treatment of wastes other than those mentioned in 19 12 11               |
| 19 13      | wastes from soil and groundwater remediation                                                                                            |
| 19 13 01 * | solid wastes from soil remediation containing dangerous substances                                                                      |
| 19 13 02   | solid wastes from soil remediation other than those mentioned in 19 13 01                                                               |
| 19 13 03 * | sludges from soil remediation containing dangerous substances                                                                           |
| 19 13 04   | sludges from soil remediation other than those mentioned in 19 13 03                                                                    |
| 19 13 05 * | sludges from groundwater remediation containing dangerous substances                                                                    |
| 19 13 06   | sludges from groundwater remediation other than those mentioned in 19 13 05                                                             |
| 19 13 07 * | aqueous liquid wastes and aqueous concentrates from groundwater remediation containing dangerous substances                             |
| 19 13 08   | aqueous liquid wastes and aqueous concentrates from groundwater remediation other than those mentioned in 19 13 07                      |
| 20         | MUNICIPAL WASTES (HOUSEHOLD WASTE AND SIMILAR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTES) INCLUDING SEPARATELY COLLECTED FRACTIONS |
| 20 01      | separately collected fractions (except 15 01)                                                                                           |
| 20 01 01   | paper and cardboard                                                                                                                     |
| 20 01 02   | glass                                                                                                                                   |

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|            |                                                                                                                                                  |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| 20 01 08   | biodegradable kitchen and canteen waste                                                                                                          |
| 20 01 10   | clothes                                                                                                                                          |
| 20 01 11   | textiles                                                                                                                                         |
| 20 01 13 * | solvents                                                                                                                                         |
| 20 01 14 * | acids                                                                                                                                            |
| 20 01 15 * | alkalines                                                                                                                                        |
| 20 01 17 * | photochemicals                                                                                                                                   |
| 20 01 19 * | pesticides                                                                                                                                       |
| 20 01 21 * | fluorescent tubes and other mercury-containing waste                                                                                             |
| 20 01 23 * | discarded equipment containing chlorofluorocarbons                                                                                               |
| 20 01 25   | edible oil and fat                                                                                                                               |
| 20 01 26 * | oil and fat other than those mentioned in 20 01 25                                                                                               |
| 20 01 27 * | paint, inks, adhesives and resins containing dangerous substances                                                                                |
| 20 01 28   | paint, inks, adhesives and resins other than those mentioned in 20 01 27                                                                         |
| 20 01 29 * | detergents containing dangerous substances                                                                                                       |
| 20 01 30   | detergents other than those mentioned in 20 01 29                                                                                                |
| 20 01 31 * | cytotoxic and cytostatic medicines                                                                                                               |
| 20 01 32   | medicines other than those mentioned in 20 01 31                                                                                                 |
| 20 01 33 * | batteries and accumulators included in 16 06 01, 16 06 02 or 16 06 03 and unsorted batteries and accumulators containing these batteries         |
| 20 01 34   | batteries and accumulators other than those mentioned in 20 01 33                                                                                |
| 20 01 35 * | discarded electrical and electronic equipment other than those mentioned in 20 01 21 and 20 01 23 containing hazardous components <sup>(1)</sup> |
| 20 01 36   | discarded electrical and electronic equipment other than those mentioned in 20 01 21, 20 01 23 and 20 01 35                                      |
| 20 01 37 * | wood containing dangerous substances                                                                                                             |
| 20 01 38   | wood other than that mentioned in 20 01 37                                                                                                       |
| 20 01 39   | plastics                                                                                                                                         |
| 20 01 40   | metals                                                                                                                                           |
| 20 01 41   | wastes from chimney sweeping                                                                                                                     |
| 20 01 99   | other fractions not otherwise specified                                                                                                          |
| 20 02      | garden and park wastes (including cemetery waste)                                                                                                |
| 20 02 01   | biodegradable waste                                                                                                                              |

<sup>(1)</sup> Hazardous components from electrical and electronic equipment may include accumulators and batteries mentioned in 16 06 and marked as hazardous; mercury switches, glass from cathode ray tubes and other activated glass, etc.

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|          |                                          |
|----------|------------------------------------------|
| 20 02 02 | soil and stones                          |
| 20 02 03 | other non-biodegradable wastes           |
| 20 03    | other municipal wastes                   |
| 20 03 01 | mixed municipal waste                    |
| 20 03 02 | waste from markets                       |
| 20 03 03 | street-cleaning residues                 |
| 20 03 04 | septic tank sludge                       |
| 20 03 06 | waste from sewage cleaning               |
| 20 03 07 | bulky waste                              |
| 20 03 99 | municipal wastes not otherwise specified |

## PART 3

## List A (Annex II to the Basel Convention)

Waste from Appendix 4, Part I of *the OECD Decision*.

|     |                                                            |
|-----|------------------------------------------------------------|
| Y46 | Waste collected from households                            |
| Y47 | Residues arising from the incineration of household wastes |

## List B

Waste from Appendix 4, Part II of *the OECD Decision*. The wastes numbered AB 130, AC 250, AC 260 and AC 270 have been deleted since they have been considered, in accordance with the procedure referred to in Article 18 of Directive 75/442/EEC, to be non-hazardous and therefore not subject to the export ban laid down in Article 36 of this Regulation.

## Metal Bearing Wastes

|        |                     |                                                                                                                                    |
|--------|---------------------|------------------------------------------------------------------------------------------------------------------------------------|
| AA 010 | 261900              | Dross, scalings and other wastes from the manufacture of iron and steel <sup>(1)</sup>                                             |
| AA 060 | 262050              | Vanadium ashes and residues                                                                                                        |
| AA 190 | 810420<br>ex 810430 | Magnesium waste and scrap that is flammable, pyrophoric or emits, upon contact with water, flammable gases in dangerous quantities |

## Wastes Containing Principally Inorganic Constituents, Which May Contain Metals and Organic Materials

|        |                      |                                                                                      |
|--------|----------------------|--------------------------------------------------------------------------------------|
| AB 030 |                      | Wastes from non-cyanide based systems which arise from surface treatment of metals   |
| AB 070 |                      | Sands used in foundry operations                                                     |
| AB 120 | ex 281290<br>ex 3824 | Inorganic halide compounds, not elsewhere specified or included                      |
| AB 150 | ex 382490            | Unrefined calcium sulphite and calcium sulphate from flue gas desulphurisation (FGD) |

## Wastes Containing Principally Organic Constituents, Which May Contain Metals and Inorganic Materials

|        |           |                                                                          |
|--------|-----------|--------------------------------------------------------------------------|
| AC 020 |           | Bituminous materials (asphalt waste) not elsewhere specified or included |
| AC 060 | ex 381900 | Hydraulic fluids                                                         |
| AC 070 | ex 381900 | Brake fluids                                                             |
| AC 080 | ex 382000 | Antifreeze fluids                                                        |
| AC 150 |           | Chlorofluorocarbons                                                      |
| AC 160 |           | Halons                                                                   |
| AC 170 | ex 440310 | Treated cork and wood wastes                                             |

<sup>(1)</sup> This listing includes wastes in the form of ash, residue, slag, dross, skimming, scaling, dust, powder, sludge and cake, unless a material is expressly listed elsewhere.

**Wednesday 19 November 2003****Wastes Which May Contain either Inorganic or Organic Constituents**

|        |                      |                                                                                                                                          |
|--------|----------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| AD 090 | ex 382490            | Wastes from production, formulation and use of reprographic and photographic chemicals and materials not elsewhere specified or included |
| AD 100 |                      | Wastes from non-cyanide based systems which arise from surface treatment of plastics                                                     |
| AD 120 | ex 391400<br>ex 3915 | Ion exchange resins                                                                                                                      |
| AD 150 |                      | Naturally occurring organic material used as a filter medium (such as bio-filters)                                                       |

**Wastes Containing Principally Inorganic Constituents, Which May Contain Metals and Organic Materials**

|        |         |                                                                                              |
|--------|---------|----------------------------------------------------------------------------------------------|
| RB 020 | ex 6815 | Ceramic based fibres of physico-chemical characteristics similar to those of <i>asbestos</i> |
|--------|---------|----------------------------------------------------------------------------------------------|

**ANNEX VI****INFORMATION ACCOMPANYING SHIPMENTS OF WASTE  
LISTED IN ANNEX II AND DESTINED FOR RECOVERY (ARTICLE 17)**

|                                                                                                                                                                                                                    |                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
| Producer(s), new producer or collector<br>(name, address, telephone, fax and e-mail):<br>Contact person:                                                                                                           |                                    |
| Person who arranges the shipment<br>(name, address, telephone, fax and e-mail):<br>Contact person:                                                                                                                 |                                    |
| Consignee<br>(name, address, telephone, fax and e-mail):<br>Contact person:                                                                                                                                        |                                    |
| Holder(s)<br>(name, address, telephone, fax and e-mail):<br>Contact person:                                                                                                                                        |                                    |
| Usual commercial description of the waste:<br>OECD classification:                                                                                                                                                 | Quantity (kg/litres):<br>EWL code: |
| Recovery operation (or disposal if relevant):                                                                                                                                                                      |                                    |
| Carrier(s)<br>(name, address, telephone, fax, e-mail and contact person):<br><br>Modes of transport:                                                                                                               |                                    |
| Countries of dispatch/transit/destination:<br>Transit Dispatch Destination                                                                                                                                         |                                    |
| Enclosure:<br>Evidence of contract between the person who arranges the shipment and the consignee:                                                                                                                 |                                    |
| Date of commencement of shipment:                                                                                                                                                                                  |                                    |
| Signature before commencement of shipment:<br>Producer, new producer or collector (date):<br>Person who arranges the shipment (date)<br>Signature upon receipt of the waste:<br>Holder(s) (date) Consignee (date): |                                    |

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## ANNEX VII

## CHEMICALS LISTED IN ANNEX A, B AND C OF THE STOCKHOLM CONVENTION

|                                                     |                  |
|-----------------------------------------------------|------------------|
| Aldrin                                              | CAS No 309-00-2  |
| Chlordane                                           | CAS No 57-74-9   |
| Dieldrin                                            | CAS No 60-57-1   |
| Endrin                                              | CAS No 72-20-8   |
| Heptachlor                                          | CAS No 76-44-8   |
| Hexachlorobenzene (HCB)                             | CAS No 118-74-1  |
| Mirex                                               | CAS No 2385-85-5 |
| Toxaphene                                           | CAS No 8001-35-2 |
| DDT (1,1,1-trichloro-2,2-bis(4-chlorophenyl)ethane) | CAS No 50-29-3   |
| Polychlorinated Biphenyls (PCB)                     |                  |
| Polychlorinated dibenzo-p-dioxins (PCDD)            |                  |
| Polychlorinated dibenzofurans (PCDF)                |                  |

(PCBs, dioxins and furans do not have a CAS number because they are 'families' of molecules. There 209 different types of PCBs and around 175 Dioxins and around 100 Furans).

## ANNEX VIII

## GUIDELINES ON ENVIRONMENTALLY SOUND MANAGEMENT (ARTICLE 41)

- I. Guidelines adopted by the Conference of the Parties to the *basel* Convention on the Control of Transboundary Movements of Hazardous Waste and Their Disposal, as amended<sup>(\*)</sup>:
  1. Technical Guidelines on the Environmentally Sound Management of Biomedical and Health Care Wastes (Y1; Y3)<sup>(1)</sup>.
  2. Technical Guidelines on the Environmentally Sound Management of Waste Lead Acid Batteries<sup>(1)</sup>.
  3. Technical Guidelines on the Environmentally Sound Management of the Full and Partial Dismantling of Ships<sup>(1)</sup>.
- II. **Guidelines adopted by the Regular Session of the Assembly of the International Maritime Organisation:**
  1. **Guidelines on Ship Recycling<sup>(2)</sup>.**
- III. **Guidelines adopted by the OECD Council:**
  1. **Technical guidance for the environmentally sound management of used and scrap personal computers<sup>(3)</sup>.**
- IV. **Guidelines adopted in the ILO meeting group:**
  1. **Guidelines on safety and health in shipbreaking<sup>(4)</sup>.**

(\*) **These guidelines are only applicable for waste shipments to OECD countries or shipments of non-hazardous waste for recovery to non-OECD countries.**

(1) Adopted by the sixth Conference of the Parties to the *Basel* Convention on the Control of Transboundary Movements of Hazardous Waste and Their Disposal, 9-13 December 2002.

(2) **Adopted by the Assembly of the International Maritime Organisation at its 23rd Regular Session, 24 November to 5 December 2003.**

(3) ENV/EPOC/WGWPR(2001)3/FINAL.

(4) **Adopted by an ILO Meeting of Experts, 7-14 October 2003.**

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## ANNEX IX

ADDITIONAL QUESTIONNAIRE  
FOR MEMBER STATES REPORTING OBLIGATION  
PURSUANT TO ARTICLE 53(3)

|               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Art. 12(1)(b) | <p>Information on the measures taken to prohibit generally or partially shipments of waste between Member States</p> <p>In order to implement the principles of proximity, priority for recovery and self-sufficiency at Community and national levels in accordance with Directive 75/442/EEC</p> <p>Has this provision been applied? <span style="float: right;">Yes                      No</span></p> <p>(Please tick ✓ as appropriate) <span style="float: right;"><input type="checkbox"/>                      <input type="checkbox"/></span></p> <p>If yes, please provide details on the measures taken:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>Additional remarks:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>Information on the measures taken to object systematically to shipments of waste between Member States</p> <p>In order to implement the principles of proximity, priority for recovery and self-sufficiency at Community and national levels in accordance with Directive 75/442/EEC</p> <p>Has this provision been applied? <span style="float: right;">Yes                      No</span></p> <p>(Please tick ✓ as appropriate) <span style="float: right;"><input type="checkbox"/>                      <input type="checkbox"/></span></p> <p>If yes, please provide details on the measures taken:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>Additional remarks:</p> <p>.....</p> <p>.....</p> <p>.....</p> |
| Art. 12(3)    | <p>Information on exceptions to the Implementation of the Principle of Proximity, Priority for recovery and Self-sufficiency</p> <p>In the case of hazardous waste produced in a Member State of dispatch in such a small quantity overall per year that the provision of new specialised disposal installations within that State would be uneconomic</p> <p>Have you asked any Member State to apply this exception? <span style="float: right;">Yes                      No</span></p> <p>(Please tick ✓ as appropriate) <span style="float: right;"><input type="checkbox"/>                      <input type="checkbox"/></span></p> <p>If yes, please complete Table 1 and give details below on any bilateral solution found pursuant to Article 12(3).</p> <p>.....</p> <p>.....</p> <p>.....</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |



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|                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                   | <p>Have you received any request from Member States to apply this exception? Yes No</p> <p>(Please tick ✓ as appropriate) <input type="checkbox"/> <input type="checkbox"/></p> <p>If yes, please complete Table 1 and give details below on any bilateral solution found pursuant to Article 12(3).</p> <p>.....</p> <p>.....</p> <p>.....</p>                                                                                                                                                                                                                                                                                                                                                                                                        |
| Art. 12(1)(h)     | <p>Information on objections to planned shipments</p> <p>On the basis of them not been in accordance with Directive 75/442/EEC.</p> <p>Has this provision been applied? Yes No</p> <p>(Please tick ✓ as appropriate) <input type="checkbox"/> <input type="checkbox"/></p> <p>If yes, please complete <b>Table 2</b>.</p>                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Art. 33           | <p><b>Information</b> on the Member States' system for the supervision and control of shipments of waste within their territory</p> <p>Is there a system for the supervision and control of shipments of waste within the national territory? Yes No</p> <p>(Please tick ✓ as appropriate) <input type="checkbox"/> <input type="checkbox"/></p> <p>If there is such a system, do you apply the system provided for in Titles II and VII of the Regulation? Yes No</p> <p>(Please tick ✓ as appropriate) <input type="checkbox"/> <input type="checkbox"/></p> <p>If you apply a different system from that provided for in Titles II and VII of the Regulation, please give details of the system applied:</p> <p>.....</p> <p>.....</p> <p>.....</p> |
| Art. 24 and 52(1) | <p>Information on illegal shipments of waste</p> <p>Has there been any case? Yes No</p> <p>(Please tick ✓ as appropriate) <input type="checkbox"/> <input type="checkbox"/></p> <p>If yes, please complete <b>Table 3</b>.</p> <p>Please, provide information on how illegal shipments of waste is prohibited and punished under national legislation.</p> <p>.....</p> <p>.....</p> <p>.....</p>                                                                                                                                                                                                                                                                                                                                                      |
| Art. 7            | <p>Information on financial guarantees or equivalent insurance covering costs for shipment of waste covered by this Regulation, including cases referred in Articles 22 and 24, and for disposal or recovery</p> <p>Please, provide details on the national system established pursuant to this article.</p> <p>.....</p> <p>.....</p> <p>.....</p>                                                                                                                                                                                                                                                                                                                                                                                                    |
| Art. 55           | <p>Information on the customs posts designated by Member States for shipments of waste in and out of the Community</p> <p>Please complete <b>Table 4</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

Note for completion of the Tables:

D and R codes are those referred to in Annexes IIA and IIB to Directive 75/442/EEC.

Waste codes are those referred to in Annexes III, IV and IVA of this Regulation.

Table 1

[illegible]

Table 2

[illegible]

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Table 3

## INFORMATION ON ILLEGAL SHIPMENTS OF WASTE (Articles 24 and 52(1))

[illegible]

Table 4

INFORMATION ON THE CUSTOMS POSTS  
DESIGNATED BY MEMBER STATES FOR SHIPMENTS OF WASTE  
IN AND OUT OF THE COMMUNITY  
(Article 55)

[illegible]

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P5\_TA(2003)0506

## Integrating and strengthening the European research area \*

**European Parliament legislative resolution on the proposal for a Council decision amending Decision 2002/834/EC on the specific programme for research, technological development and demonstration: 'Integrating and strengthening the European research area' (2002-2006) (COM(2003) 390 – C5-0349/2003 – 2003/0151(CNS))**

(Consultation procedure)

*The European Parliament,*

- having regard to the Commission proposal to the Council (COM(2003) 390) <sup>(1)</sup>,
  - having regard to Article 166(4) of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0349/2003),
  - having regard to Decision No 1513/2002/EC of the European Parliament and of the Council of 27 June 2002 concerning the sixth framework programme of the European Community for research, technological development and demonstration activities, contributing to the creation of the European Research Area and to innovation (2002-2006) <sup>(2)</sup>,
  - having regard to Council Decision 2002/834/EC of 30 September 2002 adopting a specific programme for research, technological development and demonstration: 'Integrating and strengthening the European Research Area' (2002-2006) <sup>(3)</sup>,
  - having regard to Rule 67 of its Rules of Procedure,
  - having regard to the report of the Committee on Industry, External Trade, Research and Energy and the opinion of the Committee on Legal Affairs and the Internal Market (A5-0369/2003),
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 Commission.

TEXT PROPOSED  
BY THE COMMISSION

AMENDMENTS  
BY PARLIAMENT

### Amendment 1

#### RECITAL 4

(4) There is a great diversity among Member States concerning the ethical acceptability of various research fields and this is reflected in the national laws in accordance with the principle

(4) There is a great diversity among Member States concerning the ethical acceptability of various research fields and this is reflected in the national laws in accordance with the principle

<sup>(1)</sup> Not yet published in the OJ.

<sup>(2)</sup> OJ L 232, 29.8.2002, p. 1.

<sup>(3)</sup> OJ L 294, 29.10.2002, p. 1.

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TEXT PROPOSED  
BY THE COMMISSIONAMENDMENTS  
BY PARLIAMENT

of subsidiarity. In particular, regulation and legislation of research using human embryos and human embryonic stem cells is handled very differently among Member States. **The specific programme already provides that national provisions apply and no research forbidden in any given Member State will be supported by Community funding to a legal entity established in that State.**

of subsidiarity. In particular, regulation and legislation **regarding** research using human embryos **created for the purpose of in vitro fertilisation and not used for this purpose any more (i.e. supernumerary embryos)** and human embryonic stem cells is handled very differently among **the** Member States. **Therefore this decision in no way affects national laws concerning embryonic stem cells. Nevertheless, Member States which allow research on human embryos and human embryonic stem cells with support from EU funding will be expected to have effective regulation in place.**

## Amendment 2

## RECITAL 5

(5) **In light of the current state of knowledge on human embryonic stem cells, new human embryonic stem cell lines, derived from human supernumerary embryos, are required.**

(5) **Articles 163 et seq of the Treaty establish Community competences with regard to research; these provisions state that the Community may complement the activities of the Member States with a view to achieving the objective of strengthening the scientific and technological bases of European industry, encouraging international competitiveness and promoting research activities. The use of human embryonic stem cells for research purposes should be strictly limited.**

## Amendment 3

## RECITAL 5a (new)

**(5a) The destruction of embryos in order to produce human embryonic stem cell lines should be subject to the prior agreement of the parents.**

## Amendment 4

## RECITAL 5b (new)

**(5b) The aims of stem cell research, especially the alleviation and cure of diseases which are currently not or not sufficiently treatable, are to be supported.**

## Amendment 5

## RECITAL 6

(6) This decision is intended to apply specifically to Community funding of research activities **involving the procurement of** stem cells from **human** embryos **created before 27 June 2002** as a result of medically-assisted in vitro fertilisation designed to induce pregnancy and were no longer to be used for that purpose (supernumerary embryos). This decision amends the specific programme by introducing several conditions for deciding on the Community funding of such research.

(6) This decision is intended to apply specifically to Community funding of research activities **using** stem cells **procured** from embryos **that have been produced** as a result of medically-assisted in vitro fertilisation designed to induce pregnancy and were no longer to be used for that purpose (supernumerary embryos). This decision amends the specific programme by introducing several conditions for deciding on the Community funding of such research.

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TEXT PROPOSED  
BY THE COMMISSIONAMENDMENTS  
BY PARLIAMENT

## Amendment 6

RECITAL 6a (new)

**(6a) According to an overwhelming majority of scientists, transplantation of human embryonic stem cells to patients will not be possible, for purely scientific reasons, during the time frame of the sixth research framework programme (until the end of 2006), because this approach is mainly at the stage of basic research and transplantation at the current moment would lead to non-calculable risks for the recipients.**

## Amendment 7

RECITAL 6b (new)

**(6b) This decision concerns the use of human embryos for research only and not for therapeutic purposes. Research on human embryonic stem cells is desirable for the development of innovative treatments and, in particular, of treatments using adult stem cells.**

## Amendment 8

RECITAL 7

(7) The present conditions are based on the principles established by the European Group on Ethics, especially the fundamental ethical principles underlined in *the* opinion No 15: the principle of respect for human dignity (which requires provisions of guarantees against risks of arbitrary experimentation); the principle of human autonomy which entails the giving of informed consent and the protection of personal data; the principle of justice and of beneficence (*namely with regard* the improvement and protection of health); the principle of freedom of research (which should be balanced against other principles) *and*; the principle of proportionality (non-availability of adequate alternative methods in view of the scientific objectives to be reached).

(7) The present conditions are based on the principles established by the European Group on Ethics, especially the fundamental ethical principles underlined in opinion No 15: the principle of respect for human dignity (which requires provisions of guarantees against risks of arbitrary experimentation); the principle of human autonomy which entails the giving of informed consent and the protection of personal data; the principle of justice and of beneficence (*in particular as regards* the improvement and protection of health); the principle of freedom of research (which should be balanced against other principles); *and* the principle of proportionality (non-availability of adequate alternative methods in view of the scientific objectives to be reached). **The experience from other scientific communities should also be used.**

## Amendment 9

RECITAL 10a (new)

**(10a) The existence of so-called supernumerary embryos after artificial fertilisation constitutes an ethical dilemma, as the transplantation of such embryos to others than the genetic parents (embryo adoption) as well as the simple 'letting die off' of those embryos and making them available for research purposes is connected with ethical problems. As a consequence, efforts should be made to reduce the number of supernumerary embryos in the future, and the responsibility for this lies with the Member States.**

Wednesday 19 November 2003

TEXT PROPOSED  
BY THE COMMISSIONAMENDMENTS  
BY PARLIAMENT

## Amendment 10

## ANNEX

Annex I, point 1.1, paragraph 18, point (b) (Decision 2002/834/EC)

- (b) the human embryos used for the procurement of stem cells must ***have been created before 27 June 2002 as a result of medically-assisted in vitro fertilisation designed to induce pregnancy, and were no longer to be used for that purpose;***

- (b) the human embryos used for the procurement of stem cells must ***be 'supernumerary' early-stage (i.e. up to 14 days) human embryos (embryos genuinely created for the treatment of infertility so as to increase the success rate of in vitro fertilisation but no longer needed for that purpose and when destined for destruction); such research may be funded provided that it is legally permitted in the Member State(s) where it will be conducted under the rules and strict supervision of the competent authority/ies;***

## Amendment 12

## ANNEX

Annex I, point 1.1, paragraph 18, point (e) (Decision 2002/834/EC)

- (e) the free, express, written and informed consent of the donor(s) should ***be*** provided in accordance with national legislation prior to the ***start of the research activities;***

- (e) the free, express, written and informed consent of the donor(s) should ***have been*** provided in accordance with national legislation prior to the ***procurement of the cells;***

## Amendment 13

## ANNEX

Annex I, point 1.1, paragraph 18, point (f) (Decision 2002/834/EC)

- (f) no monetary compensation ***or other*** benefit in kind ***must*** be granted or promised for the donation;

- (f) no monetary compensation, benefit in kind ***or other consideration may*** be granted or promised for the donation ***of embryos used for the procurement of stem cells;***

## Amendment 14

## ANNEX

Annex I, point 1.1, paragraph 18, point (g) (Decision 2002/834/EC)

- (g) the protection of personal data, including the genetic data, of the donor(s) must ***be*** ensured;

- (g) the protection of personal data, including the genetic data, of the donor(s) must ***have been*** ensured ***during the procurement;***

## Amendment 15

## ANNEX

Annex I, point 1.1, paragraph 18, point (ga) (new) (Decision 2002/834/EC)

- (ga) ***in order to monitor these conditions, the Commission sets up a European register of embryonic stem cells; in doing this, the Commission uses the experience of the NIH (National Institutes of Health);***

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TEXT PROPOSED  
BY THE COMMISSION

AMENDMENTS  
BY PARLIAMENT

Amendment 16

ANNEX

*Annex I, point 1.1, paragraph 19 (Decision 2002/834/EC)*

The scientific evaluation and the ethical review organised by the Commission of the research proposals shall include verification of these conditions. The conditions set out in point (c) **and (d)** shall be assessed **during the scientific evaluation**.

The scientific evaluation and the ethical review organised by the Commission of the research proposals shall include verification of these conditions. The conditions set out in point (c) shall be assessed **by an independent scientific body created for this purpose including members involved in other kinds of cell research**.

Amendment 17

ANNEX

*Annex I, point 1.1, paragraph 19a (new) (Decision 2002/834/EC)*

**Projects with adult somatic stem cells and umbilical cord blood cells should be encouraged for research involving other types of stem cells without excluding comparative studies.**

Amendment 18

ANNEX

*Annex I, point 1.1, paragraph 20a (new) (Decision 2002/834/EC)*

**Research on the use of human stem cells may be financed depending on both the contents of the scientific proposal and the legal framework of the Member State(s) involved; research using adult stem cells and reprogrammed adult cells should receive priority for financing; there is no restriction on financing research on stem cell lines already existing in scientific laboratories. In addition, research on embryonic or foetal stem cells deriving from spontaneous or therapeutic abortion may be funded.**

Amendment 19

ANNEX

*Annex I, point 1.1, paragraph 22 (Decision 2002/834/EC)*

A list of research projects involving the use of all types of human embryonic stem cells funded under the sixth framework programme will be published yearly by the Commission.

A list of research projects involving the use of all types of human **adult or** embryonic stem cells funded under the sixth framework programme will be published yearly by the Commission. **In the case of research projects with embryonic stem cells, such publication must include a justification stating why other procedures were not usable.**



Wednesday 19 November 2003

P5\_TA(2003)0507

## Thematic Strategy for Soil Protection

### European Parliament resolution on the Commission communication 'Towards a Thematic Strategy for Soil Protection' (COM(2002) 179 – C5-0328/2002 – 2002/2172(COS))

The European Parliament,

- having regard to the Commission communication (COM(2002) 179),
  - having regard to Decision No 1600/2002/EC of the European Parliament and of the Council of 22 July 2002 laying down the Sixth Community Environment Action Programme<sup>(1)</sup>,
  - having regard to the provisions laid down in Directives 92/43/EEC<sup>(2)</sup> (Habitats), 79/409/EEC<sup>(3)</sup> (Birds), 85/337/EEC<sup>(4)</sup> (Environmental Impact Assessment) and 2000/60/EC<sup>(5)</sup> (the Water Framework Directive) as regards the protection of ecosystems and their direct link with soil protection,
  - having regard to Rule 47(2) of its Rules of Procedure,
  - having regard to the report of the Committee on the Environment, Public Health and Consumer Policy and the opinions of the Committee on Agriculture and Rural Development and the Committee on Regional Policy, Transport and Tourism (A5-0354/2003),
- A. whereas soil is a key component of the earth's environment, is the interface between the hydrosphere, atmosphere and organisms inhabiting it, regulates natural material and energy cycles and is extremely sensitive to the effects of climate change and to human and historical activities, with the result that its structure and characteristics are the product of an age-old process, making it a non-renewable resource,
- B. whereas soil provides the basis for human settlements, their economic activities and infrastructures, and there is consequently an urgent need to regulate its uses and assess and mitigate the impact of external actions,
- C. whereas, nevertheless, certain farming and forestry activities (conservation of terraces, controlled grazing in certain areas, the creation of crop mosaics) have been key factors in conserving soil as a resource and, consequently, abandoning these practices has given rise to significant problems of soil loss,
- D. whereas the methodology of this thematic strategy must consider the cause-effect relationship, human or climatic impacts, the main causes of soil degradation and loss, contamination, acid rain, desertification and salinisation, sealing and compaction, floods and landslides, so as to propose a series of interlinking measures geared to promoting effective soil management,
- E. whereas excessively concentrated urbanisation and infrastructure construction, which do not always respect the environment, have boosted the consumption of natural soil, generated large compact areas which weaken citizens' relationship with the natural surroundings, fragmented land, changed water courses and increased the risks of floods, and whereas this process is becoming particularly unsustainable in many European coastal areas,
- F. whereas a reduction in the use of pesticides, as well as a phase-out of the use of certain dangerous substances in pesticides, is necessary to minimise the problems relating to the quality of agricultural soils,

<sup>(1)</sup> OJ L 242, 10.9.2002, p. 1.

<sup>(2)</sup> OJ L 206, 22.7.1992, p. 7.

<sup>(3)</sup> OJ L 103, 25.4.1979, p. 1.

<sup>(4)</sup> OJ L 175, 5.7.1985, p. 40.

<sup>(5)</sup> OJ L 327, 22.12.2000, p. 1.

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- G. whereas the priorities for soil policy must include the decline in biodiversity, the processes of physical and chemical degradation triggered by erosion, desertification, pollution and the decline in organic matter,
- H. whereas there is a wide diversity of soil problems among and within the Member States and candidate countries, and soil pollution is much less of a cross-border problem than air or water pollution; whereas the added value of European action lies principally in the exchange of information, know-how and best practice,
- I. whereas soil protection is a precondition for achieving, inter alia, the objectives of Directive 2000/60/EC as regards preventing diffuse pollution, Directive 92/43/EEC as regards soil biodiversity and the Kyoto Protocol as regards the capacity of the soil and subsoil to retain CO<sub>2</sub>,
- J. whereas it is necessary to consider the causes of the process of soil degradation taking account of the specific features of each European region and, in particular, the problems linked to Mediterranean soils seriously affected by phenomena such as forest fires or desertification,
1. Calls on the Commission to present, by July 2004, the thematic strategy for soil protection which should be based on the strengthening of current policies and, through an integrated approach, should define problems, qualitative and quantitative objectives and the means by which they can be achieved, timetables and general principles for evaluation and monitoring geared to the following:
- putting an end to the accumulation in soil of substances which pose an environmental and health hazard;
  - reversing the alarming trend towards erosion, compaction and sealing, the removal and contamination of soil;
  - protecting soil in its role in storing CO<sub>2</sub>, securing water resources and preserving biodiversity;
  - protecting soil for the sustainable production of food and renewable resources;
2. Urges the Commission to draw up by 2007, in cooperation with the Member States and the competent regional authorities, a scientific soil catalogue which should include the nature of the soil, its biography, health and vulnerability, degradation and erosion processes and contaminated areas, recognising the existence of high-value soils (in terms of agriculture, geology, ecology, history or the countryside) and the need to draw up recommendations for their conservation and sustainable use; stresses the importance of harmonising analytical methods to obtain comparable soil data; considers that the accessibility of existing information must also be improved, given that this is an important prerequisite for the necessary exchange of information and experience between Member States;
3. Calls on the Commission, in this context, to establish, when the scientific soil catalogue is drawn up, a link between soil protection and soil use, since any scientific and taxonomic classification of soil, although of great interest, would be less effective without the creation of mechanisms for the constant surveillance of soil use (monitoring increases in irrigation, reclassification of protected areas, urban development on wetlands, construction of infrastructure on fertile soil, etc.); considers that, taking account of the subsidiarity principle, such use-surveillance mechanisms should be implemented in close collaboration with the Member States;
4. Calls on the Commission to draw up guidelines, addressed to the Member States and the competent regional authorities, for preventing, monitoring and controlling soil pollution;
5. Supports the Commission in collating and perfecting the existing databases and completing the maps in order to obtain a georeferenced system; approves, likewise, the creation of a digital geographic information system which would gather the currently fragmented information at appropriate levels and which would be accessible to the public;

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6. Calls on the Commission, in line with the SOVEUR report<sup>(1)</sup>, to carry out an audit to provide a methodical assessment and mapping of European soil, taking into account the need for a specific approach based on three main principles: precaution, anticipation and prevention; believes that these principles, in the spirit of the FAO World Soil Charter, should be designed to prevent soil erosion and desertification;
7. Proposes to the Commission, once the catalogues and diagnoses have been completed, that European soils be zonified, taking account of geographic, climatic and typological heterogeneity, including uses and risks and its proposals for feasible monitoring at the appropriate levels;
8. Calls on the Commission to study the possibility of adopting a system of specific soil indicators which will make it possible to trace the development of the state of soil in line with the steps taken, starting with an initial diagnosis; points out, in this connection, that there are already systems proposed by the European Environment Agency and the OECD (pressure-state-response system) which could be adopted in the thematic strategy;
9. Considers it necessary for soil protection to be better integrated into Community policies, in particular, soil protection should be taken into account in the context of the common agricultural policy (CAP), on (regional) infrastructure projects co-financed by the European Union both in connection with the Trans-European Networks, and when granting support from the Structural and Cohesion Funds and pre-accession aid;
10. Calls on the Commission to make cross compliance compulsory for all payments under the CAP, ensuring that all relevant aspects of soil protection are covered in the definition of 'good agricultural and environmental condition', including mandatory soil management plans, providing free impartial data and advice to all farmers, in both arable and pastoral systems;
11. Supports the Commission's initiative to draw up a legislative proposal, the nature of which should be determined in the thematic strategies, on the creation of a system for monitoring soil and possible compaction;
12. Calls on the Commission to review existing legislation with a view to the improved integration of soil protection and, through supplementary proposals, to ensure that greater account is taken of soil protection in the Integrated Pollution Prevention and Control Directive and the Strategic Environmental Assessment Directive;
13. Calls on the Commission to take account, in the legislative initiatives which will ensue from its thematic strategy, of the role played by agriculture in revitalising soil and the importance of maintaining farming activity, above all in regions facing the greatest risk of depopulation; believes that suitable soil uses in agriculture, grassland or woodland are basic factors in soil preservation;
14. Considers it necessary to establish a formal definition of models of agriculture and types of crops which coexist in the EU (sustainable organic farming with minimum tillage, dry farming, farming on irrigated land, pastureland, farming without land, and mountain or dry pastures) and their different effects on soil, so that environmental measures are diversified in line with the characteristics of farming and its benefits for the soil;
15. Calls on the Commission to provide an incentive, through the CAP's environmental flanking programmes, for practices geared towards soil conservation and to promote, through suitable EAGGF support, the crops and uses which are most appropriate to the soil characteristics and the economic and social context; stresses, in this connection, the role which legumes might play in preserving vegetal cover and the wealth of fauna in certain regions, since the capacity of these crops to hold nitrogen makes it possible to use fewer fertilisers;
16. Calls on the Commission to prepare a localised diagnosis of the impact of CAP reform on soil health, which should include rural depopulation (and its socio-economic and environmental consequences), the centralisation of aid and market liberalisation, and calls, likewise, for the environmental measures under the CAP to include measures relating to the protection and conservation of soil and water resources, including specific measures with financial support;

<sup>(1)</sup> Van Lynden, G. W., 2000. Soil degradation in Central and Eastern Europe: The assessment of the status of human-induced soil degradation. FAO-ISRIC, Rome.

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17. Considers it necessary, even though there are saline soils of high intrinsic value, to create the mechanisms required to control salinisation processes and evaluate irrigation schemes which may have an adverse impact on rivers or groundwater flows; recommends, likewise, drawing up guides to good farming practice, strengthening the capacities and responsibility of regional and local administrations;

18. Urges the Commission to revise Directive 86/278/EEC<sup>(1)</sup> on the use of sewage sludge and draw up a directive on compost; stresses the need to intensify research in this field so as to boost its potential for the recovery of soil lacking in organic matter and bring together waste management and soil protection and enrichment;

19. Calls on the Commission and the Member States to ensure that sacred sites, riverbanks, old-growth forests, wetlands and salt marshes are excluded from possible urbanisation, compaction or exploitation, in both the thematic strategy on the urban environment and the regional planning instruments; considers that sites with contaminated soil can be used for certain purposes permitted by planning law subject to pollution-specific requirements relating to remediation or protection;

20. Calls on the Commission to draw up guidelines for the recovery of contaminated soil in urban and fringe areas including: an appropriate definition of soil typologies allowing their possible uses to be characterised, the setting of sufficient periods of time for their recovery, research into the use of simpler and more efficient systems and experimental biological treatment techniques, and soil history;

21. Asks that, in carrying out impact assessments on underground and surface infrastructure and urban construction projects, Member States should consider the effects on natural surface or underground water flows, including measures to conserve permeable soil, and that account should also be taken of the impact of the fragmentation of natural water flows, sites and habitats when plans are drawn up; calls, likewise, for the Environmental Impact and Strategic Environmental Assessment Directives to be applied when implementing the urban and regional thematic strategy;

22. Highlights the need to integrate soil protection objectives in spatial planning strategies and to commit itself to the further development of the European Spatial Development Perspective; calls on the Commission, in the communication that it is due to submit in 2003 on 'Planning and Environment – the territorial dimension', to study ways of preventing the soil sealing which occurs when new areas are assigned for urban development and infrastructure; calls for rules to be introduced bringing land use into line with soil characteristics, taking account of social values, and putting an end to the indiscriminate sealing of land;

23. Takes the view that the topography, structure and natural form of the land must be respected in housing development processes in the interests of sustainable development; considers it necessary, further, to restrict soil sealing and the distortion of natural rock and land formations, and considers it necessary to exercise greater control over the disappearance of soil and prevent the environmental and visual impact of large-scale excavations to extract aggregate;

24. Notes, in connection with transport, that road infrastructure in particular, and to a lesser extent rail infrastructure, can constitute a threat to the soil through covering and impacting (by pressure from heavy vehicles) and the bisection of eco-systems; stresses in this connection the importance of water transport, as set out *inter alia* in the White Paper on Transport, and the need, for projects in the framework of the Trans-European Networks, to carry out environmental impact assessments pursuant to Directive 2001/42/EC<sup>(2)</sup>; calls on the Commission to encourage the use of innovative sustainable technologies and products in road-building, such as Very Open-graded Asphalt Concrete;

<sup>(1)</sup> OJ L 181, 4.7.1986, p. 6.

<sup>(2)</sup> OJ L 197, 21.7.2001, p. 30.

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25. Considers it necessary to gain greater understanding of the functions performed by species which live in the soil, the nutrient cycle and the water cycle; believes it is crucial to apply the precautionary principle and to make sure that the Sixth Environmental Action Programme and EU environmental legislation such as the Habitats, Birds and Water Framework Directives are fully respected; further believes that Community policies should be revised, where necessary, to better protect the natural balance by preventing decline in biodiversity;
26. Urges the Commission to design a system for providing a reliable and up-to-date estimate of the costs and economic implications of soil degradation as an integral part of the thematic strategy for soil protection;
27. Considers that the desertification process affecting various regions in the Union and its socio-economic repercussions and impact on the natural environment have not been adequately reflected or met with sufficient awareness in certain Community bodies; urges the Commission to submit a communication on desertification immediately; calls on the Commission, consequently, to include in it a Community action programme containing a precise description of the zonification of regions affected or likely to be affected by the desertification process, together with a detailed analysis of the causes and socio-economic effects on the regions and their consequences for the human environment, the natural environment and the water cycle, and to identify appropriate Community actions to help to limit the negative effects of that process;
28. Agrees with the Commission's description of erosion as an 'EU-wide problem' and calls on the Commission to initiate a Community-level action programme taking appropriate account of coastal erosion, which threatens not only residential areas but also infrastructure and cultural sites;
29. Calls on the Commission to study the implications of climate change for erosion and the desertification process and develop proposals for the Member States with a view to mitigating its effects;
30. Calls on the Commission to maintain and promote new aid for the prevention of forest fires, a key factor in soil erosion which is a particularly serious phenomenon in the Mediterranean countries; considers that, in addition to aid for fire prevention, more funding needs to be allocated to maintain the traditional soil management practices which have proved so beneficial for their conservation;
31. Stresses the importance of sustainable forest management for soil protection and calls on the Member States to take measures to prohibit urban development on forest land damaged by fire and to ensure that its recovery is based on suitable species which will not have adverse effects on the environmental and water balance in the region;
32. Recommends that soil research be reviewed, so as to encourage research into the relationship between agriculture and soil, crops with a water deficit and other measures against desertification, as well as research into the effects of artificial fertilisers and plant protection products on soil biodiversity, with priority being given to interdisciplinary research; considers it necessary to include research on urbanisation processes and the impact of soil sealing;
33. Insists that any planning and soil conservation strategy should include objectives relating to environmental education geared to those sectors and agents who, through their incorrect practices, contribute to soil degradation (farmers, the food industry, farms producing slurry, the wood extraction sector, etc.);
34. Instructs its President to forward this resolution to the Council, the Commission and the parliaments of the Member States and accession countries.
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P5\_TA(2003)0508

## Waste Framework Directive

### European Parliament resolution on the follow-up report on Council Directive 75/442/EEC (Waste Framework Directive) (COM(2003) 250 – 2003/2124(INI))

*The European Parliament,*

- having regard to the Commission report on the implementation of Community waste legislation for the period 1998-2000 (COM(2003) 250),
  - having regard to Council Directive 75/442/EEC of 15 July 1975 on waste <sup>(1)</sup>,
  - having regard to its resolution of 14 November 1996 on the communication from the Commission on the review of the Community strategy for waste management and the draft Council resolution on waste policy <sup>(2)</sup> and to the Council resolution of 24 February 1997 on a Community strategy for waste management <sup>(3)</sup>,
  - having regard to its resolution of 16 September 1998 <sup>(4)</sup> on the communication from the Commission to the European Parliament and the Council concerning the application of the directives on waste management,
  - having regard to its resolution of 3 April 2001 <sup>(5)</sup> on the Commission Green Paper on environmental issues of PVC,
  - having regard to Decision No 1600/2002/EC of the European Parliament and of the Council of 22 July 2002 laying down the Sixth Community Environment Action Programme <sup>(6)</sup>, particularly Article 8 thereof,
  - having regard to the judgments of the Court of Justice of the European Communities, particularly in Cases C-203/96, C-365/97, C-209/98, C-418/99, C-419/99, C-228/00 and C-458/00,
  - having regard to Articles 2 and 6 of the EC Treaty, by virtue whereof environmental protection requirements must be integrated into the various sectors of Community policy with the aim of promoting an environmentally sustainable development of economic activities,
  - having regard to Article 175 of the EC Treaty,
  - having regard to Rule 47(2) and Rule 163 of its Rules of Procedure,
  - having regard to the report of the Committee on the Environment, Public Health and Consumer Policy and the opinion of the Committee on Petitions (A5-0394/2003),
- A. whereas all Member States submitted their reports late, Portugal and Ireland indeed more than a year after the deadline; whereas in the case of some Member States, even after having received reminders from the Commission, significant shortcomings remain,
- B. whereas Article 3(1) of Directive 75/442/EEC requires Member States to take appropriate measures to encourage inter alia the prevention or reduction of waste production and its harmfulness,
- C. whereas Article 4 of Directive 75/442/EEC requires Member States to take the necessary measures to ensure that waste is recovered or disposed of without endangering human health and without using processes or methods which could harm the environment,

<sup>(1)</sup> OJ L 194, 25.7.1975, p. 39. Directive as last amended by Regulation (EC) No 1882/2003 (OJ L 284, 31.10.2003, p. 1).

<sup>(2)</sup> OJ C 362, 2.12.1996, p. 241.

<sup>(3)</sup> OJ C 76, 11.3.1997, p. 1.

<sup>(4)</sup> OJ C 313, 12.10.1998, p. 99.

<sup>(5)</sup> OJ C 21 E, 24.1.2002, p. 112.

<sup>(6)</sup> OJ L 242, 10.9.2002, p. 1.

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- D. whereas Article 7(1) of Directive 75/442/EEC requires the competent authorities in the Member States to draw up as soon as possible one or more waste management plans to attain the objectives of environmentally sound waste treatment referred to in Articles 3, 4 and 5 thereof and to comply with the principles of proximity and self-sufficiency,
- E. whereas Article 8(1) of the Sixth Community Environment Action Programme includes the following objectives:
- a significant overall reduction in the volumes of waste generated through waste prevention initiatives, better resource efficiency and a shift towards more sustainable production and consumption patterns,
  - a significant reduction in the quantity of waste going to disposal and the volumes of hazardous waste produced, while avoiding an increase of emissions to air, water and soil,
  - encouraging re-use and for wastes that are still generated: the level of their hazardousness should be reduced and they should present as little risk as possible; preference should be given to recovery and especially to recycling; the quantity of waste for disposal should be minimised and should be safely disposed of; waste intended for disposal should be treated as closely as possible to the place of its generation, to the extent that this does not lead to a decrease in the efficiency in waste treatment operations,
- F. whereas Article 8(2)(ii) of the Sixth Community Environment Action Programme includes the following priority actions to develop and implement measures on waste prevention and management:
- developing a set of quantitative and qualitative reduction targets covering all relevant waste, to be achieved at Community level by 2010, inviting the Commission to prepare a proposal for such targets by 2002,
  - the formulation of operational measures to encourage waste prevention, e.g. stimulating re-use and recovery, the phasing out of certain substances and materials through product-related measures,
- G. whereas pursuant to Article 8(2)(iv) of the Sixth Community Environment Action Programme these objectives are to be pursued by means, inter alia, of the following actions:
- developing or revising various directives on waste,
  - clarification of the distinction between waste and non-waste,
  - development of adequate criteria for the further elaboration of Annex IIA (disposal operations) and IIB (recovery) of the Directive 75/442/EEC,
- H. whereas in many Member States the definition of waste does not correspond to that given in Article 1 of Directive 75/442/EEC, although the obligation for it to do so has been in force since 1993; whereas, consequently, unacceptable disparities exist between Member States<sup>(1)</sup>,
- I. whereas, partly in the light of the judgments of the Court of Justice of the EC concerning the scope of the definition of waste, a new definition of waste will not result in greater clarity,
- J. whereas progress has been made in comparison with the previous reporting period as regards the drafting of waste management plans, but in some parts of the European Union these plans are still unsatisfactory; whereas in 2002 the Court of Justice confirmed that France, Italy and the United Kingdom had not implemented any waste management plans,

<sup>(1)</sup> Italy has a definition which does not correspond — see the judgments of the Court of Justice; Luxembourg has not implemented the EWC; Austria and the United Kingdom likewise apply disparate definitions.

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- K. whereas most Member States have not indicated what they have done about waste prevention and recovery since 1997; whereas the average quantity of domestic refuse generated per capita of the population in the European Union has risen from approximately 400 kg to approximately 500 kg since the previous reporting period (1995-1997); whereas the generation of hazardous waste continues to increase in many countries; whereas the continuing increases in waste generation raise serious questions about the implementation of Article 3(1)(a) of Directive 75/442/EEC,
- L. whereas the recycling rates for domestic refuse vary widely in the various Member States: five Member States (Austria, Belgium, Germany, the Netherlands and Sweden) have achieved rates of over 40 % while five Member States (France, Greece, Ireland, Italy and the United Kingdom) have achieved less than 10 %,
- M. whereas the most widely used method of waste disposal is still dumping; whereas five Member States even dump more than 60 % of their waste; whereas incineration of waste with recovery of energy is the second most widely used method of disposal, although waste is no longer incinerated at all in Ireland and Greece,
- N. whereas most Member States dispose of nearly all their waste themselves,
- O. whereas in Greece 59,6 % of waste is disposed of at sites which do not comply with current legislation,
- P. whereas the Commission has opened infringement procedures against Greece, Italy and France in connection with illegal waste-disposal sites,
- Q. whereas the Court of Justice has confirmed in its Case C-209/98 that a Member State may take measures with regard to the transport of waste if such transport does not accord with its waste management plan on condition that the plan accords with the rules of the EC Treaty and Directive 75/442/EEC,
- R. whereas different market conditions exist in the European Union; whereas, for example, there is no ban on the dumping of waste in Belgium (Wallonia), Greece, Ireland, Italy, Portugal, Spain and the United Kingdom and whereas taxes on the dumping of waste differ between Member States and there is no such tax in Germany, Greece, Ireland, Portugal and Spain,
- S. whereas recent judgments of the Court of Justice of the EC concerning the distinctions between different methods of recovery and final disposal have resulted in uncertainty about the classification of recovery and disposal as referred to in Annex II to Directive 75/442/EEC,
- T. whereas Article 2(2) of Directive 75/442/EEC on waste provides that specific rules on the management of particular categories of waste may be laid down by means of individual Directives,
1. Concludes that, in general, Member States do not take their obligations to report to the Commission seriously enough;
  2. Calls on the Commission to initiate proceedings pursuant to Article 226 of the EC Treaty against Member States whose reports still display serious shortcomings;
  3. Observes that, due to the inadequate reports submitted by Member States, it is not sufficiently clear to what extent Directive 75/442/EEC has been implemented and the objectives described therein have been achieved; observes, furthermore, that the Member States often do not notify the Commission, pursuant to Article 3(2) of Directive 75/442/EEC, of the measures which they adopt in order to achieve the objectives laid down in that Directive;
  4. Calls upon the Commission to exercise its powers in order to ensure that the national measures intended to achieve the objectives laid down in Article 3(2) of Directive 75/442/EEC are notified to the Commission;



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5. Does not question the current definition of waste; urges all the Member States to incorporate the definition of waste laid down in Article 1 of Directive 75/442/EEC in their domestic legislation; considers that, if necessary, the Commission should make use of its powers to force the Member States concerned to do so;
6. Urges Member States to draw up waste management plans or, where they exist, to improve them, on the basis that these should provide, first and foremost, for measures to encourage the prevention or reduction of waste production; considers that the Commission should supervise and monitor the development and implementation of national waste management plans so that they are in line with the Community legislation;
7. Notes that the objective of stabilising waste production in 2000 at the 1985 level of 300 kg per capita of the population, as laid down in the Fifth Environment Action Programme, is not being attained; urges the Member States to make far greater efforts to prevent and reduce waste generation, in particular that of hazardous waste, and to prioritise prevention or reduction of waste production in their waste management plans;
8. Regrets that the Commission has not yet adopted proposals to develop a set of quantitative and qualitative reduction targets covering all relevant waste, to be achieved at Community level by 2010; considers that the current statistics, although still partly deficient, can and need to serve as a starting point for the adoption of reduction targets if the 2010 target is to be met, given that the first set of harmonised statistics will only be available in 2006 at the earliest; reiterates its invitation to the Commission to come forward with such a proposal, at the latest before the end of its mandate;
9. Calls on the Member States to find ways to promote the separate collection of recyclable waste, since it has been identified as a fundamental shortcoming in achieving higher levels of recycling;
10. Urges Member States which are not satisfactorily implementing or are delaying the application of directives on waste to implement them and urges the Commission to make optimum use of its powers to ensure this;
11. Calls upon the Commission to open Article 226 infringement procedures for failure to comply with Directive 75/442/EEC (taking into account the judgment of the Court of Justice in Case C-365/97) against all the Member States in which illegal or unsupervised waste-disposal sites exist;
12. Calls on the Commission to propose measures to enable Member States to become or remain self-sufficient in waste disposal, applying the proximity principle as appropriate;
13. Considers that all Member States must make available sufficient recovery and recycling capacity for domestic refuse and that domestic refuse intended for incineration must not be exported to other Member States or to third countries;
14. Considers that all Member States must make available sufficient incineration capacity for domestic refuse, recovering energy from it, as regards fractions for which no alternative ways of treating waste located higher in the EU waste hierarchy are available, such as the re-use and recycling of materials;
15. Calls on Member States, insofar as there is an open market for waste management in the European Community, to eliminate distortions caused by incomplete implementation of European Union directives;
16. Calls on the Commission to check that the waste directives are implemented in such a way as to prevent unfair competition due to cost differentials, thus avoiding the flow of waste to environmentally inferior treatment operations;

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17. Calls on the Commission to review Directive 75/442/EEC with a view to establishing clear and enforceable conditions for the definition of waste disposal and waste recovery operations, and to actively monitor the proper implementation thereof; considers that these conditions should be based on minimum quality criteria such as:

- calorific value of the waste to be incinerated,
- emissions of pollutants into air, water and soil,
- separation of waste flows,
- energy efficiency of incineration/co-incineration plants,
- capacity to destroy organic components,
- capacity to concentrate inorganic components or dramatically reduce their volume,
- absence of hazardous substances in the end-product of co-incineration;

18. Calls on the Commission and Member States to set up a permanent waste Steering and Advisory Committee, along the lines of the existing structures applying to the Clean Air For Europe Strategy, so as to allow thorough and consistent monitoring and coordination of implementation of current waste legislation and stakeholder consultation on all waste legislation;

19. Instructs its President to forward this resolution to the Council, the Commission and the governments and parliaments of the Member States.

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Thursday 20 November 2003

(2004/C 87 E/04)

**MINUTES****PROCEEDINGS OF THE SITTING**

IN THE CHAIR: James L.C. PROVAN

*Vice-President***1. Opening of sitting**

The sitting opened at 10.05.

The following spoke:

- Roy Perry who complained that the Commission still had not forwarded the information requested by Parliament concerning Lloyd's of London, the deadline having been set as 15 November (the President advised him to take the matter up with the Conference of Presidents).
- Ilda Figueiredo on the 14th anniversary of the adoption by the United Nations General Assembly of the Convention on the Rights of the Child.

**2. Promotion of relations between the EU and non-industrialised regions \* – Promoting European citizenship \* – Organisations promoting equality between men and women \*\*\*I (debate)**

Report on the proposal for a Council decision establishing a Community action programme for bodies promoting reciprocal understanding of relations between the European Union and certain non-industrialised regions in the world [COM(2003) 280 – C5-0350/2003 – 2003/0110(CNS)] – Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy.

Rapporteur: Lennart Sacrédeus (A5-0384/2003).

Draftsman of the opinion (Rule 162a): Bárbara Dührkop Dührkop, BUDG Committee

Report on the proposal for a Council decision establishing a Community action programme to promote active European citizenship (civic participation) [COM(2003) 276 – C5-0321/2003 – 2003/0116(CNS)] – Committee on Citizens' Freedoms and Rights, Justice and Home Affairs.

Rapporteur: Heide Rühle (A5-0368/2003).

Draftsman of the opinion (Rule 162a): Bárbara Dührkop Dührkop, BUDG Committee

Report on the proposal for a decision of the European Parliament and of the Council establishing a Community action programme to promote organisations active at European level in the field of equality between men and women [COM(2003) 279 – C5-0261/2003 – 2003/0109(COD)] – Committee on Women's Rights and Equal Opportunities.

Rapporteur: Rodi Kratsa-Tsagaropoulou (A5-0396/2003).

Draftsman of the opinion (Rule 162a): Bárbara Dührkop Dührkop, BUDG Committee

Neil Kinnock (Vice-President of the Commission) spoke.

Lennart Sacrédeus introduced the report (A5-0384/2003).

Heide Rühle introduced the report (A5-0368/2003).

Rodi Kratsa-Tsagaropoulou introduced the report (A5-0396/2003).

The following spoke: Bárbara Dührkop Dührkop (draftsman of the opinion of the BUDG Committee), Juan Ojeda Sanz (draftsman of the opinion of the CULT Committee), Carlos Coelho, on behalf of the PPE-DE Group, and Véronique De Keyser, on behalf of the PSE Group.

Thursday 20 November 2003

IN THE CHAIR: Alonso José PUERTA

*Vice-President*

The following spoke: Lone Dybkjær, on behalf of the ELDR Group, Geneviève Fraisse, on behalf of the GUE/NGL Group, Alima Boumediene-Thiery, on behalf of the Verts/ALE Group, José Ribeiro e Castro, on behalf of the UEN Group, Georges Berthu, Non-attached Member, Astrid Lulling, Adeline Hazan, Olle Schmidt, Ilda Figueiredo, Regina Bastos, María Elena Valenciano Martínez-Orozco, Armonia Bordes, Dana Rosemary Scallon, Lissy Gröner, Carlo Fatuzzo, Christa Prets, Eija-Riitta Anneli Korhola, Ruth Hieronymi and Neil Kinnock.

The debate closed.

Vote: *Items 9, 11 and 12.*

IN THE CHAIR: Pat COX

*President*

### **3. Announcement by the President**

The President announced that there had been several attacks that morning in Istanbul on British targets, including the British Consulate. He indicated that he had conveyed his sympathy and his condolences, on behalf of Parliament, to the families of the victims, and expressed his solidarity with the Turkish authorities and the people of Istanbul.

Parliament observed a minute's silence.

\*  
\*      \*

IN THE CHAIR: Guido PODESTÀ

*Vice-President*

On behalf of the British Members of Parliament, John Bowis thanked the President of Parliament for his words of sympathy, which he endorsed (the President undertook to forward his remarks to the President of Parliament).

### **4. Official welcome**

On behalf of Parliament, the President welcomed members of a delegation from the Parliament of the Republic of Kyrgyzstan, led by its Vice-President, Sooronbay Jeenbekov, to the official gallery.

### **VOTING TIME**

*Details of voting (amendments, separate and split votes, etc.) appear in Annex I to the Minutes.*

Cristiana Muscardini pointed out, in joint motion for a resolution B5-0479/2003 on the outcome of the EU-Russia Summit, discrepancies between some language versions; she therefore asked for the vote on the motion to be postponed to the next part-session (the President refused but pointed out that the various versions would be aligned on the original English version).

Thursday 20 November 2003

## **5. Improving safety at sea (appointment of members of a temporary committee) (vote)**

*(Simple majority)*

MEMBERSHIP OF THE TEMPORARY COMMITTEE ON IMPROVING SAFETY AT SEA

List of members proposed by the Conference of Presidents (*Minutes of 19.11.2003, Item 26*)

Approved.

## **6. Request for consultation of the Economic and Social Committee on the social dimension of culture (Rule 52)**

Request for consultation of the Economic and Social Committee — The social dimension of culture

Approved.

## **7. SIS II (Schengen information system) (Rule 110a) (vote)**

Report with a proposal for a European Parliament recommendation to the Council on the second-generation Schengen information system (SIS II) [2003/2180(INI)] — Committee on Citizens' Freedoms and Rights, Justice and Home Affairs.

Rapporteur: Carlos Coelho (A5-0398/2003)

*(Simple majority)*

*(Voting record: Annex I, Item 1)*

PROPOSAL FOR A RECOMMENDATION

Adopted by single vote (P5\_TA(2003)0509)

## **8. Market access to port services \*\*\*III (vote)**

Report on the joint text, approved by the Conciliation Committee, for a directive of the European Parliament and of the Council on market access to port services [PE-CONS 3670/2003 — C5-0461/2003 — 2001/0047(COD)] — Parliament's delegation to the Conciliation Committee.

Rapporteur: Georg Jarzembowski (A5-0364/2003)

*(Simple majority)*

*(Voting record: Annex I, Item 2)*

JOINT TEXT

Rejected (P5\_TA(2003)0510)

The procedure was thus closed.

*The following spoke:*

- Renzo Imbeni, Chairman of Parliament's delegation to the Conciliation Committee, made a statement on the joint text. The rapporteur thanked him for his endeavours.

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## **9. Organisations promoting equality between men and women \*\*\*I (vote)**

Report on the proposal for a decision of the European Parliament and of the Council establishing a Community action programme to promote organisations active at European level in the field of equality between men and women [COM(2003) 279 – C5-0261/2003 – 2003/0109(COD)] – Committee on Women's Rights and Equal Opportunities.

Rapporteur: Rodi Kratsa-Tsagaropoulou (A5-0396/2003)

(Simple majority)

(Voting record: Annex I, Item 3)

COMMISSION PROPOSAL

Approved as amended (P5\_TA(2003)0511)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5\_TA(2003)0511).

## **10. Support for UNMIK and OHR in Bosnia and Herzegovina \* (vote)**

Report on the proposal for a Council Regulation amending Council Regulation (EC) No 1080/2000 of 22 May 2000 on support for the United Nations Interim Mission in Kosovo (UNMIK) and the Office of the High Representative in Bosnia and Herzegovina (OHR) [COM(2003) 389 – C5-0325/2003 – 2003/0143(CNS)] – Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy.

Rapporteur: Johannes (Hannes) Swoboda (A5-0390/2003)

(Simple majority)

(Voting record: Annex I, Item 4)

COMMISSION PROPOSAL

Approved as amended (P5\_TA(2003)00512)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5\_TA(2003)00512).

*The following spoke:*

— The rapporteur recommended, before the vote, approval of the Commission proposal.

## **11. Promotion of relations between the EU and non-industrialised regions \* (vote)**

Report on the proposal for a Council decision establishing a Community action programme for bodies promoting reciprocal understanding of relations between the European Union and certain non-industrialised regions in the world [COM(2003) 280 – C5-0350/2003 – 2003/0110(CNS)] – Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy.

Rapporteur: Lennart Sacrédeus (A5-0384/2003)

(Simple majority)

(Voting record: Annex I, Item 5)

COMMISSION PROPOSAL

Approved as amended (P5\_TA(2003)0513)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5\_TA(2003)0513).

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**12. Promoting European citizenship \* (vote)**

Report on the proposal for a Council decision establishing a Community action programme to promote active European citizenship (civic participation) [COM(2003) 276 — C5-0321/2003 — 2003/0116(CNS)] — Committee on Citizens' Freedoms and Rights, Justice and Home Affairs.

Rapporteur: Heide Rühle (A5-0368/2003)

(Simple majority)

(Voting record: Annex I, Item 6)

**COMMISSION PROPOSAL**

Approved as amended (P5\_TA(2003)0514)

**DRAFT LEGISLATIVE RESOLUTION**

Adopted (P5\_TA(2003)0514).

*The following spoke:*

In agreement with the rapporteur, Doris Pack moved an oral amendment to amendment 37, to which fewer than 32 Members objected, and which was therefore incorporated.

**13. Stockholm Convention on Persistent Organic Pollutants \* (vote)**

Report on the proposal for a Council decision concerning the conclusion, on behalf of the European Community, of the Stockholm Convention on Persistent Organic Pollutants [COM(2003) 331 — C5-0315/2003 — 2003/0118(CNS)] — Committee on the Environment, Public Health and Consumer Policy.

Rapporteur: Pernille Frahm (A5-0371/2003)

(Simple majority)

(Voting record: Annex I, Item 7)

**COMMISSION PROPOSAL**

Approved as amended (P5\_TA(2003)0515).

**DRAFT LEGISLATIVE RESOLUTION**

Adopted (P5\_TA(2003)0515).

*The following spoke:*

The rapporteur before the vote.

**14. Protocol on Long Range Transboundary Air Pollution \* (vote)**

Report on the proposal for a Council decision concerning the conclusion, on behalf of the European Community, of the 1998 Protocol to the 1979 Convention on Long Range Transboundary Air Pollution on Persistent Organic Pollutants [COM(2003) 332 — C5-0318/2003 — 2003/0117(CNS)] — Committee on the Environment, Public Health and Consumer Policy.

Rapporteur: Pernille Frahm (A5-0372/2003)

(Simple majority)

(Voting record: Annex I, Item 8).

**COMMISSION PROPOSAL**

Approved as amended (P5\_TA(2003)0516)

**DRAFT LEGISLATIVE RESOLUTION**

Adopted (P5\_TA(2003)0516).

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## **15. Financial provisions of the draft Treaty establishing a constitution for Europe (vote)**

Motion for a resolution B5-0482/2003

(Simple majority)

(Voting record: Annex I, Item 9)

MOTION FOR A RESOLUTION

Adopted (P5\_TA(2003)0517).

## **16. Euromed (vote)**

Motions for resolution B5-0471, 0475, 0481, 0484, 0489 and 0511/2003

(Simple majority)

(Voting record: Annex I, Item 10)

MOTION FOR A RESOLUTION B5-0471/2003

Rejected.

JOINT MOTION FOR A RESOLUTION RC-B5-0475/2003

(replacing B5-0475, 0481, 0484, 0489 and 0511/2003):

tabled by the following Members:

- Francesco Fiori and Philippe Morillon, on behalf of the PPE-DE Group,
- Pasqualina Napoletano, on behalf of the PSE Group,
- Joan Vallvé, on behalf of the ELDR Group,
- Hélène Flautre and Monica Frassoni, on behalf of the Verts/ALE Group,
- Luís Queiró and Cristiana Muscardini, on behalf of the UEN Group,

Adopted (P5\_TA(2003)0518).

## **17. Outcome of the EU-Russia summit (vote)**

Motions for resolution B5-0479, 0483, 0485, 0486, 0487 and 0488/2003

(Simple majority)

(Voting record: Annex I, Item 11)

JOINT MOTION FOR A RESOLUTION RC-B5-0479/2003

(replacing B5-0479, 0483, 0485, 0486 and 0487/2003):

tabled by the following Members:

- Ilkka Suominen, Arie M. Oostlander and Bernd Posselt, on behalf of the PPE-DE Group,
- Enrique Barón Crespo, Reino Paasilinna and Giovanni Claudio Fava, on behalf of the PSE Group,
- Daniel Marc Cohn-Bendit, Monica Frassoni, Elisabeth Schroedter and Bart Staes, on behalf of the Verts/ALE Group,
- Ole Andreasen, Astrid Thors and Paavo Väyrynen, on behalf of the ELDR Group,
- Helmuth Markov, on behalf of the GUE/NGL Group,
- Gerard Collins,

Adopted (P5\_TA(2003)0519).

(Motion for a resolution B5-0488/2003 fell.)



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## 18. A New Framework for Relations with our Eastern and Southern Neighbours (vote)

Report on 'Wider Europe — Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours' [COM(2003) 104 — 2003/2018(INI)] — Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy.

Rapporteur: Pasqualina Napolitano (A5-0378/2003)

(Simple majority)

(Voting record: Annex I, Item 12)

MOTION FOR A RESOLUTION

Adopted (P5\_TA(2003)0520).

*The following spoke:*

The rapporteur moved an oral amendment to amendment 10 and spoke on amendment 17.

## 19. The Northern dimension (vote)

Motions for resolution B5-0472, 0473, 0474, 0477 and 0480/2003

(Simple majority)

(Voting record: Annex I, Item 13)

JOINT MOTION FOR A RESOLUTION RC-B5-0472/2003

(replacing B5-0472, 0473, 0474, 0477 and 0480/2003):

tabled by the following Members:

- Ilkka Suominen and Arie M. Oostlander, on behalf of the PPE-DE Group,
- Reino Paasilinna, Riitta Myller and Ulpu Iivari, on behalf of the PSE Group,
- Paavo Väyrynen, on behalf of the ELDR Group,
- Matti Wuori, Bart Staes, on behalf of the Verts/ALE Group,
- Mogens N.J. Camre, on behalf of the UEN Group,
- Esko Olavi Seppänen, Pernille Frahm, Marianne Eriksson and André Brie, on behalf of the GUE/NGL Group,

Adopted (P5\_TA(2003)0521).

## 20. Defence equipment (vote)

Second report on the communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions — European Defence — Industrial and market issues — Towards an EU Defence Equipment Policy [COM(2003) 113 — 2003/2096(INI)] — Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy.

Rapporteur: Luís Queiró (A5-0370/2003).

(Simple majority)

(Voting record: Annex I, Item 14)

MOTION FOR A RESOLUTION

Adopted (P5\_TA(2003)0522).

*The following spoke:*

- Johannes (Hannes) Swoboda moved an oral amendment to amendment 2. The rapporteur spoke on the oral amendment which was not considered since more than 32 Members opposed it.

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## 21. Stabilisation and association process for South-East Europe (vote)

Report on the Stabilisation and Association Process for South East Europe: Second Annual Report [COM(2003) 139 — 2003/2094(INI)] — Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy.

Rapporteur: Joost Lagendijk (A5-0397/2003)

(Simple majority)

(Voting record: Annex I, Item 15)

MOTION FOR A RESOLUTION

Adopted (P5\_TA(2003)0523).

## 22. Explanations of vote

*Written explanations of vote:*

Explanations of vote submitted in writing under Rule 137(3) appear in the verbatim report of proceedings for this sitting.

*Oral explanations of vote:*

Report Rühle — A5-0368/2003

— Ward Beysen

Report Queiró — A5-0370/2003

— Patricia McKenna

Report Kratsa-Tsagaropoulou — A5-0396/2003

— Rodi Kratsa-Tsagaropoulou

Resolution — B5-0482/2003

— Richard Corbett

## 23. Corrections to votes

Corrections to votes were submitted by the following Members:

Report Coelho — A5-0398/2003

*for:* Ursula Stenzel

*against:* Georges Berthu

Report Jarzembowski — A5-0364/2003

*for:* Jean-Louis Bourlanges, José Ribeiro e Castro, Seán Ó Neachtain, James (Jim) Fitzsimons, Elmar Brok, Diemut R. Theato, Bashir Khanbhai, Liam Hyland, Neil Parish

*against:* Phillip Whitehead

*abstention:* Renate Sommer

Report Kratsa-Tsagaropoulou — A5-0396/2003

— amended proposal

*for:* Gérard Onesta

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Report Rühle — A5-0368/2003

- legislative resolution  
for: José Ribeiro e Castro, Seán Ó Neachtain, Liam Hyland, James (Jim) Fitzsimons

Constitution for Europe — B5-0482/2003

- amendment 1  
for: Georges Berthu, Isabelle Caullery  
against: Renzo Imbeni
- resolution (as a whole)  
against: Georges Berthu

Euromed — RC-B5-0475/2003

- amendments 4 + 5  
for: Nelly Maes
- resolution (as a whole):  
for: Nelly Maes

EU-Russia Summit — RC-B5-0479/2003

- amendment 1  
for: Othmar Karas, Paul Rübig, the Austrian Members of the PPE-DE Group, Dana Rosemary Scallon

Report Queiró — A5-0370/2003

- amendment 3  
against: Othmar Karas  
abstention: Hans-Peter Martin
- paragraph 12  
for: Othmar Karas, Arlene McCarthy  
abstention: Hans-Peter Martin
- recital G  
against: Harald Ettl

Arlette Laguiller, Armonia Bordes and Chantal Cauquil had been present but did not take part in the vote on amendment 1 to motion for a resolution B5-0482/2003 on the Constitution for Europe, nor in the vote on the motion as a whole.

#### END OF VOTING TIME

*(The sitting was suspended at 13.15 and resumed at 15.00.)*

IN THE CHAIR: Alejo VIDAL-QUADRAS ROCA

*Vice-President*

#### 24. Approval of Minutes of previous sitting

The Minutes of the previous sitting were approved.

#### 25. European networks and info-points (Oral question with debate)

Oral question by Michel Rocard, on behalf of the CULT Committee, to the Commission: European networks and info-points

Christa Prets (deputising for the author) moved the oral question.

Neil Kinnock (Vice-President of the Commission) answered the oral question.

The following spoke: Juan José Bayona de Perogordo, on behalf of the PPE-DE Group, Olga Zrihen, on behalf of the PSE Group, Anne André-Léonard, on behalf of the ELDR Group, Jan Dhaene, on behalf of the Verts/ALE Group, Roy Perry, Catherine Guy-Quint, Michl Ebner, Reino Paasilinna, Giacomo Santini, Eija-Riitta Anneli Korhola and Neil Kinnock.

The debate closed.

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**DEBATE ON CASES OF BREACHES OF HUMAN RIGHTS, DEMOCRACY AND THE RULE OF LAW**

*(For the titles and authors of the motions for resolution, see Item 3 of the Minutes of Tuesday 18 November 2003)*

**26. Sri Lanka** (debate)

The next item was the joint debate on kuusi motions for resolution (B5-0490, 0492, 0495, 0498, 0505 and 0510/2003).

John Walls Cushnahan, Anne André-Léonard, Didier Rod and Erik Meijer introduced the motions for resolution.

The following spoke: Thomas Mann, on behalf of the PPE-DE Group, Véronique De Keyser, on behalf of the PSE Group, and Neil Kinnock (Vice-President of the Commission).

The debate closed.

Vote: *Item 30.*

**27. Aceh** (debate)

The next item was the joint debate on six motions for resolution (B5-0491, 0496, 0497, 0501, 0507 and 0508/2003).

Linda McAvan, Ulla Margrethe Sandbæk, Anne André-Léonard, John Bowis, Didier Rod and Erik Meijer introduced the motions for resolution.

Neil Kinnock (Vice-President of the Commission) spoke.

The debate closed.

Vote: *Item 31.*

**28. Vietnam: Freedom for religion** (debate)

The next item was the joint debate on seven motions for resolution (B5-0493, 0494, 0499, 0502, 0503, 0506 and 0509/2003).

Bastiaan Belder introduced the motion for a resolution B5-0494/2003.

IN THE CHAIR: Ingo FRIEDRICH

*Vice-President*

Anne André-Léonard and Thomas Mann also introduced motions for resolution.

The following spoke: Eija-Riitta Anneli Korhola, on behalf of the PPE-DE Group, Paulo Casaca, on behalf of the PSE Group, Olivier Dupuis, Non-attached Member, Bernd Posselt, Neil Kinnock (Vice-President of the Commission), Olivier Dupuis on the last speaker's remarks and Neil Kinnock.

The debate closed.

Vote: *Item 32.*

**END OF DEBATE ON BREACHES OF HUMAN RIGHTS, DEMOCRACY AND THE RULE OF LAW**

Thursday 20 November 2003

## 29. Agenda

Following that day's meeting of the Conference of Presidents, the President proposed the following changes to the Agenda for the next part-session in Brussels on 3 and 4 December:

### *Wednesday 3 December*

#### 1. the Council and Commission statements on

- the preparation of the European Council, including the European Social Forum, and
- the progress report on the Intergovernmental Conference

would be taken in joint debate.

The following deadlines had been set

- *European Council and Social Summit:*
  - motions for resolution: Thursday 27 November at 12.00,
  - amendments and joint motions for resolution: Wednesday 3 December at 12.00.
- *IGC:*
  - motions for resolution: Monday 1 December at 18.00,
  - amendments and joint motions for resolution: Wednesday 3 December at 12.00.

#### 2. Regarding the Council and Commission statements on the EU role in conflict prevention in Africa, the deadlines had been extended as follows:

- motions for resolution: Thursday 27 November at 12.00,
- amendments and joint motions for resolution: Monday 1 December at 12.00.

#### 3. Regarding the report by (A5-0401/2003) on contracts and tripartite agreements, the deadline for tabling amendments would be Thursday 27 November at 12.00.

#### 4. The following reports would be added to the end of Wednesday's Agenda:

- \* Christa Randzio-Plath (ECON Committee) on reduced VAT rates, the deadline for tabling amendments being set as Monday 1 December at 12.00,
- two Göran Färm reports (BUDG Committee) on amending budgets No 7 and 8/2003 concerning on the one hand the Structural Funds (ongoing procedure) and, on the other, the allocation of appropriations (Frontloading).

The following deadlines had been set:

- amendments to amending budgets: Monday 24 November at 12.00,
- amendments to motions for resolution contained in the Göran Färm reports: Tuesday 2 December at 12.00.

### *Thursday 4 December*

The following reports would be added to the votes:

- Under Rule 158(1):
  - \* Luis Berenguer Fuster (A5-0403/2003) on scientific and technological cooperation between the European Community and the Kingdom of Morocco,
  - \* Luis Berenguer Fuster (A5-0404/2003) on scientific and technological cooperation between the European Community and the Tunisian Republic.
- Under Rule 158(2):
  - \*\*\*I Luis Berenguer Fuster (A5-0395/2003) on financial and technical cooperation with the Occupied Territories.

**Thursday 20 November 2003**

- Under Rule 110a:
  - \*\*\*I Giacomo Santini (A5-0405/2003) on a programme for financial and technical assistance to third countries in the area of migration and asylum, the deadline for tabling amendments being set as Thursday 27 November at 12.00.

Parliament agreed to these changes.

## **VOTING TIME**

*Details of voting (amendments, separate and split votes, etc.) appear in Annex I to the Minutes.*

### **30. Sri Lanka (vote)**

Motions for resolution B5-0490, 0492, 0495, 0498, 0505 and 0510/2003

*(Simple majority)*

*(Voting record: Annex I, Item 16)*

JOINT MOTION FOR A RESOLUTION RC-B5-0490/2003

*(replacing B5-0490, 0492, 0495, 0498, 0505 and 0510/2003):*

tabled by the following Members:

- John Walls Cushnahan, Geoffrey Van Orden, Thomas Mann, Philip Charles Bradbourn and Bernd Posselt, on behalf of the PPE-DE Group,
- Margrietus J. van den Berg and Maria Carrilho, on behalf of the PSE Group,
- Ole Andreasen, on behalf of the ELDR Group,
- Didier Rod, Reinhold Messner and Jean Lambert, on behalf of the Verts/ALE Group,
- Luigi Vinci, on behalf of the GUE/NGL Group,
- Gerard Collins, on behalf of the UEN Group,

Adopted (P5\_TA(2003)0524).

*The following spoke:*

John Walls Cushnahan moved an oral amendment to paragraph 1, which was incorporated.

### **31. Aceh (vote)**

Motions for resolution B5-0491, 0496, 0497, 0501, 0507 and 0508/2003

*(Simple majority)*

*(Voting record: Annex I, Item 17)*

JOINT MOTION FOR A RESOLUTION RC-B5-0491/2003

*(replacing B5-0491, 0496, 0497, 0501, 0507 and 0508/2003):*

tabled by the following Members:

- John Bowis and Charles Tannock, on behalf of the PPE-DE Group,
- Margrietus J. van den Berg and Linda McAvan, on behalf of the PSE Group,
- Ole Andreasen, on behalf of the ELDR Group,
- Didier Rod, Matti Wuori, Nelly Maes and Patricia McKenna, on behalf of the Verts/ALE Group,
- Giuseppe Di Lello Finuoli, on behalf of the GUE/NGL Group,
- Ulla Margrethe Sandbæk, on behalf of the EDD Group,

Adopted (P5\_TA(2003)0525).

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**32. Vietnam: Freedom of religion (vote)**

Motions for resolution B5-0493, 0494, 0499, 0502, 0503, 0506 and 0509/2003

(Simple majority)

(Voting record: Annex I, Item 18)

MOTION FOR A RESOLUTION JOINT MOTION FOR A RESOLUTION RC-B5-0493/2003

(replacing B5-0493, 0494, 0499, 0502, 0503, 0506 and 0509/2003):

tabled by the following Members:

- Hartmut Nassauer, Bernd Posselt and Thomas Mann, on behalf of the PPE-DE Group,
- Margriet J. van den Berg, on behalf of the PSE Group,
- Anne André-Léonard, on behalf of the ELDR Group,
- Patricia McKenna, on behalf of the Verts/ALE Group,
- Luisa Morgantini, on behalf of the GUE/NGL Group,
- Cristiana Muscardini and Roberta Angelilli, on behalf of the UEN Group,
- Bastiaan Belder, on behalf of the EDD Group,
- Emma Bonino, Marco Cappato, Gianfranco Dell'Alba, Benedetto Della Vedova, Olivier Dupuis, Marco Pannella and Maurizio Turco,

Adopted (P5\_TA(2003)0526).

*The following spoke:*

Ioannis Patakis pointed out that he had voted against.

**END OF VOTING TIME****33. Documents received**

The following documents had been received:

*from the Council and Commission:*

- Proposal for transfer of appropriations A.II.1/2003 between Chapters in Section III — Commission — Part A — of the General Budget for the European Union for the financial year 2003 (SEC(2003) 322 — C5-0545/2003 — 2003/2220(GBD))  
referred to responsible: BUDG  
legal basis: Article 274 EC
- Proposal for transfer of appropriations 39/2003 between Chapters in Section III — Commission — Part B — of the General Budget for the European Union for the financial year 2003 (SEC(2003) 323 — C5-0546/2003 — 2003/2219(GBD))  
referred to responsible: BUDG  
legal basis: Article 274 EC
- Proposal for a Council regulation amending Regulation (EC) No 2792/1999 laying down the detailed rules and arrangements regarding Community structural assistance in the fisheries sector (COM(2003) 658 — C5-0547/2003 — 2003/0261(CNS))  
referred to responsible: PECH  
opinion: BUDG  
legal basis: Articles 36 and 37 EC
- Proposal for a decision of the European Parliament and of the Council amending Decision 1419/1999/EC establishing a Community action for the 'European Capital of Culture' event for the years 2005 to 2019 (COM(2003) 700 — C5-0548/2003 — 2003/0274(COD))  
referred to responsible: CULT  
legal basis: Article 151(5) EC

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- Proposal for a regulation of the European Parliament and of the Council on materials and articles intended to come into contact with food (COM(2003) 689 — C5-0549/2003 — 2003/0272(COD))  
referred to responsible: ENVI  
opinion: JURI, ITRE, AGRI  
legal basis: Article 95 EC
- Proposal for transfer of appropriations 42/2003 between Chapters in Section III — Commission — Part B — of the General Budget for the European Union for the financial year 2003 (SEC(2003) 324 — C5-0552/2003 — 2003/2223(GBD))  
referred to responsible: BUDG  
legal basis: Article 274 EC
- Proposal for transfer of appropriations 43/2003 between Chapters in Section III — Commission — Part B — of the General Budget for the European Union for the financial year 2003 (SEC(2003) 337 — C5-0553/2003 — 2003/2224(GBD))  
referred to responsible: BUDG  
legal basis: Article 274 EC
- Opinion of the Council on transfer of appropriations 31/2003 between Chapters in Section III — Commission — Part A — of the General Budget for the European Union for the financial year 2003 (C5-0554/2003 — 2003/2192(GBD))  
referred to responsible: BUDG  
legal basis: Article 274 EC
- Opinion of the Council on transfer of appropriations 32/2003 between Chapters in Section III — Commission — Part B — of the General Budget for the European Union for the financial year 2003 (C5-0555/2003 — 2003/2193(GBD))  
referred to responsible: BUDG  
legal basis: Article 274 EC
- Opinion of the Council on transfer of appropriations 33/2003 between Chapters in Section III — Commission — Part B — of the General Budget for the European Union for the financial year 2003 (C5-0556/2003 — 2003/2194(GBD))  
referred to responsible: BUDG  
legal basis: Article 274 EC
- Proposal for a Council directive on the short-term residence permit issued to victims of action to facilitate illegal immigration or trafficking in human beings who cooperate with the competent authorities (14432/2003 — C5-0557/2003 — 2002/0043(CNS))  
referred to responsible: LIBE  
opinion: JURI, FEMM  
legal basis: Article 63, 1st paragraph EC

**34. Verification of credentials**

On a proposal from the JURI Committee, Parliament validated the mandates of María Luisa Bergaz Conesa, Giorgio Calò, Raquel Cardoso, Juan Manuel Ferrández Lezaun and Ian Twinn.

**35. Membership of committees and delegations**

At the request of the PPE-DE and PSE Groups, Parliament ratified the following appointments:

- CONT Committee: Eluned Morgan to replace Arlene McCarthy,
- LIBE Committee: Ian Twinn.



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### 36. Authorisation to draw up own-initiative reports – cooperation between committees

#### Drawing up of own-initiative reports, pursuant to Rule 49

AFET Committee:

- EU policy towards the South Caucasus (B5-0429/2003 – 2003/2225 (INI))
- EU-Russia relations (B5-0438/2003 – 2003/2230(INI))
- Guantanamo detainees' right to a fair trial (B5-0426/2003 – 2003/2229(INI))

#### Cooperation between committees

**Rule 162a had been applied to the following report:**

ENVI Committee:

- Regulation of the European Parliament and of the Council on nutrition and health claims made on foods (amending Directive 2000/13/EC) (COM(2003) 424 – C5-0329/2003 – 2003/0165(COD))  
Rule 162a procedure between ENVI and JURI  
(Conference of Presidents' decision of 13 November 2003)

#### Decision to draw up a report, pursuant to Rule 181

AFCO Committee:

- Statute and financing of European political parties (amendment of EP Rules of Procedure) (Conference of Presidents' decision of 23 October 2003 (2003/2205(REG)))

### 37. Written declarations included in the register (Rule 51)

Number of signatures obtained by the written declarations in the register (Rule 51(3)):

| No of Document | Author                                                                                              | Signatures |
|----------------|-----------------------------------------------------------------------------------------------------|------------|
| 16/2003        | Othmar Karas                                                                                        | 58         |
| 17/2003        | Struan Stevenson, Bob van den Bos, Nelly Maes, Mihail Papayannakis and Phillip Whitehead            | 213        |
| 18/2003        | André Brie, Willi Görlach, Joost Lagendijk and Philippe Morillon                                    | 42         |
| 19/2003        | Marie Anne Isler Béguin and Alexander de Roo                                                        | 34         |
| 20/2003        | Philip Claeys and Koenraad Dillen                                                                   | 12         |
| 21/2003        | María Sornosa Martínez                                                                              | 26         |
| 22/2003        | Jean-Claude Martinez, Carl Lang, Bruno Gollnisch and Marie-France Stirbois                          | 6          |
| 23/2003        | Mark Francis Watts, Catherine Stihler and Phillip Whitehead                                         | 60         |
| 24/2003        | Cristiana Muscardini                                                                                | 45         |
| 25/2003        | Marie Anne Isler Béguin, Inger Schörling, Paul A.A.J.G. Lannoye, Gérard Onesta and Yves Piétrasanta | 15         |
| 26/2003        | Caroline Lucas, Ulla Margrethe Sandbæk and Pernille Frahm                                           | 20         |
| 27/2003        | Marco Cappato and Daniel Marc Cohn-Bendit                                                           | 36         |
| 28/2003        | Sebastiano (Nello) Musumeci, Cristiana Muscardini, Mauro Nobilia and Adriana Poli Bortone           | 10         |

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### **38. Forwarding of texts adopted during the sitting**

Pursuant to Rule 148(2), the Minutes of that day's sitting would be submitted to Parliament for its approval at the beginning of the next sitting.

With Parliament's agreement, the texts that had been adopted would be forwarded forthwith to the bodies named therein.

### **39. Dates for next sittings**

The next sittings would be held on 3 and 4 December 2003.

### **40. Adjournment of session**

The session of the European Parliament was adjourned.

The sitting closed at 17.20.

Julian Priestley  
*Secretary-General*

David W. Martin  
*Vice-President*

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Thursday 20 November 2003

## ATTENDANCE REGISTER

The following signed:

Aaltonen, Abitbol, Adam, Nuala Ahern, Ainardi, Almeida Garrett, Alyssandrakis, Andersen, Andersson, Andreasen, André-Léonard, Andria, Aparicio Sánchez, Arvidsson, Atkins, Attwooll, Auroi, Averoff, Avilés Perea, Ayuso González, Bakopoulos, Balfe, Baltas, Banotti, Barón Crespo, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Belder, Berend, Berenguer Fuster, van den Berg, Bergaz Conesa, Berger, Berlato, Bernié, Berthu, Beysen, Blokland, Böge, Bösch, von Boetticher, Bonde, Bordes, Borghesio, Boudjenah, Boumediene-Thiery, Bourlanges, Bouwman, Bowe, Bowis, Bradbourn, Bremmer, Breyer, Brok, Buitengeweg, Bullmann, Bushill-Matthews, Busk, Butel, Callanan, Calò, Camisón Asensio, Campos, Camre, Cappato, Cardoso, Carlotti, Carnero González, Casaca, Cashman, Caudron, Caullery, Cauquil, Cederschiöld, Cercas, Cerdeira Morterero, Ceyhun, Chichester, Claeys, Cocilovo, Coelho, Cohn-Bendit, Collins, Colom i Naval, Corbett, Corbey, Cornillet, Corrie, Cox, Crowley, Cushnahan, van Dam, Dary, Daul, Davies, De Clercq, Dehousse, De Keyser, Dell'Alba, De Mita, Deprez, De Rossa, De Sarnez, Descamps, Désir, Deva, De Veyrac, Dhaene, Díez González, Di Lello Finuoli, Dillen, Dimitrakopoulos, Di Pietro, Doorn, Dover, Doyle, Dührkop Dührkop, Duff, Duhamel, Duin, Dupuis, Dybkjær, Ebner, El Khadraoui, Elles, Esclopé, Ettl, Färm, Farage, Fava, Ferber, Fernández Martín, Ferrández Lezaun, Ferreira, Figueiredo, Fiori, Fitzsimons, Flautre, Flemming, Flesch, Florenz, Folias, Ford, Formentini, Foster, Fourtou, Frahm, Fraisse, Frassoni, Friedrich, Fruteau, Gahler, Gahrton, Garaud, García-Margallo y Marfil, García-Orcoyen Tormo, Garot, Garriga Polledo, Gasòliba i Böhm, de Gaulle, Gebhardt, Gemelli, Ghilardotti, Gill, Gillig, Gil-Robles Gil-Delgado, Glante, Glase, Gobbo, Goepel, Görlach, Gollnisch, Gomolka, Goodwill, Gorostiaga Atxalandabaso, Gouveia, Graça Moura, Gröner, Grönfeldt Bergman, Grosch, Grossetête, Guy-Quint, Hänsch, Hager, Hannan, Hansenne, Harbour, Hatzidakis, Haug, Hazan, Heaton-Harris, Hedkvist Petersen, Helmer, Hermange, Hernández Mollar, Herzog, Hieronymi, Honeyball, Hortefeux, Howitt, Hudghton, Hughes, Huhne, van Hulten, Hyland, Iivari, Ilgenfritz, Imbeni, Inglewood, Isler Béguin, Izquierdo Collado, Izquierdo Rojo, Jarzembowski, Jeggle, Jöns, Jonckheer, Jové Peres, Junker, Karas, Karlsson, Kastler, Katiforis, Kaufmann, Keppelhoff-Wiechert, Keßler, Khanbhai, Kindermann, Glenys Kinnock, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Koukiadis, Koulourianos, Krarup, Kratsa-Tsagaropoulou, Krehl, Kreissl-Dörfler, Kronberger, Kuhne, Lage, Lagendijk, Laguiller, Lalumière, Lamassoure, Lang, Lange, Langen, Langenhagen, Lannoye, de La Perrière, Laschet, Lechner, Lehne, Leinen, Liese, Linkohr, Lipietz, Lisi, Lulling, Lund, Lynne, Maat, Maaten, McAvan, McCarthy, McCartin, McCormick, McKenna, McMillan-Scott, McNally, Maes, Malliori, Manders, Manisco, Erika Mann, Thomas Mann, Marinho, Markov, Marset Campos, David W. Martin, Hans-Peter Martin, Hugues Martin, Martinez, Martínez Martínez, Mastorakis, Mathieu, Matikainen-Kallström, Mauro, Hans-Peter Mayer, Xaver Mayer, Medina Ortega, Meijer, Menéndez del Valle, Mennitti, Menrad, Miguélez Ramos, Miller, Miranda de Lage, Modrow, Mombaur, Monsonís Domingo, Montfort, Moraes, Morgantini, Morillon, Müller, Mulder, Murphy, Muscardini, Myller, Nair, Napoletano, Napolitano, Naranjo Escobar, Nassauer, Nicholson, Nicholson of Winterbourne, Niebler, Nisticò, Nobilia, Nordmann, Ojeda Sanz, Ó Neachtain, Onesta, Oomen-Ruijten, Oostlander, Oreja Arburúa, Ortuondo Larrea, O'Toole, Paasilinna, Pannella, Parish, Pasqua, Pastorelli, Patakis, Patrie, Pérez Álvarez, Pérez Royo, Perry, Pesälä, Piecyk, Piétrasanta, Pirker, Pittella, Plooij-van Gorsel, Poettering, Pohjamo, Poignant, Pomés Ruiz, Poos, Posselt, Prets, Pronk, Provan, Puerta, Purvis, Queiró, Quisthoudt-Rowohl, Rack, Radwan, Randzio-Plath, Rapkay, Raschhofer, Raymond, Read, Ribeiro e Castro, Ries, Riis-Jørgensen, Ripoll y Martínez de Bedoya, Rocard, Rod, Rodríguez Ramos, de Roo, Roth-Behrendt, Rothe, Roure, Rübig, Rühle, Ruffolo, Sacconi, Sacrédeus, Saint-Josse, Sakellariou, Salafraña Sánchez-Neyra, Sandbæk, Santini, dos Santos, Sartori, Sauquillo Pérez del Arco, Scallon, Scarbonchi, Schaffner, Scheele, Schierhuber, Schleicher, Gerhard Schmid, Olle Schmidt, Schmitt, Schörling, Ilka Schröder, Jürgen Schröder, Schroedter, Schulz, Schwaiger, Seppänen, Sjöstedt, Skinner, Smet, Soares, Sørensen, Sommer, Sornosa Martínez, Soulidakis, Sousa Pinto, Staes, Stauner, Stenmarck, Stenzel, Sterckx, Stevenson, Stihler, Stockmann, Stockton, Sudre, Sumberg, Suominen, Swiebel, Swoboda, Sørensen, Tajani, Tannock, Theato, Theorin, Thomas-Mauro, Thorning-Schmidt, Thyssen, Titley, Trakatellis, Trentin, Turchi, Turmes, Twinn, Vachetta, Väyrynen, Vairinhos, Valdivielso de Cué, Valenciano Martínez-Orozco, Vallvé, Van Lancker, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Virrankoski, Vlasto, Voggenhuber, Volcic, Wachtmeister, Wallis, Walter, Watson, Watts, Weiler, Wenzel-Perillo, Whitehead, Wiersma, Wijkman, von Wogau, Wuermeling, Wuori, Wurtz, Wyn, Wynn, Zabell, Zacharakis, Zappalà, Zimeray, Zimmerling, Zissener, Zorba, Zrihen.

Observers:

Bagó Zoltán, Bastys Mindaugas, Chronowski Andrzej, Ciemniak Grażyna, Cilevičs Boriss, Demetriou Panayiotis, Fazakas Szabolcs, Filipek Krzysztof, Gałazewski Andrzej, Gawłowski Andrzej, Giertych Maciej, Grabowska Genowefa, Gruber Attila, Grzebisz-Nowicka Zofia, Gyürk András, Heriban Jozef, Holáň Vilém,

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Jaskiernia Jerzy, Kelemen András, Kiršteins Aleksandrs, Klukowski Wacław, Kolář Robert, Kowalska Bronisława, Kriščiūnas Kęstutis, Kroupa Daniel, Kuzmickas Kęstutis, Kvietkauskas Vytautas, Landsbergis Vytautas, Lepper Andrzej, Libicki Marcin, Lisak Janusz, Lydeka Arminas, Łyżwiński Stanisław, Maldeikis Eugenijus, Mallotová Helena, Manninger Jenő, Matsakis Marios, Mavrou Eleni, Őry Csaba, Palečková Alena, Pasternak Agnieszka, Pęczak Andrzej, Pieniążek Jerzy, Plokšto Artur, Podgórski Bogdan, Protasiewicz Jacek, Pusz Sylwia, Surján László, Szczygło Aleksander, Szent-Iványi István, Tabajdi Csaba, Tomaka Jan, Tomczak Witold, Vaculík Josef, Valys Antanas, Vareikis Egidijus, Vastagh Pál, Vella George, Vēsaitē Birutē, Widuch Marek, Wikiński Marek, Wiśniowska Genowefa, Wittbrodt Edmund, Záborská Anna, Żenkiewicz Marian.

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## ANNEX I

## RESULTS OF VOTES

## Abbreviations and symbols

|                       |                                             |
|-----------------------|---------------------------------------------|
| +                     | adopted                                     |
| -                     | rejected                                    |
| ↓                     | lapsed                                      |
| W                     | withdrawn                                   |
| RCV (... , ... , ...) | roll-call vote (for, against, abstentions)  |
| EV (... , ... , ...)  | electronic vote (for, 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. Schengen information system

Report: COELHO (A5-0398/2003)

| Subject            | RCV, etc. | Vote | RCV/EV – remarks |
|--------------------|-----------|------|------------------|
| <b>single vote</b> | RCV       | +    | 354, 56, 28      |

Requests for roll-call votes

PPE-DE: final vote

## 2. Market access to port services

Report: JARZEMBOWSKI (A5-0364/2003)

| Subject                 | Amendment No | Author | RCV, etc. | Vote | RCV/EV – remarks |
|-------------------------|--------------|--------|-----------|------|------------------|
| <b>vote: joint text</b> |              |        | RCV       | -    | 209, 229, 16     |

Requests for roll-call votes

PSE, VertsALE, GUE/NGL, EDD: final vote

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### 3. Organisations promoting equality between men and women \*\*\*I

Report: KRATSA-TSAGAROPOULOU (A5-0396/2003)

| Subject                                                               | Amendment No | Author           | RCV, etc. | Vote | RCV/EV — remarks |
|-----------------------------------------------------------------------|--------------|------------------|-----------|------|------------------|
| <b>operating grant</b>                                                | 22           | PPE-DE           | sep       | +    |                  |
|                                                                       | 24           | PPE-DE           | sep       | -    |                  |
|                                                                       | 26           | PPE-DE           | sep       | -    |                  |
|                                                                       | 29           | PPE-DE           | sep       | -    |                  |
|                                                                       | 37           | PPE-DE           | sep       | -    |                  |
|                                                                       | 38           | PPE-DE           | sep       | -    |                  |
|                                                                       | 39           | PPE-DE           | sep       | -    |                  |
|                                                                       | 1            | <b>committee</b> | sep       | ↓    |                  |
|                                                                       | 5            | <b>committee</b> | EV        | +    | 235, 201, 9      |
| <b>European Women's Lobby — transfer to the Annex to the Decision</b> | 23           | PPE-DE           | sep       | -    |                  |
|                                                                       | 25           | PPE-DE           | sep       | -    |                  |
|                                                                       | 28           | PPE-DE           | sep       | -    |                  |
|                                                                       | 30           | PPE-DE           | sep       | -    |                  |
|                                                                       | 31           | PPE-DE           | sep       | -    |                  |
|                                                                       | 2            | <b>committee</b> | sep       | +    |                  |
|                                                                       | 4            | <b>committee</b> | sep       | +    |                  |
|                                                                       | 6            | <b>committee</b> | RCV       | +    | 264, 178, 18     |
|                                                                       | 7            | <b>committee</b> | RCV       | +    | 239, 205, 14     |
| <b>sphere of activities of organisations</b>                          | 32           | PPE-DE           | sep       | -    |                  |
|                                                                       | 33           | PPE-DE           | sep       | -    |                  |
|                                                                       | 34           | PPE-DE           | sep       | -    |                  |
|                                                                       | 35           | PPE-DE           | sep       | -    |                  |
|                                                                       | 17           | <b>committee</b> | sep       | +    |                  |
|                                                                       | 18           | <b>committee</b> | sep       | +    |                  |
| <b>duration of the programme and budgetary allocation</b>             | 8            | <b>committee</b> | sep       | +    |                  |
|                                                                       | 9            | <b>committee</b> | EV        | +    | 237, 213, 4      |
|                                                                       | 10           | <b>committee</b> | sep       | +    |                  |
|                                                                       | 11           | <b>committee</b> | sep       | +    |                  |
|                                                                       | 19           | <b>committee</b> | EV        | +    | 239, 200, 7      |

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| Subject                             | Amendment No | Author           | RCV, etc. | Vote | RCV/EV — remarks |
|-------------------------------------|--------------|------------------|-----------|------|------------------|
| remainder of text                   | 3            | <b>committee</b> | sep       | +    |                  |
|                                     | 12           | <b>committee</b> | sep       | +    |                  |
|                                     | 13           | <b>committee</b> | sep       | +    |                  |
|                                     | 14           | <b>committee</b> | sep       | +    |                  |
|                                     | 16           | <b>committee</b> | sep       | +    |                  |
|                                     | 20           | <b>committee</b> | sep       | +    |                  |
|                                     | 21           | PPE-DE           | sep       | -    |                  |
|                                     | 27           | PPE-DE           | EV        | +    | 253, 176, 25     |
|                                     | 36           | PPE-DE           | sep       | ↓    |                  |
| <b>vote: amended proposal</b>       |              |                  | RCV       | +    | 243, 79, 139     |
| <b>vote: legislative resolution</b> |              |                  |           | +    |                  |

Amendment 15 did not concern all language versions and was therefore not put to the vote [Rule 140 (1)(d)].

Block 1 = ams 22, 24, 26, 29, 37, 38 and 39

Block 2 = ams 23, 25, 28, 30 and 31

Block 3 = ams 32, 33, 34 and 35

Block 4 = ams 8, 9, 10 and 11

*Requests for roll-call votes*

PPE-DE: ams 6, 7 and amended proposal

*Requests for separate vote*

PSE: all the amendments

Verts/ALE: ams 7, 23, 25, 28, 30, 31

#### 4. Support for UNMIK and OHR in Bosnia and Herzegovina \*

Report: SWOBODA (A5-0390/2003)

| Subject                                   | Amendment No | Author                  | RCV, etc. | Vote | RCV/EV — remarks |
|-------------------------------------------|--------------|-------------------------|-----------|------|------------------|
| <b>amendment by committee responsible</b> | 1            | <b>committee</b>        |           | +    |                  |
| after art 1                               | 4 =<br>6 =   | <b>committee</b><br>PSE |           | +    |                  |
|                                           | 2            | <b>committee</b>        |           | W    |                  |
|                                           | 5 =<br>7 =   | <b>committee</b><br>PSE |           | +    |                  |
|                                           | 3            | <b>committee</b>        |           | W    |                  |
| <b>vote: amended proposal</b>             |              |                         |           | +    |                  |
| <b>vote: legislative resolution</b>       |              |                         |           | +    |                  |

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## 5. Promotion of relations between the EU and non-industrialised regions \*

Report: SACRÉDEUS (A5-0384/2003)

| Subject                                                 | Amendment No       | Author           | RCV, etc. | Vote | RCV/EV – remarks |
|---------------------------------------------------------|--------------------|------------------|-----------|------|------------------|
| <b>amendments by committee responsible – block vote</b> | 1-8<br>10-13<br>15 | <b>committee</b> |           | +    |                  |
| art 4, after § 1                                        | 16                 | PPE-DE           |           | +    |                  |
|                                                         | 9                  | <b>committee</b> |           | ↓    |                  |
| art 4, § 2                                              | 17                 | PPE-DE           |           | +    |                  |
| art 8                                                   | 18 D               | PPE-DE           |           | W    |                  |
|                                                         | 14                 | <b>committee</b> |           | +    |                  |
| annex, item 3                                           | 19                 | PPE-DE           |           | +    |                  |
| <b>vote: amended proposal</b>                           |                    |                  |           | +    |                  |
| <b>vote: legislative resolution</b>                     |                    |                  |           | +    |                  |

## 6. Promoting European citizenship \*

Report: RÜHLE (A5-0368/2003)

| Subject                                                 | Amendment No         | Author           | RCV, etc. | Vote | RCV/EV – remarks |
|---------------------------------------------------------|----------------------|------------------|-----------|------|------------------|
| <b>amendments by committee responsible – block vote</b> | 1-6<br>8-17<br>19-50 | <b>committee</b> |           | +    |                  |
| after recital 10                                        | 51                   | PSE              |           | +    |                  |
|                                                         | 7                    | <b>committee</b> |           | ↓    |                  |
| <b>vote: amended proposal</b>                           |                      |                  |           | +    |                  |
| <b>vote: legislative resolution</b>                     |                      |                  | RCV       | +    | 371, 62, 10      |

Amendment 18 did not concern all language versions and was therefore not put to the vote [Rule 140(1)(d)].

Requests for roll-call votes

PPE-DE: final vote

Mrs Pack presented an oral amendment on behalf of the PPE-DE Group, to insert the words 'the Network of European Houses' to amendment 37.

The President established that fewer than 32 Members opposed the oral amendment.



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## 7. Stockholm Convention on Persistent Organic Pollutants \*

Report: FRAHM (A5-0371/2003)

| Subject                                                     | Amendment No | Author           | RCV, etc. | Vote | RCV/EV – remarks |
|-------------------------------------------------------------|--------------|------------------|-----------|------|------------------|
| <b>amendments by committee responsible – block vote</b>     | 1-2          | <b>committee</b> |           | +    |                  |
| <b>amendments by committee responsible – separate votes</b> | 3            | <b>committee</b> | sep       | +    |                  |
|                                                             | 4            | <b>committee</b> | sep       | +    |                  |
| <b>vote: amended proposal</b>                               |              |                  |           | +    |                  |
| <b>vote: legislative resolution</b>                         |              |                  |           | +    |                  |

Requests for separate vote

PPE-DE: ams 3, 4

## 8. Protocol on Long Range Transboundary Air Pollution \*

Report: FRAHM (A5-0372/2003)

| Subject                                                     | Amendment No | Author           | RCV, etc. | Vote | RCV/EV – remarks |
|-------------------------------------------------------------|--------------|------------------|-----------|------|------------------|
| <b>amendments by committee responsible – block vote</b>     | 1-2          | <b>committee</b> |           | +    |                  |
| <b>amendments by committee responsible – separate votes</b> | 3            | <b>committee</b> | sep       | +    |                  |
|                                                             | 4            | <b>committee</b> | sep       | +    |                  |
| <b>vote: amended proposal</b>                               |              |                  |           | +    |                  |
| <b>vote: legislative resolution</b>                         |              |                  |           | +    |                  |

Requests for separate vote

PPE-DE: ams 3, 4

## 9. Financial provisions of the draft treaty establishing a constitution for Europe

Motion for a resolution: B5-0482/2003

| Subject                                     | Amendment No | Author      | RCV, etc. | Vote | RCV/EV – remarks |
|---------------------------------------------|--------------|-------------|-----------|------|------------------|
| <b>Motion for a resolution B5-0482/2003</b> |              |             |           |      |                  |
| § 1                                         | 2            | PPE-DE      | EV        | -    | 188, 250, 9      |
| rec D                                       | 1            | EVANS et al | RCV       | -    | 123, 306, 7      |
| <b>vote: resolution (as a whole)</b>        |              |             | RCV       | +    | 360, 70, 14      |

Requests for roll-call votes

ELDR: final vote

EVANS et al: am 1

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**10. Euromed***Motions for resolutions: B5-0471, 0475, 0481, 0484, 0489, 0511/2003*

| Subject                                                                                           | Amendment No | Author                      | RCV, etc. | Vote | RCV/EV — remarks |
|---------------------------------------------------------------------------------------------------|--------------|-----------------------------|-----------|------|------------------|
| <b><i>motions for resolutions by political groups</i></b>                                         |              |                             |           |      |                  |
| B5-0471/2003                                                                                      |              | GUE/NGL                     |           | -    |                  |
| <b><i>joint motion for a resolution RC5-0475/2003<br/>(PPE-DE, PSE, ELDR, Verts/ALE, UEN)</i></b> |              |                             |           |      |                  |
| § 10                                                                                              |              | <b><i>original text</i></b> | split/RCV |      |                  |
|                                                                                                   |              |                             | 1         | +    | 430, 7, 10       |
|                                                                                                   |              |                             | 2         | +    | 235, 196, 14     |
| § 11                                                                                              |              | <b><i>original text</i></b> | RCV       | +    | 244, 173, 34     |
| after § 12                                                                                        | 1            | GUE/NGL                     | RCV       | -    | 103, 342, 9      |
| § 13                                                                                              | 2            | GUE/NGL                     | RCV       | -    | 70, 369, 13      |
|                                                                                                   | 6            | Verts/ALE                   | RCV       | -    | 95, 345, 13      |
|                                                                                                   | 3            | PSE                         | split     |      |                  |
|                                                                                                   |              |                             | 1/EV      | -    | 194, 242, 7      |
|                                                                                                   |              |                             | 2/EV      | +    | 285, 155, 6      |
|                                                                                                   |              |                             | 3/EV      | +    | 218, 212, 9      |
|                                                                                                   | §            | <b><i>original text</i></b> | split/RCV |      |                  |
|                                                                                                   |              |                             | 1         | +    | 345, 90, 15      |
|                                                                                                   |              |                             | 2         | ↓    |                  |
|                                                                                                   |              |                             | 3         | ↓    |                  |
| § 14                                                                                              |              | <b><i>original text</i></b> | sep       | +    |                  |
| after § 21                                                                                        | 4 =<br>5 =   | PSE<br>GUE/NGL              | RCV       | +    | 273, 158, 13     |
| <b><i>vote: resolution (as a whole)</i></b>                                                       |              |                             | RCV       | +    | 414, 9, 22       |
| <b><i>motions for resolutions by political groups</i></b>                                         |              |                             |           |      |                  |
| B5-0475/2003                                                                                      |              | PSE                         |           | ↓    |                  |
| B5-0481/2003                                                                                      |              | PPE-DE                      |           | ↓    |                  |
| B5-0484/2003                                                                                      |              | Verts/ALE                   |           | ↓    |                  |
| B5-0489/2003                                                                                      |              | ELDR                        |           | ↓    |                  |
| B5-0511/2003                                                                                      |              | UEN                         |           | ↓    |                  |

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*Requests for split votes*

PPE-DE

**§ 10***1st part:* up to 'Mediterranean partner countries'*2nd part:* remainder**PSE, Verts/ALE****§ 13***1st part:* up to 'southern Italian Coast'*2nd part:* remainder

GUE/NGL

**§ 13 and am 3***1st part:* up to 'Mediterranean partner countries'*2nd part:* 'expresses in this regard ... southern Italian Coast'*3rd part:* remainder*Requests for separate vote*

GUE/NGL: §§ 13, 14

PPE-DE: § 11

*Requests for roll-call votes*

Verts/ALE: am 6, § 13, final vote

GUE/NGL: am 1, 2, 4/5, §§ 10, 11

UEN: §§ 10, 11

**11. EU-Russia summit***Motions for resolutions: B5-0479, 0483, 0485, 0486, 0487 and 0488/2003*

| Subject                                                                                                          | Amendment No | Author               | RCV, etc. | Vote | RCV/EV — remarks |
|------------------------------------------------------------------------------------------------------------------|--------------|----------------------|-----------|------|------------------|
| <b>joint motion for a resolution RC5-0479/2003</b><br><b>(PPE-DE, PSE, ELDR, Verts/ALE, GUE/NGL, Mr Collins)</b> |              |                      |           |      |                  |
| § 7                                                                                                              | 1            | Verts/ALE            | RCV       | -    | 120, 302, 16     |
| § 9                                                                                                              | 2            | GUE/NGL              |           | -    |                  |
| after § 9                                                                                                        | 3            | GUE/NGL              |           | -    |                  |
|                                                                                                                  | 4            | GUE/NGL              |           | -    |                  |
| § 13                                                                                                             |              | <b>original text</b> | sep       | +    |                  |
| § 17                                                                                                             |              | <b>original text</b> | sep       | +    |                  |
| § 19                                                                                                             |              | <b>original text</b> | sep       | +    |                  |
| <b>vote: resolution (as a whole)</b>                                                                             |              |                      |           | +    |                  |

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| Subject                                                   | Amendment No | Author    | RCV, etc. | Vote | RCV/EV — remarks |
|-----------------------------------------------------------|--------------|-----------|-----------|------|------------------|
| <b><i>motions for resolutions by political groups</i></b> |              |           |           |      |                  |
| B5-0479/2003                                              |              | PPE-DE    |           | ↓    |                  |
| B5-0483/2003                                              |              | PSE       |           | ↓    |                  |
| B5-0485/2003                                              |              | Verts/ALE |           | ↓    |                  |
| B5-0486/2003                                              |              | ELDR      |           | ↓    |                  |
| B5-0487/2003                                              |              | GUE/NGL   |           | ↓    |                  |
| B5-0488/2003                                              |              | UEN       |           | ↓    |                  |

*Requests for separate vote*

PPE-DE, UEN: § 13

Verts/ALE: §§ 17, 19

*Requests for roll-call votes*

Verts/ALE: am 1

## 12. A New Framework for Relations with our Eastern and Southern Neighbours

Report: NAPOLETANO (A5-0378/2003)

| Subject              | Amendment No | Author                      | RCV, etc. | Vote | RCV/EV — remarks                |
|----------------------|--------------|-----------------------------|-----------|------|---------------------------------|
| § 2                  | 15           | ELDR                        |           | -    |                                 |
| § 3                  | 16           | ELDR                        |           | -    |                                 |
| § 6                  | 21           | PPE-DE                      |           | +    | <i>as an addition</i>           |
| § 10                 | 20           | ELDR                        | EV        | +    | 215, 163, 7                     |
| § 11                 | 17           | ELDR                        |           | +    | <i>added to the end of § 13</i> |
| § 12                 | 4 D          | Verts/ALE                   |           | -    |                                 |
| § 13                 | 18           | ELDR                        |           | -    |                                 |
| § 14                 | 19           | ELDR                        |           | -    |                                 |
| § 15                 | 22           | PSE                         |           | W    |                                 |
|                      | 24           | PSE                         |           | +    |                                 |
| § 17                 |              | <b><i>original text</i></b> | split     |      |                                 |
|                      |              |                             | 1         | +    |                                 |
|                      |              |                             | 2         | +    |                                 |
| § 18, after indent 2 | 23           | PSE                         | split     |      |                                 |
|                      |              |                             | 1         | +    |                                 |
|                      |              |                             | 2         | -    |                                 |
| § 18, indent 3       | 27           | PSE                         |           | +    |                                 |

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| Subject                              | Amendment No | Author               | RCV, etc. | Vote | RCV/EV – remarks      |
|--------------------------------------|--------------|----------------------|-----------|------|-----------------------|
| § 18, after indent 4                 | 5            | Verts/ALE            |           | -    |                       |
| § 19, after indent 2                 | 25           | PSE                  |           | +    |                       |
| § 22                                 | 29           | Verts/ALE            |           | -    |                       |
|                                      | 6            | Verts/ALE            |           | -    |                       |
| § 23                                 | 7            | Verts/ALE            | EV        | +    | 209, 172, 4           |
| after § 23                           | 26           | PSE                  |           | +    |                       |
| § 26                                 | 8            | Verts/ALE            |           | -    |                       |
| § 28                                 | 9            | Verts/ALE            |           | -    |                       |
| § 29                                 | 10           | Verts/ALE            |           | +    | <i>amended orally</i> |
| § 35                                 | 11           | Verts/ALE            |           | -    |                       |
| § 40                                 | 28           | PSE                  |           | +    |                       |
| § 47                                 | 12           | Verts/ALE            |           | -    |                       |
| § 48                                 | 13           | Verts/ALE            |           | -    |                       |
| § 49, indent 4                       |              | <i>original text</i> | sep       | +    |                       |
| § 50                                 |              | <i>original text</i> | sep       | -    |                       |
| § 51                                 | 14           | Verts/ALE            |           | +    |                       |
| recital A                            |              | <i>original text</i> | split     |      |                       |
|                                      |              |                      | 1         | +    |                       |
|                                      |              |                      | 2         | +    |                       |
| rec C                                | 1            | Verts/ALE            |           | +    |                       |
| rec D                                | 2            | Verts/ALE            |           | +    |                       |
| rec I                                | 3D           | Verts/ALE            | EV        | +    | 203, 164, 9           |
| recital J                            |              | <i>original text</i> | split     |      |                       |
|                                      |              |                      | 1         | +    |                       |
|                                      |              |                      | 2         | +    |                       |
| <i>vote: resolution (as a whole)</i> |              |                      |           | +    |                       |

Requests for split votes

PSE

**am 23**

1st part: up to 'the country'

2nd part: remainder

**§ 17**

1st part: up to 'in the South'

2nd part: remainder

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Verts/ALE

#### recital A

1st part: up to 'large shared area'

2nd part: remainder

#### recital J

1st part: up to 'security strategy'

2nd part: remainder

Requests for separate vote

PPE-DE: § 50

PSE: § 50

Verts/ALE: §§ 49 – indent 4, 50

Other information

Text of amendment 20: replace 'EEA' by 'EFTA'

The President indicated that amendment 21 should be considered as an addition.

The PSE Group had withdrawn amendment 22.

The rapporteur, on behalf of the PSE Group, proposed the following oral amendment to amendment 10: 'the Neighbourhood policy is aimed **not least** ... shared prosperity'. The President established that there was no objection to the oral amendment.

The rapporteur proposed adding amendment 17 to the end of § 13. The House marked its agreement.

## 13. The Northern dimension

Motions for resolutions: B5-0472, 0473, 0474, 0477, 0480/2003

| Subject                                                                                         | Amendment No | Author           | RCV, etc. | Vote | RCV/EV – remarks |
|-------------------------------------------------------------------------------------------------|--------------|------------------|-----------|------|------------------|
| <b>joint motion for a resolution RC5-0472/2003<br/>(PPE-DE, PSE, ELDR, Verts/ALE + GUE/NGL)</b> |              |                  |           |      |                  |
| <b>vote: resolution (as a whole)</b>                                                            |              |                  |           | +    |                  |
| <b>motions for resolutions by political groups</b>                                              |              |                  |           |      |                  |
| B5-0472/2003                                                                                    |              | GUE/NGL          |           | ↓    |                  |
| B5-0473/2003                                                                                    |              | PSE              |           | ↓    |                  |
| B5-0474/2003                                                                                    |              | ELDR + Verts/ALE |           | ↓    |                  |
| B5-0477/2003                                                                                    |              | UEN              |           | ↓    |                  |
| B5-0480/2003                                                                                    |              | PPE-DE           |           | ↓    |                  |

## 14. Defence equipment

Report: QUEIRÓ (A5-0370/2003)

| Subject   | Amendment No | Author               | RCV, etc. | Vote | RCV/EV – remarks |
|-----------|--------------|----------------------|-----------|------|------------------|
| § 2       |              | <b>original text</b> | sep       | +    |                  |
| after § 4 | 6            | PPE-DE + UEN         |           | +    |                  |

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| Subject                              | Amendment No | Author               | RCV, etc. | Vote | RCV/EV — remarks |
|--------------------------------------|--------------|----------------------|-----------|------|------------------|
| § 5                                  | 3            | Verts/ALE            | RCV       | -    | 71, 281, 30      |
| § 6                                  |              | <b>original text</b> | sep       | +    |                  |
| after § 11                           | 4            | Verts/ALE            |           | -    |                  |
| § 12                                 |              | <b>original text</b> | RCV       | +    | 270, 79, 34      |
| § 14                                 | 7            | PPE-DE + UEN         |           | +    |                  |
|                                      | §            | <b>original text</b> | sep       | ↓    |                  |
| § 15                                 | 1S           | UEN                  |           | -    |                  |
| recital B                            | 2            | PSE                  |           | -    |                  |
|                                      | §            | <b>original text</b> | EV        | +    | 190, 182, 5      |
| recital G                            |              | <b>original text</b> | RCV       | +    | 280, 92, 8       |
| after recital N                      | 5            | Verts/ALE            |           | -    |                  |
| <b>vote: resolution (as a whole)</b> |              |                      |           | +    |                  |

*Requests for roll-call votes*

Verts/ALE: rec G, § 12, am 3

*Requests for separate vote*

PPE-DE: § 6

PSE: rec B, G, §§ 2, 12, 14

*Other information*

Amendment 7 was to replace paragraph 14.

M. On behalf of the PSE Group, Mr Swoboda proposed the following oral amendment to amendment 2: 'whereas an increase in the financial resources may be necessary over and above the increase in co-operation and interoperability **that are the priorities** in the field of European defence'.

The rapporteur opposed the oral amendment.

Since more than 32 Members opposed the oral amendment, it was not incorporated.

## 15. Stabilisation and Association process for South-East Europe

Report: LAGENDIJK (A5-0397/2003)

| Subject   | Amendment No | Author               | RCV, etc. | Vote | RCV/EV — remarks |
|-----------|--------------|----------------------|-----------|------|------------------|
| § 2       | 9            | PSE                  | RCV       | -    | 143, 216, 11     |
|           | §            | <b>original text</b> | RCV       | +    | 189, 165, 13     |
| after § 4 | 4            | Verts/ALE            |           | +    |                  |
| after § 5 | 5            | Verts/ALE            |           | -    |                  |

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| Subject                              | Amendment No | Author    | RCV, etc. | Vote | RCV/EV — remarks |
|--------------------------------------|--------------|-----------|-----------|------|------------------|
| § 33                                 | 1            | ELDR      |           | +    |                  |
| § 39                                 | 6            | Verts/ALE |           | -    |                  |
| § 40                                 | 7            | Verts/ALE |           | +    |                  |
| after § 43                           | 8            | Verts/ALE |           | +    |                  |
| § 52                                 | 2            | ELDR      | EV        | -    | 116, 169, 1      |
| § 53                                 | 3            | ELDR      | EV        | -    | 113, 162, 1      |
| <b>vote: resolution (as a whole)</b> |              |           |           | +    |                  |

*Requests for roll-call votes*

UEN: § 2, am 9

## 16. Sri Lanka

*Motions for resolutions: B5-0490, 0492, 0495, 0498, 0505, 0510/2003*

| Subject                                                                                             | Author    | RCV, etc. | Vote | RCV/EV — remarks |
|-----------------------------------------------------------------------------------------------------|-----------|-----------|------|------------------|
| <b>joint motion for a resolution RC5-0490/2003<br/>(PPE-DE, PSE, ELDR, Verts/ALE, GUE/NGL, UEN)</b> |           |           |      |                  |
| <b>vote: resolution (as a whole)</b>                                                                |           | RCV       | +    | 73, 0, 0         |
| <b>motions for resolutions by political groups</b>                                                  |           |           |      |                  |
| B5-0490/2003                                                                                        | PPE-DE    |           | ↓    |                  |
| B5-0492/2003                                                                                        | PSE       |           | ↓    |                  |
| B5-0495/2003                                                                                        | UEN       |           | ↓    |                  |
| B5-0498/2003                                                                                        | ELDR      |           | ↓    |                  |
| B5-0505/2003                                                                                        | Verts/ALE |           | ↓    |                  |
| B5-0510/2003                                                                                        | GUE/NGL   |           | ↓    |                  |

*Requests for roll-call votes*

PPE-DE: final vote of the JT MOT

*Other information*

Mr Cushnahan moved, on behalf of the PPE-DE Group, an oral amendment to add the following text to paragraph 1 'on the basis of the Oslo Declaration of December 2002, where the Government of Sri Lanka and the LTTE agreed to explore a solution based on a federal structure within a united Sri Lanka'. The President established that there was no objection to the oral amendment.



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**17. Aceh**

Motions for resolutions: B5-0491, 0496, 0497, 0501, 0507, 0508/2003

| Subject                                                                                            | Author    | RCV, etc. | Vote | RCV/EV — remarks |
|----------------------------------------------------------------------------------------------------|-----------|-----------|------|------------------|
| <b>joint motion for a resolution RC5-0491/2003</b><br>(PPE-DE, PSE, ELDR, Verts/ALE, GUE/NGL, EDD) |           |           |      |                  |
| <b>vote: resolution (as a whole)</b>                                                               |           |           | +    |                  |
| <b>motions for resolutions by political groups</b>                                                 |           |           |      |                  |
| B5-0491/2003                                                                                       | PSE       |           | ↓    |                  |
| B5-0496/2003                                                                                       | EDD       |           | ↓    |                  |
| B5-0497/2003                                                                                       | ELDR      |           | ↓    |                  |
| B5-0501/2003                                                                                       | PPE-DE    |           | ↓    |                  |
| B5-0507/2003                                                                                       | Verts/ALE |           | ↓    |                  |
| B5-0508/2003                                                                                       | GUE/NGL   |           | ↓    |                  |

**18. Vietnam: freedom of religion**

Motions for resolutions: B5-0493, 0494, 0499, 0502, 0503, 0506, 0509/2003

| Subject                                                                                                                                                                               | Author    | RCV, etc. | Vote | RCV/EV — remarks |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------|------|------------------|
| <b>joint motion for a resolution RC5-0493/2003</b><br>(PPE-DE, PSE, ELDR, Verts/ALE, GUE/NGL, UEN, EDD,<br><i>Dupuis, Pannella, Bonino, Cappato, Dell'Alba, Della Vedova, Turco</i> ) |           |           |      |                  |
| <b>vote: resolution (as a whole)</b>                                                                                                                                                  |           |           | +    |                  |
| <b>motions for resolutions by political groups</b>                                                                                                                                    |           |           |      |                  |
| B5-0493/2003                                                                                                                                                                          | PSE       |           | ↓    |                  |
| B5-0494/2003                                                                                                                                                                          | EDD       |           | ↓    |                  |
| B5-0499/2003                                                                                                                                                                          | ELDR      |           | ↓    |                  |
| B5-0502/2003                                                                                                                                                                          | PPE-DE    |           | ↓    |                  |
| B5-0503/2003                                                                                                                                                                          | UEN       |           | ↓    |                  |
| B5-0506/2003                                                                                                                                                                          | Verts/ALE |           | ↓    |                  |
| B5-0509/2003                                                                                                                                                                          | GUE/NGL   |           | ↓    |                  |

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## ANNEX II

## RESULT OF ROLL-CALL VOTES

## 1. Coelho report A5-0398/2003

## Resolution

For: 354

**EDD:** Belder, Blokland, van Dam

**ELDR:** Andreasen, André-Léonard, Busk, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Nicholson of Winterbourne, Nordmann, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Schmidt, Sterckx, Sørensen, Väyrynen, Vallvé, Vermeer, Virrankoski, Wallis, Watson

**GUE/NGL:** Koulourianos**NI:** Beysen, Hager, Ilgenfritz, Kronberger

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébear, Berend, Böge, von Boetticher, Bourlanges, Bremmer, Brok, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cocilovo, Coelho, Cornillet, Corrie, Cushnahan, De Mita, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Fatuzzo, Fernández Martín, Fiori, Flemming, Florenz, Folias, Fourtou, Friedrich, Gahler, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Jarzembowski, Jeggler, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, Mann Thomas, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mennitti, Mombaur, Montfort, Morillon, Naranjo Escobar, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pastorelli, Pérez Álvarez, Perry, Pirker, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Vatanen, van Velzen, de Veyrinas, Wachtmeister, Wenzel-Perillo, Wijkman, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Patrie, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Trentin, Vairinhos, Van Lancker, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

**UEN:** Caullery, Collins, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro, Turchi

**Verts/ALE:** Aaltonen, Auroi, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Ferrández Lezaun, Flautre, Frassoni, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lipietz, MacCormick, Maes, Onesta, Ortuondo Larrea, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Wuori

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**Against: 56****EDD:** Abitbol, Andersen, Bernié, Bonde, Butel, Esclopé, Farage, Mathieu, Raymond, Saint-Josse, Sandbæk**GUE/NGL:** Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Figueiredo, Frahm, Fraisse, Herzog, Kaufmann, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Nair, Patakis, Puerta, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Wurtz**NI:** Cappato, Claeys, Dillen, Dupuis, Garaud, Gollnisch, Gorostiaga Atxalandabaso, Lang, de La Perriere, Martinez, Pannella**PPE-DE:** Schaffner**PSE:** Paasilinna**Verts/ALE:** Gahrton**Abstention: 28****GUE/NGL:** Jové Peres**NI:** Borghezio**PPE-DE:** Atkins, Beazley, Bowis, Bradbourn, Bushill-Matthews, Chichester, Deva, Elles, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Khanbhai, Nicholson, Parish, Purvis, Tannock, Van Orden, Villiers, Vlasto**UEN:** Camre**Verts/ALE:** Boumediene-Thiery, Mayol i Raynal**2. Jarzembowski report A5-0364/2003****Joint text****For: 209****ELDR:** Andreasen, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Fleisch, Formentini, Gasòliba i Böhm, Huhne, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Nicholson of Winterbourne, Nordmann, Pesälä, Plooi-j-van Gorsel, Pohjamo, Riis-Jørgensen, Schmidt, Sørensen, Väyrynen, Vermeer, Wallis, Watson**NI:** Beysen, Hager, Ilgenfritz, Kronberger**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Bébér, Berend, Böge, von Boetticher, Bowis, Bradbourn, Bremmer, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cushnahan, Daul, De Mita, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcóyen Tormo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Klauf, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, Mann Thomas, Marques, Martin Hugues, Matikainen-Kallström, Mauro, Mennitti, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pastorelli, Pérez Álvarez, Pirker, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Scallan, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Stauner, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Trakatellis, Twinn, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

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**PSE:** Díez González, Fava, Ghilardotti, Medina Ortega, Napolitano, Napolitano, Pittella, Ruffolo, Sacconi, Trentin

**UEN:** Berlato, Caullery, Collins, Crowley, Muscardini, Nobilia, Pasqua, Thomas-Mauro, Turchi

**Against: 229**

**EDD:** Abitbol, Andersen, Belder, Bernié, Blokland, Bonde, Butel, van Dam, Esclopé, Farage, Mathieu, Raymond, Saint-Josse, Sandbæk

**ELDR:** André-Léonard, Ries, Sterckx, Virrankoski

**GUE/NGL:** Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Naïr, Patakis, Puerta, Scarbonchi, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Wurtz

**NI:** Borghezio, Claeys, Dillen, Garaud, Gollnisch, Gorostiaga Atxalandabaso, Lang, Martinez

**PPE-DE:** Beazley, Bours, Perry, Smet, Sommer, Theato, Thyssen, Van Orden

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Ceyhan, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Ferreira, Ford, Fruteau, Garot, Gebhardt, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, O'Toole, Paasilinna, Patrie, Pérez Royo, Piecyk, Poignant, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Van Lancker, Walter, Watts, Weiler, Wiersma, Wynn, Zimeray, Zorba, Zrihen

**UEN:** Camre

**Verts/ALE:** Aaltonen, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lipietz, McCormick, McKenna, Maes, Mayol i Raynal, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sørensen, Staes, Voggenhuber, Wuori, Wyn

**Abstention: 16**

**NI:** Berthu, Cappato, Dell'Alba, Dupuis, de La Perrière, Pannella

**PPE-DE:** Deva, Grosch, Hansenne, Klamt, Mayer Hans-Peter, Nicholson, Vlasto

**PSE:** Imbeni, Poos, Volcic

**3. Kratsa-Tsagaropoulou report A5-0396/2003**

**Amendment 6**

**For: 264**

**EDD:** Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

**ELDR:** Andreasen, André-Léonard, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Fleisch, Formentini, Gaslõiba i Böhm, Huhne, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Nicholson of Winterbourne, Nordmann, Pesälä, Plooi-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Schmidt, Sterckx, Sørensen, Väyrynen, Vallvé, Vermeer, Virrankoski, Wallis, Watson

**GUE/NGL:** Ainardi, Bakopoulos, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Naïr, Puerta, Scarbonchi, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Wurtz

Thursday 20 November 2003

**PPE-DE:** Atkins, Balfe, Banotti, Beazley, Bowis, Bradbourn, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Elles, Florenz, Foster, Goodwill, Grosch, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Khanbhai, Marques, Nicholson, Parish, Purvis, Smet, Tannock, Twinn, Van Orden, Villiers

**PSE:** Adam, Andersson, Aparicio Sánchez, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Junker, Karlsson, Keßler, Kindermann, Kinnock, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Medina Ortega, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, dos Santos, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Trentin, Vairinhos, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zimeray, Zrihen

**UEN:** Camre

**Verts/ALE:** Aaltonen, Auroi, Boumediene-Thiery, Breyer, Buitenweg, Dhaene, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Isler Béguin, Jonckheer, Lagendijk, Lipietz, MacCormick, McKenna, Maes, Mayol i Raynal, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schroedter, Sörensen, Staes, Voggenhuber, Wuori, Wyn

### **Against: 178**

**EDD:** Farage

**NI:** Beysen, Garaud, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Martinez

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Bartolozzi, Bayona de Perogordo, Bébear, Berend, Böge, von Boetticher, Bourlanges, Bremmer, Brok, Camisón Asensio, Cardoso, Cederschiöld, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Fiori, Flemming, Folias, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennitti, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pastorelli, Pérez Álvarez, Pirker, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafraña Sánchez-Neyra, Santini, Sartori, Scallan, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

**PSE:** Baltas, Karamanou, Katiforis, Koukiadis, Malliori, Mastorakis, Soulidakis, Zorba

**UEN:** Berlato, Caullery, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Pasqua, Queiró, Thomas-Mauro, Turchi

### **Abstention: 18**

**EDD:** Abitbol, Bernié, Butel, Esclopé, Mathieu, Raymond, Saint-Josse

**GUE/NGL:** Alyssandrakis, Patakis

**NI:** Berthu, Borghezio, Cappato, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Pannella

**PPE-DE:** Wijkman

**UEN:** Ribeiro e Castro

Thursday 20 November 2003

**4. Kratsa-Tsagaropoulou report A5-0396/2003**

**Amendment 7**

**For: 239**

**EDD:** Abitbol, Andersen, Belder, Blokland, Bonde, van Dam, Farage, Sandbæk

**ELDR:** Andreasen, André-Léonard, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Fleisch, Formentini, Gasòliba i Böhm, Huhne, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Nicholson of Winterbourne, Nordmann, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Schmidt, Sterckx, Sørensen, Väyrynen, Vallvé, Vermeer, Virrankoski, Wallis, Watson

**GUE/NGL:** Ainardi, Bakopoulos, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Naïr, Puerta, Scarbonchi, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Wurtz

**NI:** Berthu, de La Perriere

**PPE-DE:** Banotti, Corrie, Doyle, Goepel

**PSE:** Adam, Andersson, Aparicio Sánchez, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Junker, Karlsson, Keßler, Kindermann, Kinnock, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Medina Ortega, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, dos Santos, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Trentin, Vairinhos, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zrihen

**UEN:** Camre

**Verts/ALE:** Aaltonen, Auroi, Boumediene-Thiery, Buitenweg, Cohn-Bendit, Dhaene, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Isler Béguin, Jonckheer, Legendijk, Lipietz, MacCormick, McKenna, Maes, Mayol i Raynal, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schroedter, Sørensen, Staes, Voggenhuber, Wuori, Wyn

**Against: 205**

**NI:** Beysen, Claeys, Dillen, Garaud, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, Martinez

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Ayuso González, Balfe, Bartolozzi, Bayona de Perogordo, Beazley, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Glase, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Inglewood, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marques, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennitti, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pirker, Podestà, Poettering, Pomés Ruiz, Posselt, Purvis, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

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**PSE:** Baltas, Karamanou, Katiforis, Koukiadis, Malliori, Mastorakis, Souladakis, Zimeray, Zorba

**UEN:** Berlato, Caullery, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Pasqua, Queiró, Thomas-Mauro, Turchi

**Abstention: 14**

**EDD:** Bernié, Esclopé, Mathieu, Raymond

**GUE/NGL:** Alyssandrakis, Patakis

**NI:** Borghezio, Cappato, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Pannella

**PPE-DE:** Wijkman

**UEN:** Ribeiro e Castro

**5. Kratsa-Tsagaropoulou report A5-0396/2003**

**Commission proposal**

**For: 243**

**EDD:** Andersen, Bonde, Sandbæk

**ELDR:** Andreassen, André-Léonard, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Gasòliba i Böhm, Huhne, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Nicholson of Winterbourne, Nordmann, Pesälä, Plooij-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Schmidt, Sterckx, Sørensen, Väyrynen, Vallvé, Vermeer, Virrankoski, Wallis, Watson

**GUE/NGL:** Ainardi, Bakopoulos, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Figueiredo, Frahm, Fraise, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Naïr, Puerta, Scarbonchi, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Wurtz

**NI:** Gorostiaga Atxalandabaso

**PPE-DE:** Banotti, Bourlanges, Cocilovo, De Mita, Deprez, De Veyrac, Doyle, Wijkman

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, dos Santos, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Theorin, Thorning-Schmidt, Titley, Trentin, Vairinhos, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

**UEN:** Camre

**Verts/ALE:** Aaltonen, Auroi, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Ferrández Lezaun, Flautre, Gahrton, Isler Béguin, Jonckheer, Lagendijk, Lipietz, MacCormick, McKenna, Maes, Mayol i Raynal, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schroedter, Sörensen, Staes, Voggenhuber, Wuori, Wyn

**Against: 79**

**EDD:** Belder, Blokland, van Dam, Farage

**NI:** Berthu, Borghezio, Claeys, Dillen, Garaud, Gollnisch, Hager, Ilgenfritz, Lang, de La Perriere, Martinez

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**PPE-DE:** Atkins, Balfe, Beazley, Berend, Böge, von Boetticher, Bowis, Bradbourn, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Elles, Fiori, Foster, Gahler, Glase, Goodwill, Graça Moura, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Kastler, Khanbhai, Klamt, Klaß, Koch, Konrad, Langen, Laschet, Lechner, Liese, Lisi, Lulling, Mauro, Montfort, Nicholson, Niebler, Parish, Pastorelli, Perry, Posselt, Purvis, Sacrédeus, Scallan, Schleicher, Schröder Jürgen, Schwaiger, Sommer, Tannock, Twinn, Van Orden, Vatanen, van Velzen, Villiers

**PSE:** Marinho

**UEN:** Crowley, Pasqua, Queiró, Ribeiro e Castro

**Abstention: 139**

**EDD:** Abitbol, Bernié, Butel, Esclopé, Mathieu, Raymond, Saint-Josse

**GUE/NGL:** Alyssandrakis, Patakis

**NI:** Beysen, Cappato, Dell'Alba, Dupuis, Kronberger, Pannella

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Bartolozzi, Bayona de Perogordo, Bébear, Bremmer, Brok, Camisón Asensio, Cardoso, Coelho, Cornillet, Cushnahan, Daul, De Sarnez, Descamps, Dimitrakopoulos, Doorn, Ebner, Fatuzzo, Ferber, Fernández Martín, Flemming, Florenz, Folias, Fourtou, Friedrich, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Goepel, Gomolka, Gouveia, Grönfeldt Bergman, Grosch, Grossetête, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Jeggle, Karas, Keppelhoff-Wiechert, Knolle, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Lehne, Maat, McCartin, Mann Thomas, Marques, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xavier, Mennitti, Menrad, Mombaur, Morillon, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pérez Álvarez, Pirker, Podestà, Poettering, Pomés Ruiz, Pronk, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rübig, Salafranca Sánchez-Neyra, Santini, Sartori, Schaffner, Schierhuber, Schmitt, Smet, Stauner, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

**UEN:** Berlato, Caullery, Collins, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Thomas-Mauro, Turchi

**6. Rühle report A5-0368/2003**

**Resolution**

**For: 371**

**ELDR:** Andreasen, André-Léonard, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Gasòliba i Böhm, Huhne, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Nicholson of Winterbourne, Nordmann, Pesälä, Plooi-jan Gorsel, Pohjamo, Ries, Riis-Jørgensen, Schmidt, Sørensen, Väyrynen, Vallvé, Vermeer, Virrankoski, Wallis, Watson

**GUE/NGL:** Ainardi, Bakopoulos, Bergaz Conesa, Boudjenah, Caudron, Dary, Di Lello Finuoli, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Manisco, Markov, Marset Campos, Modrow, Morgantini, Naïr, Puerta, Scarbonchi, Vachetta, Wurtz

**NI:** Beysen, Kronberger

**PPE-DE:** Almeida Garrett, Andria, Ayuso González, Banotti, Bartolozzi, Bayona de Perogordo, Bébear, Berend, Böge, von Boetticher, Boursanges, Bremmer, Brok, Camisón Asensio, Cardoso, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Fiori, Florenz, Folias, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grosch, Grossetête, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Hieronymi, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marques, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xavier, Mennitti, Menrad, Mombaur, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pastorelli, Pérez Álvarez, Pirker, Podestà, Poettering,



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Pomés Ruiz, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rübig, Salafranca Sánchez-Neyra, Santini, Sartori, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenzel, Sudre, Suominen, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, dos Santos, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Trentin, Vairinhos, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

**UEN:** Berlato, Caullery, Collins, Crowley, Muscardini, Nobilia, Queiró, Thomas-Mauro, Turchi

**Verts/ALE:** Aaltonen, Auroi, Boumediene-Thiery, Breyer, Buitenweg, Dhaene, Ferrández Lezaun, Flautre, Gahrton, Isler Béguin, Jonckheer, Lagendijk, Lipietz, McCormick, McKenna, Maes, Mayol i Raynal, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Sörensen, Staes, Voggenhuber, Wuori, Wyn

### **Against: 62**

**EDD:** Abitbol, Andersen, Belder, Bernié, Blokland, Bonde, Butel, van Dam, Esclopé, Farage, Mathieu, Raymond, Saint-Josse, Sandbæk

**GUE/NGL:** Alyssandrakis, Krarup, Meijer, Patakis, Seppänen, Sjöstedt

**NI:** Berthu, Borghезio, Cappato, Claeys, Dell'Alba, Dillen, Dupuis, Garaud, Gollnisch, Hager, Lang, de La Perriere, Martinez, Pannella

**PPE-DE:** Atkins, Balfe, Beazley, Bowis, Bradbourn, Bushill-Matthews, Callanan, Chichester, Deva, Dover, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Khanbhai, Nicholson, Parish, Purvis, Scallan, Tannock, Twinn, Van Orden, Villiers

**UEN:** Camre, Pasqua

### **Abstention: 10**

**GUE/NGL:** Bordes, Cauquil, Laguiller

**NI:** Gorostiaga Atxalandabaso

**PPE-DE:** Arvidsson, Cederschiöld, Grönfeldt Bergman, Montfort, Stenmarck, Wachtmeister

## **7. B5-0482/2003 Constitution – Financial provisions of the draft Treaty establishing a constitution for Europe**

### **Amendment 1**

### **For: 123**

**EDD:** Abitbol, Andersen, Bernié, Bonde, Esclopé, Mathieu, Raymond, Saint-Josse, Sandbæk

**ELDR:** Maaten, Mulder, Nordmann, Plooi-van Gorsel

**GUE/NGL:** Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Boudjenah, Caudron, Dary, Di Lello Finuoli, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Patakis, Scarbonchi, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Wurtz

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**NI:** Borghezio, Claeys, Dillen, Garaud, Gollnisch, Gorostiaga Atxalandabaso, Hager, Kronberger, Lang, de La Perriere, Martinez

**PPE-DE:** Balfe, Beazley, Bowis, Bradbourn, Bushill-Matthews, Callanan, Chichester, Descamps, Deva, Dover, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Keppelhoff-Wiechert, Khanbhai, Nicholson, Parish, Perry, Pomés Ruiz, Purvis, Sacrédeus, Tannock, Twinn, Van Orden, Villiers

**PSE:** Campos, Imbeni, Krehl, Lund

**UEN:** Camre, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro

**Verts/ALE:** Aaltonen, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Ferrández Lezaun, Flautre, Gahrton, Isler Béguin, Jonckheer, Lagendijk, Lipietz, MacCormick, McKenna, Maes, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Sörensen, Voggenhuber, Wuori, Wyn

### **Against: 306**

**EDD:** Belder, Blokland, van Dam, Farage

**ELDR:** Andreasen, André-Léonard, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Fleisch, Formentini, Gasòliba i Böhm, Huhne, Lynne, Monsonís Domingo, Nicholson of Winterbourne, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Schmidt, Sterckx, Sørensen, Väyrynen, Vallvé, Wallis

**NI:** Beysen

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Ayuso González, Banotti, Bartolozzi, Bayona de Perogordo, Bébear, Berend, Böge, von Boetticher, Bourlanges, Bremmer, Brok, Camisón Asensio, Cardoso, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, De Sarnez, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Fiori, Flemming, Florenz, Folias, Fourtou, Friedrich, Gähler, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Hieronymi, Jeggle, Karas, Kastler, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marques, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennitti, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pastorelli, Pérez Álvarez, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rübig, Salafranca Sánchez-Neyra, Santini, Sartori, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, Carlotti, Carnero González, Casaca, Cashman, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napolitano, Napolitano, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, dos Santos, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Thorning-Schmidt, Titley, Trentin, Vairinhos, Van Lancker, Volcic, Walter, Weiler, Wynn, Zorba, Zrihen

**UEN:** Berlato, Caullery, Nobilia, Turchi

### **Abstention: 7**

**ELDR:** Manders

**GUE/NGL:** Puerta

**NI:** Berthu, Cappato, Dell'Alba, Dupuis, Pannella

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## 8. B5-0482/2003 Constitution – Financial provisions of the draft Treaty establishing a constitution for Europe

### Resolution

**For: 360**

**ELDR:** Andreassen, André-Léonard, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Gasòliba i Böhm, Huhne, Lynne, Maaten, Monsonís Domingo, Mulder, Nicholson of Winterbourne, Nordmann, Plooi-van Gorsel, Ries, Riis-Jørgensen, Schmidt, Sterckx, Sørensen, Vallvé, Wallis, Watson

**GUE/NGL:** Bakopoulos, Bergaz Conesa, Caudron, Dary, Di Lello Finuoli, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Manisco, Markov, Marset Campos, Modrow, Naïr, Puerta, Scarbonchi

**NI:** Beysen, Cappato, Dell'Alba, Dupuis, Hager, Kronberger, Pannella

**PPE-DE:** Almeida Garrett, Andria, Ayuso González, Banotti, Bartolozzi, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Boursanges, Bremmer, Brok, Camisón Asensio, Cardoso, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Fiori, Flemming, Florenz, Folias, Fourtou, Friedrich, Gähler, García-Margallo y Marfil, García-Orcóyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grosch, Grossetête, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Hieronymi, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marques, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennitti, Menrad, Mombaur, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pastorelli, Pérez Álvarez, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rübig, Salafranca Sánchez-Neyra, Santini, Sartori, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zabell, Zacharakis, Zimmerling, Zissener

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, dos Santos, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Souladakis, Sousa Pinto, Stihler, Stockmann, Swibel, Swoboda, Thorning-Schmidt, Titley, Trentin, Vairinhos, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

**UEN:** Berlato, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Turchi

**Verts/ALE:** Aaltonen, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Ferrández Lezaun, Flautre, Isler Béguin, Jonckheer, Lagendijk, Lipietz, MacCormick, Maes, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Sörensen, Staes, Voggenhuber, Wuori, Wyn

**Against: 70**

**EDD:** Abitbol, Andersen, Bernié, Bonde, Butel, Esclopé, Farage, Mathieu, Raymond, Saint-Josse, Sandbæk

**ELDR:** Pesälä, Pohjamo, Väyrynen, Virrankoski

**GUE/NGL:** Figueiredo, Frahm, Krarup, Meijer, Seppänen, Sjöstedt

**NI:** Claeyss, Dillen, Garaud, Gollnisch, Lang, de La Perrière, Martinez

**PPE-DE:** Arvidsson, Balfe, Beazley, Bowis, Bradbourn, Bushill-Matthews, Callanan, Cederschiöld, Chichester, Deva, Dover, Foster, Goodwill, Grönfeldt Bergman, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Khanbhai, Nicholson, Parish, Perry, Purvis, Sacrédeus, Stenmarck, Tannock, Twinn, Van Orden, Villiers, Wachtmeister

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**PSE:** Karlsson, Lund, Marinho

**UEN:** Camre, Caullery, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro

**Verts/ALE:** Auroi, McKenna

**Abstention: 14**

**EDD:** Belder, Blokland, van Dam

**ELDR:** Manders

**GUE/NGL:** Ainardi, Alyssandrakis, Boudjenah, Patakis, Vachetta, Wurtz

**NI:** Borghezio, Gorostiaga Atxalandabaso

**PPE-DE:** Montfort

**Verts/ALE:** Gahrton

**9. B5-0475/2003 – RC – Euromed**

**Paragraph 10, 1st part**

**For: 430**

**EDD:** Andersen, Belder, Blokland, Bonde, Butel, van Dam, Esclopé, Sandbæk

**ELDR:** Andreasen, André-Léonard, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Gasòliba i Böhm, Huhne, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Nicholson of Winterbourne, Nordmann, Pesälä, Plooij-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Schmidt, Sterckx, Sørensen, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

**GUE/NGL:** Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Figueiredo, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Nair, Patakis, Puerta, Scarbonchi, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Wurtz

**NI:** Berthu, Beysen, Borghezio, Cappato, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Hager, Kronberger, de La Perriere, Pannella

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Ayuso González, Balfe, Banotti, Bartolozzi, Bayona de Perogordo, Beazley, Bébér, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Daul, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Fiori, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcóyen Tormo, Garriga Polledo, Gemelli, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Hieronymi, Inglewood, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marques, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennitti, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Iivari, Imbeni,

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Izquierdo Collado, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, dos Santos, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Thorning-Schmidt, Titley, Trentin, Vairinhos, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

**UEN:** Berlato, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Queiró, Ribeiro e Castro, Turchi

**Verts/ALE:** Aaltonen, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Dhaene, Ferrández Lezaun, Flautre, Gahrton, Isler Béguin, Jonckheer, Lagendijk, Lipietz, MacCormick, McKenna, Maes, Mayol i Raynal, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Sörensen, Staes, Voggenhuber, Wuori, Wyn

**Against: 7**

**EDD:** Abitbol

**NI:** Garaud

**PSE:** Marinho

**UEN:** Camre, Caullery, Pasqua, Thomas-Mauro

**Abstention: 10**

**EDD:** Bernié, Farage, Mathieu, Raymond, Saint-Josse

**NI:** Claeys, Dillen, Gollnisch, Lang, Martinez

**10. B5-0475/2003 – RC – Euromed**

**Paragraph 10, 2nd part**

**For: 235**

**EDD:** Andersen, Bonde, Esclopé, Sandbæk

**ELDR:** Andreasen, André-Léonard, Calò, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Fleisch, Formentini, Gasòliba i Böhm, Huhne, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Nicholson of Winterbourne, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Schmidt, Sterckx, Sørensen, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

**GUE/NGL:** Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bordes, Boudjenah, Cauquil, Di Lello Finuoli, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Patakis, Puerta, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Wurtz

**NI:** Borghezio, Cappato, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Pannella

**PPE-DE:** Bourlanges, Doyle, Florenz, Pronk

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano,

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Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, dos Santos, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Soulidakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Thorning-Schmidt, Titley, Trentin, Vairinhos, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wynn, Zorba, Zrihen

**Verts/ALE:** Aaltonen, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Dhaene, Ferrández Lezaun, Flautre, Gahrton, Isler Béguin, Jonckheer, Lagendijk, Lipietz, MacCormick, McKenna, Maes, Mayol i Raynal, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Sørensen, Staes, Voggenhuber, Wuori, Wyn

**Against: 196**

**EDD:** Abitbol, Belder, Blokland, van Dam

**ELDR:** Nordmann

**GUE/NGL:** Dary, Naïr, Scarbonchi

**NI:** Beysen, Garaud, Hager, de La Perriere

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Ayuso González, Balfe, Banotti, Bartolozzi, Bayona de Perogordo, Beazley, Bébéar, von Boetticher, Bowis, Bradbourn, Bremmer, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Fiori, Folias, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Hieronymi, Inglewood, Jeggler, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marques, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennitti, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Podestà, Poettering, Pomés Ruiz, Posselt, Purvis, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Scallion, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, von Wogau, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

**PSE:** Sakellariou

**UEN:** Berlato, Camre, Caullery, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro, Turchi

**Abstention: 14**

**EDD:** Bernié, Butel, Farage, Mathieu, Raymond, Saint-Josse

**NI:** Berthu, Claeys, Dillen, Gollnisch, Kronberger, Lang, Martinez

**PPE-DE:** Cocilovo

**11. B5-0475/2003 – RC – Euromed**

**Paragraph 11**

**For: 244**

**EDD:** Andersen, Bonde, Butel, Esclopé, Sandbæk

**ELDR:** Andreasen, André-Léonard, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Gasòliba i Böhm, Huhne, Lynne, Maaten, Manders, Mulder, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Schmidt, Sterckx, Sørensen, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

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**GUE/NGL:** Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bordes, Boudjenah, Cauquil, Di Lello Finuoli, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Patakis, Puerta, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Wurtz

**NI:** Borghezio, Cappato, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Kronberger, Pannella

**PPE-DE:** Nicholson, Parish, Tannock, Van Orden, Wijkman

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, dos Santos, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Thorning-Schmidt, Titley, Trentin, Vairinhos, Van Lancker, Volcic, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

**UEN:** Collins, Crowley, Fitzsimons, Hyland, Ó Neachtain

**Verts/ALE:** Aaltonen, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Ferrández Lezaun, Flautre, Gahrton, Isler Béguin, Lagendijk, Lipietz, MacCormick, McKenna, Maes, Mayol i Raynal, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Sörensen, Staes, Voggenhuber, Wuori, Wyn

### **Against: 173**

**EDD:** Abitbol, Belder, Blokland, van Dam

**ELDR:** Monsonís Domingo, Nicholson of Winterbourne, Nordmann

**GUE/NGL:** Dary, Naïr, Scarbonchi

**NI:** Berthu, Beysen, Hager, de La Perriere

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Ayuso González, Banotti, Bartolozzi, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bremmer, Brok, Camisón Asensio, Cardoso, Cederschiöld, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Fiori, Flemming, Florenz, Folias, Fourtou, Friedrich, Gähler, García-Margallo y Marfil, García-Orcóyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Hieronymi, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marques, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennitti, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pastorelli, Pérez Álvarez, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rübig, Salafranca Sánchez-Neyra, Santini, Sartori, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

**PSE:** Sakellariou, Walter

**UEN:** Berlato, Camre, Caullery, Muscardini, Nobilia, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro, Turchi

Thursday 20 November 2003

**Abstention: 34**

**EDD:** Bernié, Farage, Mathieu, Raymond, Saint-Josse

**NI:** Claeys, Dillen, Garaud, Gollnisch, Lang, Martinez

**PPE-DE:** Balfe, Beazley, Bowis, Bradbourn, Bushill-Matthews, Callanan, Chichester, Cocilovo, Deva, Dover, Elles, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Khanbhai, Perry, Purvis, Twinn, Villiers

**12. B5-0475/2003 – RC – Euromed  
Amendment 1**

**For: 103**

**EDD:** Andersen, Bonde, Esclopé, Sandbæk

**ELDR:** Andreasen, Schmidt

**GUE/NGL:** Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Nair, Patakis, Puerta, Scarbonchi, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Wurtz

**NI:** Borghezio, Cappato, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Pannella

**PSE:** Campos, Carlotti, Carnero González, Casaca, De Keyser, Désir, Duhamel, Fava, Ferreira, Fruteau, Garot, Gillig, Görlach, Guy-Quint, Hazan, Hedkvist Petersen, Lalumière, Leinen, Linkohr, Marinho, Martin Hans-Peter, Miguélez Ramos, Patrie, Poignant, Rocard, Roure, Scheele, Sousa Pinto, Zrihen

**Verts/ALE:** Aaltonen, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Ferrández Lezaun, Flautre, Gahrton, Isler Béguin, Jonckheer, Lagendijk, Lipietz, MacCormick, McKenna, Maes, Mayol i Raynal, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Sørensen, Voggenhuber, Wuori, Wyn

**Against: 342**

**EDD:** Abitbol, Belder, Blokland, van Dam

**ELDR:** André-Léonard, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Fleisch, Formentini, Gasòliba i Böhm, Huhne, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Nicholson of Winterbourne, Nordmann, Pesälä, Plooi-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Sterckx, Sørensen, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

**NI:** Berthu, Beysen, Claeys, Dillen, Garaud, Gollnisch, Hager, Kronberger, Lang, de La Perriere, Martinez

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Ayuso González, Balfe, Banotti, Bartolozzi, Bayona de Perogordo, Beazley, Bébér, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Hieronymi, Inglewood, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marques, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennitti, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener



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**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, De Rossa, Díez González, Dührkop, Dührkop, Duin, El Khadraoui, Ettl, Färm, Ford, Gebhardt, Ghilardotti, Gill, Glante, Gröner, Hänsch, Haug, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lange, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Paasilinna, Pérez Royo, Piecyk, Pittella, Poos, Prets, Randzio-Plath, Rapkay, Read, Rodríguez Ramos, Roth-Behrendt, Rothe, Ruffolo, Sacconi, Sakellariou, dos Santos, Schmid Gerhard, Schulz, Skinner, Soares, Souladakis, Stihler, Stockmann, Swiebel, Swoboda, Thorning-Schmidt, Trentin, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba

**UEN:** Berlato, Camre, Caullery, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro, Turchi

**Abstention: 9**

**EDD:** Bernié, Butel, Farage, Mathieu, Raymond, Saint-Josse

**PSE:** Dehousse, Titley, Vairinhos

### 13. B5-0475/2003 – RC – Euromed

#### Amendment 2

**For: 70**

**EDD:** Esclopé

**GUE/NGL:** Ainardi, Bakopoulos, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello, Finuoli, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Nair, Puerta, Scarbonchi, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Wurtz

**NI:** Cappato, Dupuis, Gorostiaga Atxalandabaso, Pannella

**PPE-DE:** Bremmer

**PSE:** Marinho, Wiersma

**UEN:** Turchi

**Verts/ALE:** Aaltonen, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Ferrández Lezaun, Flautre, Gahrton, Isler Béguin, Jonckheer, Lagendijk, Lipietz, MacCormick, McKenna, Maes, Mayol i Raynal, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Sörensen, Staes, Voggenhuber, Wuori, Wyn

**Against: 369**

**EDD:** Abitbol, Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

**ELDR:** Andreasen, André-Léonard, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Fleisch, Formentini, Gasòliba i Böhm, Huhne, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Nicholson of Winterbourne, Nordmann, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Schmidt, Sterckx, Sørensen, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

**NI:** Berthu, Beysen, Borghezio, Claeys, Dillen, Garaud, Gollnisch, Hager, Lang, de La Perriere, Martinez

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Ayuso González, Balfe, Banotti, Bartolozzi, Bayona de Perogordo, Beazley, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet,

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Cushnahan, Daul, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Hieronymi, Inglewood, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Klamt, Klab, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marques, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennitti, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, dos Santos, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Thorning-Schmidt, Titley, Trentin, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wynn, Zorba, Zrihen

**UEN:** Berlato, Camre, Caullery, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Pasqua, Ribeiro e Castro, Thomas-Mauro

### **Abstention: 13**

**EDD:** Bernié, Farage, Mathieu, Raymond, Saint-Josse

**GUE/NGL:** Alyssandrakis, Patakis

**NI:** Kronberger

**PSE:** Dehousse, Désir, Fava, Ferreira, Vairinhos

## **14. B5-0475/2003 – RC – Euromed Amendment 6**

**For: 95**

**EDD:** Esclopé

**ELDR:** Schmidt

**GUE/NGL:** Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Nair, Patakis, Puerta, Scarbonchi, Seppänen, Sjöstedt, Vachetta, Wurtz

**NI:** Cappato, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Pannella

**PPE-DE:** Balfe, Beazley, Bowis, Bradbourn, Bushill-Matthews, Callanan, Deva, Dover, Elles, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Khanbhai, Nicholson, Parish, Perry, Purvis, Tannock, Twinn, Van Orden, Villiers

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**PSE:** De Keyser, Marinho

**Verts/ALE:** Aaltonen, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Ferrández Lezaun, Flautre, Gahrton, Isler Béguin, Jonckheer, Lagendijk, Lipietz, McCormick, McKenna, Maes, Mayol i Raynal, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Sørensen, Staes, Voggenhuber, Wuori, Wyn

**Against: 345**

**EDD:** Abitbol, Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

**ELDR:** Andreasen, André-Léonard, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Fleisch, Formentini, Gasòliba i Böhm, Huhne, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Nicholson of Winterbourne, Nordmann, Pesälä, Plooi-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Sterckx, Sørensen, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

**NI:** Berthu, Beysen, Borghezio, Claeys, Dillen, Garaud, Gollnisch, Hager, Lang, de La Perriere, Martinez

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Ayuso González, Banotti, Bartolozzi, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bremmer, Brok, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Fiori, Flemming, Florenz, Folias, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Hieronymi, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marques, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennitti, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pastorelli, Pérez Álvarez, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, De Rossa, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ford, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, dos Santos, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Thorning-Schmidt, Titley, Trentin, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

**UEN:** Berlato, Camre, Caullery, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Pasqua, Ribeiro e Castro, Thomas-Mauro, Turchi

**Abstention: 13**

**EDD:** Bernié, Butel, Farage, Mathieu, Raymond, Saint-Josse

**GUE/NGL:** Krarup

**NI:** Kronberger

**PSE:** Dehousse, Désir, Ferreira, Fruteau, Vairinhos

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**15. B5-0475/2003 – RC – Euromed**

**Paragraph 13, 1st part**

**For: 345**

**EDD:** Belder, Blokland, Butel, van Dam, Esclopé

**ELDR:** Andreassen, André-Léonard, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Gasòliba i Böhm, Huhne, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Nicholson of Winterbourne, Nordmann, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Schmidt, Sterckx, Sørensen, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

**GUE/NGL:** Seppänen, Sjöstedt

**NI:** Berthu, Beysen, Cappato, Dell’Alba, Dupuis, Kronberger, de La Perriere, Pannella

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Banotti, Bartolozzi, Bayona de Perogordo, Bébéar, Berend, von Boetticher, Bourslanges, Bremmer, Brok, Camisón Asensio, Cardoso, Cederschiöld, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Fiori, Flemming, Florenz, Folias, Fourtou, Friedrich, Gähler, García-Margallo y Marfil, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Hieronymi, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marques, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennitti, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pack, Pastorelli, Pérez Álvarez, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rübig, Salafranca Sánchez-Neyra, Santini, Sartori, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, dos Santos, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Thorning-Schmidt, Titley, Trentin, Vairinhos, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

**UEN:** Berlato, Caullery, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro, Turchi

**Verts/ALE:** Ferrández Lezaun, MacCormick, Ortuondo Larrea, Voggenhuber, Wuori, Wyn

**Against: 90**

**EDD:** Andersen, Bonde, Sandbæk

**GUE/NGL:** Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Nair, Patakis, Scarbonchi, Schröder Ilka, Vachetta, Wurtz

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**NI:** Borghezio, Gorostiaga Atxalandabaso, Hager

**PPE-DE:** Balfe, Beazley, Böge, Bowis, Bradbourn, Bushill-Matthews, Callanan, Chichester, Deva, Dover, Elles, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Khanbhai, Nicholson, Parish, Perry, Purvis, Sacrédeus, Scallon, Tannock, Twinn, Van Orden, Villiers

**UEN:** Camre

**Verts/ALE:** Aaltonen, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Flautre, Gahrton, Isler Béguin, Jonckheer, Lagendijk, Lipietz, McKenna, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Sørensen, Staes

### **Abstention: 15**

**EDD:** Abitbol, Bernié, Farage, Mathieu, Raymond, Saint-Josse

**GUE/NGL:** Puerta

**NI:** Claeys, Dillen, Garaud, Gollnisch, Lang, Martinez

**PSE:** Désir, Martin Hans-Peter

## **16. B5-0475/2003 – RC – Euromed**

### **Amendments 4 + 5**

### **For: 273**

**EDD:** Andersen, Bonde, Esclopé, Sandbæk

**ELDR:** Andreassen, André-Léonard, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Gasòliba i Böhm, Huhne, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Nicholson of Winterbourne, Nordmann, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Schmidt, Sterckx, Sørensen, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

**GUE/NGL:** Ainardi, Bakopoulos, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Laguiller, Markov, Marset Campos, Meijer, Modrow, Morgantini, Nair, Patakis, Puerta, Scarbonchi, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Wurtz

**NI:** Borghezio, Cappato, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Kronberger, Pannella

**PPE-DE:** Balfe, Beazley, Bowis, Bradbourn, Bushill-Matthews, Callanan, Chichester, Cushnahan, Deva, Dover, Elles, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Khanbhai, Mayer Xaver, Nicholson, Parish, Perry, Purvis, Scallon, Schmitt, Tannock, Twinn, Van Orden

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Casaca, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, dos Santos, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Thorning-Schmidt, Titley, Trentin, Vairinhos, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

**UEN:** Caullery, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Ó Neachtain, Thomas-Mauro

**Verts/ALE:** Aaltonen, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Ferrández Lezaun, Flautre, Gahrton, Isler Béguin, Jonckheer, Lagendijk, Lipietz, MacCormick, McKenna, Mayol i Raynal, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Sørensen, Staes, Voggenhuber, Wuori, Wyn

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**Against: 158**

**EDD:** Belder, Blokland, van Dam

**NI:** Berthu, Beysen, Garaud, Gollnisch, Hager, de La Perriere

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Banotti, Bartolozzi, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bremmer, Brok, Camisón Asensio, Cardoso, Cederschiöld, Coelho, Cornillet, Daul, De Mita, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Fiori, Flemming, Florenz, Folias, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Hieronymi, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marques, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mennitti, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pastorelli, Pérez Álvarez, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Schaffner, Schierhuber, Schleicher, Schröder Jürgen, Smet, Sommer, Stauner, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

**UEN:** Berlato, Camre, Nobilia, Pasqua, Queiró, Ribeiro e Castro, Turchi

**Abstention: 13**

**EDD:** Abitbol, Bernié, Butel, Farage, Mathieu, Raymond, Saint-Josse

**NI:** Claeys, Dillen, Lang, Martinez

**PSE:** Dehousse, Martin Hans-Peter

**17. B5-0475/2003 – RC – Euromed  
Resolution**

**For: 414**

**EDD:** Belder, Blokland, Butel, van Dam, Esclopé

**ELDR:** Andreasen, André-Léonard, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Gasòliba i Böhm, Huhne, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Nicholson of Winterbourne, Nordmann, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Schmidt, Sterckx, Sørensen, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

**GUE/NGL:** Ainardi, Bakopoulos, Bergaz Conesa, Boudjenah, Caudron, Di Lello Finuoli, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Markov, Maset Campos, Meijer, Modrow, Morgantini, Naïr, Puerta, Scarbonchi, Wurtz

**NI:** Berthu, Beysen, Cappato, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Hager, Kronberger, de La Perriere, Pannella

**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Balfe, Banotti, Bartolozzi, Bayona de Perogordo, Beazley, Bébéar, Berend, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hernández Mollar, Hieronymi, Inglewood, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Klamt, Klaß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marques, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter,

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Mayer Xaver, Mennitti, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, dos Santos, Scheele, Schmid Gerhard, Schulz, Skinner, Soares, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Thorning-Schmidt, Titley, Trentin, Vairinhos, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

**UEN:** Berlato, Caullery, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro, Turchi

**Verts/ALE:** Aaltonen, Auroi, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Ferrández Lezaun, Flautre, Gahrton, Isler Béguin, Jonckheer, Lagendijk, Lipietz, McCormick, McKenna, Mayol i Raynal, Onesta, Ortuondo Larrea, Piétrasanta, de Roo, Rühle, Sörensen, Staes, Voggenhuber, Wuori, Wyn

### **Against: 9**

**GUE/NGL:** Alyssandrakis, Patakis, Schröder Ilka

**NI:** Borghezio, Claeys, Dillen, Gollnisch, Lang, Martinez

### **Abstention: 22**

**EDD:** Abitbol, Andersen, Bernié, Bonde, Farage, Mathieu, Saint-Josse, Sandbæk

**GUE/NGL:** Bordes, Cauquil, Figueiredo, Frahm, Krarup, Laguiller, Seppänen, Sjöstedt, Vachetta

**NI:** Garaud

**PPE-DE:** Böge

**UEN:** Camre

**Verts/ALE:** Boumediene-Thiery, Rod

## **18. B5-0479/2003 – RC – EU/Russia Summit**

### **Amendment 1**

### **For: 120**

**EDD:** Andersen, Bonde, Sandbæk

**ELDR:** Andreasen, André-Léonard, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Gasòliba i Böhm, Huhne, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Nicholson of Winterbourne, Nordmann, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Schmidt, Sterckx, Sørensen, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

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**GUE/NGL:** Ainardi, Bakopoulos, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Di Lello Finuoli, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Laguiller, Marset Campos, Meijer, Morgantini, Nair, Puerta, Scarbonchi, Schröder Ilka, Seppänen, Sjöstedt, Vachetta

**NI:** Borghezio, Cappato, Dell'Alba, Dupuis, Garaud, Gollnisch, Lang, Martinez, Pannella

**PPE-DE:** Arvidsson, Cederschiöld, Grönfeldt Bergman, Pomés Ruiz, Stenmarck, Wachtmeister, Wijkman

**PSE:** Corbett, Hedkvist Petersen, Lund, Marinho, Poos, Roure, Scheele

**UEN:** Collins, Crowley, Fitzsimons, Hyland, Ó Neachtain

**Verts/ALE:** Aaltonen, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Ferrández Lezaun, Flautre, Gahrton, Isler Béguin, Jonckheer, Lagendijk, Lipietz, MacCormick, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Sörensen, Staes, Voggenhuber, Wuori, Wyn

### **Against: 302**

**EDD:** Belder, Blokland, van Dam, Esclopé

**NI:** Berthu, Beysen, Gorostiaga Atxalandabaso, Hager, de La Perriere

**PPE-DE:** Andria, Balfe, Banotti, Bartolozzi, Bayona de Perogordo, Beazley, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcuyo Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grosch, Grossetête, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hernández Mollar, Hieronymi, Inglewood, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, Mann Thomas, Marques, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennitti, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Podestà, Poettering, Pronk, Purvis, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenzel, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wenzel-Perillo, von Wogau, Wuermeling, Zacharakis, Zappalà, Zimmerling, Zissener

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, Carlotti, Carnero González, Casaca, Cashman, Cercas, Ceyhun, Colom i Naval, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Napoletano, Napolitano, Paasilinna, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Ruffolo, Sacconi, Sakellariou, dos Santos, Schmid Gerhard, Schulz, Skinner, Soares, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Thorning-Schmidt, Titley, Trentin, Vairinhos, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wiersma, Zorba, Zrihen

**UEN:** Camre, Caullery, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro

### **Abstention: 16**

**EDD:** Abitbol, Bernié, Butel, Farage, Mathieu, Raymond, Saint-Josse

**GUE/NGL:** Alyssandrakis, Patakis



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**NI:** Claeys, Dillen**PPE-DE:** Posselt**UEN:** Berlato, Muscardini, Nobilia, Turchi**19. Queiró report A5-0370/2003****Amendment 3****For: 71****EDD:** Andersen, Bonde, Sandbæk**ELDR:** Andreasen, André-Léonard, Busk, Calò, Davies, De Clercq, Di Pietro, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Lynne, Maaten, Monsonís Domingo, Mulder, Nicholson of Winterbourne, Pesälä, Plooij-van Gorsel, Pohjamo, Ries, Schmidt, Sterckx, Sørensen, Väyrynen, Vallvé, Vermeer, Virrankoski, Wallis, Watson**GUE/NGL:** Bergaz Conesa, Fraisse, Herzog, Jové Peres, Maset Campos, Vachetta**PPE-DE:** Korhola**PSE:** El Khadraoui, Lund, Marinho, Paasilinna, Schmid Gerhard, Van Lancker**Verts/ALE:** Aaltonen, Auroi, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Ferrández Lezaun, Flautre, Gahrton, Isler Béguin, Lagendijk, Lipietz, MacCormick, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Staes, Voggenhuber, Wuori, Wyn**Against: 281****EDD:** Belder, Blokland, van Dam, Farage**GUE/NGL:** Caudron, Naïr, Schröder Ilka**NI:** Berthu, Beysen, Claeys, Dillen, Hager, de La Perriere**PPE-DE:** Andria, Arvidsson, Balfe, Bartolozzi, Bayona de Perogordo, Beazley, Berend, Böge, von Boetticher, Bourlanges, Bowis, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hieronymi, Inglewood, Jeggel, Karas, Kastler, Khanbhai, Klauf, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lulling, Maat, McCartin, Mann Thomas, Marques, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Sudre, Suominen, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zacharakis, Zimmerling, Zissener**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, Carlotti, Carnero González, Casaca, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Dehousse, De Keyser, Díez González, Duhamel, Duin, Ettl, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Junker, Karlsson, Katiforis, Kessler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Miguélez Ramos, Miranda de Lage, Müller, Myller, Patrie, Pérez Royo, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Sacconi, Sakellariou, dos Santos, Scheele, Schulz, Skinner, Souladakis, Stockmann, Swiebel, Swoboda, Titley, Trentin, Vairinhos, Volcic, Walter, Weiler, Whitehead, Wiersma, Zorba, Zrihen

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**UEN:** Berlato, Camre, Caullery, Collins, Muscardini, Nobilia, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro, Turchi

**Verts/ALE:** Sörensen

**Abstention: 30**

**GUE/NGL:** Ainardi, Alyssandrakis, Bakopoulos, Bordes, Boudjenah, Cauquil, Di Lello Finuoli, Figueiredo, Frahm, Kaufmann, Koulourianos, Krarup, Laguiller, Meijer, Modrow, Pataki, Seppänen, Sjöstedt, Wurtz

**NI:** Cappato, Gorostiaga Atxalandabaso, Lang, Martinez

**PPE-DE:** Banotti

**PSE:** De Rossa, Désir, Ferreira

**UEN:** Crowley, Fitzsimons, Ó Neachtain

## **20. Queiró report A5-0370/2003**

### **Paragraph 12**

**For: 270**

**ELDR:** Andreasen, André-Léonard, Busk, Calò, Davies, De Clercq, Di Pietro, Flesch, Gasòliba i Böhm, Huhne, Lynne, Maaten, Monsonís Domingo, Mulder, Nicholson of Winterbourne, Pesälä, Plooi-van Gorsel, Pohjamo, Ries, Sterckx, Sørensen, Väyrynen, Vallvé, Vermeer, Virrankoski, Wallis, Watson

**GUE/NGL:** Caudron

**NI:** Berthu, Beysen, Hager, de La Perriere

**PPE-DE:** Andria, Arvidsson, Bartolozzi, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Bremmer, Brok, Camisón Asensio, Cardoso, Cederschiöld, Cocilovo, Coelho, Cushnahan, Daul, Deprez, De Sarnez, Descamps, De Veyrac, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Fiori, Flemming, Florenz, Folias, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Hatzidakis, Hieronymi, Jeggle, Karas, Kastler, Kieß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lulling, Maat, McCartin, Mann Thomas, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Morillon, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pastorelli, Pérez Álvarez, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rübig, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Sudre, Suominen, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, van Velzen, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zacharakis, Zimmerling, Zissener

**PSE:** Aparicio Sánchez, Baltas, Berenguer Fuster, van den Berg, Berger, Bösch, Carlotti, Carnero González, Casaca, Cashman, Cercas, Ceyhan, Colom i Naval, Dehousse, De Keyser, Désir, Díez González, Duhamel, Duin, Ettl, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Hazan, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Junker, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Leinen, Linkohr, Lund, McNally, Malliori, Mann Erika, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Miguélez Ramos, Miranda de Lage, Moraes, Müller, Myller, Paasilinna, Patrie, Pérez Royo, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Sacconi, Sakellariou, dos Santos, Scheele, Schmid Gerhard, Schulz, Skinner, Souladakis, Stockmann, Swiebel, Swoboda, Trentin, Volcic, Walter, Weiler, Whitehead, Wiersma, Zorba, Zrihen

**UEN:** Berlato, Caullery, Collins, Crowley, Fitzsimons, Muscardini, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro, Turchi

**Verts/ALE:** Cohn-Bendit, Sörensen

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**Against: 79****EDD:** Andersen, Belder, Blokland, Bonde, van Dam, Farage, Sandbæk**ELDR:** Schmidt**GUE/NGL:** Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bordes, Boudjenah, Cauquil, Di Lello Finuoli, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Laguiller, Marset Campos, Meijer, Modrow, Naïr, Patakis, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Wurtz**NI:** Cappato, Gorostiaga Atxalandabaso**PPE-DE:** Sacrédeus**PSE:** Adam, Andersson, Bowe, Corbett, El Khadraoui, Ford, Haug, Hedkvist Petersen, Honeyball, Howitt, Karlsson, McAvan, McCarthy, Vairinhos, Van Lancker**Verts/ALE:** Aaltonen, Auroi, Boumediene-Thiery, Breyer, Buitenweg, Dhaene, Ferrández Lezaun, Flautre, Gahrton, Isler Béguin, Jonckheer, Lagendijk, Lipietz, McCormick, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Staes, Voggenhuber, Wuori, Wyn**Abstention: 34****ELDR:** Dybkjær**NI:** Claeys, Dillen, Lang, Martinez**PPE-DE:** Balfe, Banotti, Beazley, Bowis, Bushill-Matthews, Callanan, Chichester, Deva, Dover, Elles, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Khanbhai, Nicholson, Parish, Perry, Purvis, Tannock, Twinn, Van Orden, Villiers**PSE:** De Rossa, Lange**UEN:** Camre**21. Queiró report A5-0370/2003****Recital G****For: 280****EDD:** Belder, Blokland, van Dam**ELDR:** Andreasen, André-Léonard, Busk, Calò, Davies, De Clercq, Di Pietro, Dybkjær, Flesch, Gasòliba i Böhm, Lynne, Maaten, Monsonís Domingo, Mulder, Nicholson of Winterbourne, Pesälä, Plooij-van Gorsel, Pohjamo, Ries, Sterckx, Sørensen, Väyrynen, Vallvé, Vermeer, Virrankoski, Wallis, Watson**GUE/NGL:** Naïr**NI:** Berthu, Beysen, Claeys, Dillen, Hager, Lang, de La Perriere, Martinez**PPE-DE:** Andria, Arvidsson, Balfe, Bartolozzi, Bayona de Perogordo, Beazley, Berend, Böge, Bourlanges, Bowis, Bremmer, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcóyen Tormo, Garriga Polledo, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hieronymi, Inglewood, Jeggler, Karas, Kastler, Khanbhai, Kieß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lulling, Maat, Mann Thomas, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Podestà, Poettering, Pomés Ruiz, Posselt, Purvis, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rübig, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Sudre, Suominen, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zacharakis, Zimmerling, Zissener

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**PSE:** Adam, Aparicio Sánchez, Baltas, Berenguer Fuster, van den Berg, Bowe, Carnero González, Casaca, Cashman, Cercas, Colom i Naval, Corbett, Dehousse, De Keyser, Díez González, Duhamel, Ettl, Ford, Ghilardotti, Glante, Gröner, Hänsch, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Jöns, Junker, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Miguélez Ramos, Miranda de Lage, Moraes, Müller, Myller, Pérez Royo, Poos, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Rothe, Roure, Sacconi, Sakellariou, dos Santos, Scheele, Schmid Gerhard, Schulz, Skinner, Souladakis, Stockmann, Swiebel, Swoboda, Titley, Trentin, Vairinhos, Volcic, Walter, Whitehead, Wiersma, Zorba, Zrihen

**UEN:** Berlato, Camre, Caullery, Muscardini, Nobilia, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro, Turchi

**Verts/ALE:** Jonckheer, MacCormick, Sörensen

**Against: 92**

**EDD:** Andersen, Bonde, Sandbæk

**ELDR:** Schmidt

**GUE/NGL:** Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bordes, Boudjenah, Caudron, Cauquil, Di Lello Finuoli, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Laguiller, Marset Campos, Meijer, Modrow, Patakis, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Wurtz

**NI:** Gorostiaga Atxalandabaso

**PPE-DE:** Korhola, Pronk, Sacrédeus

**PSE:** Andersson, Berger, Bösch, Bullmann, Carlotti, Ceyhun, Désir, Duin, El Khadraoui, Ferreira, Fruteau, Garot, Gebhardt, Gill, Gillig, Görlach, Haug, Hazan, Hedkvist Petersen, Lange, Leinen, Linkohr, Lund, McAvan, Martin Hans-Peter, Paasilinna, Patrie, Poignant, Read, Roth-Behrendt, Van Lancker, Weiler

**Verts/ALE:** Aaltonen, Auroi, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Ferrández Lezaun, Flautre, Gahrton, Isler Béguin, Lagendijk, Lipietz, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Staes, Voggenhuber, Wuori, Wyn

**Abstention: 8**

**NI:** Cappato

**PPE-DE:** Banotti

**PSE:** De Rossa, Guy-Quint

**UEN:** Collins, Crowley, Fitzsimons, Ó Neachtain

**22. Lagendijk report A5-0397/2003**

**Amendment 9**

**For: 143**

**EDD:** Andersen, Bonde, Sandbæk

**ELDR:** Nicholson of Winterbourne

**GUE/NGL:** Ainardi, Bakopoulos, Bergaz Conesa, Boudjenah, Caudron, Di Lello Finuoli, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Marset Campos, Meijer, Modrow, Nair, Seppänen, Sjöstedt, Wurtz

**NI:** Gorostiaga Atxalandabaso

**PPE-DE:** Wuermeling

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**PSE:** Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, Carlotti, Carnero González, Casaca, Cercas, Ceyhun, Colom i Naval, Corbett, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, El Khadraoui, Ettl, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Junker, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Miguélez Ramos, Miranda de Lage, Moraes, Müller, Myller, Paasilinna, Patrie, Pérez Royo, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Sacconi, Sakellariou, dos Santos, Scheele, Schmid Gerhard, Schulz, Skinner, Souladakis, Stockmann, Swiebel, Swoboda, Titley, Trentin, Vairinhos, Van Lancker, Walter, Whitehead, Wiersma, Zorba, Zrihen

**Verts/ALE:** Auroi, Boumediene-Thiery, Cohn-Bendit, Ferrández Lezaun, Isler Béguin, Lipietz, Piétrasanta, Rod

### **Against: 216**

**EDD:** Belder, Blokland, van Dam

**ELDR:** Andreassen, André-Léonard, Busk, Calò, Davies, De Clercq, Di Pietro, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Lynne, Maaten, Monsonís Domingo, Mulder, Pesälä, Plooij-van Gorsel, Pohjamo, Ries, Schmidt, Sterckx, Sørensen, Väyrynen, Vallvé, Vermeer, Virrankoski, Wallis, Watson

**NI:** Berthu, Beysen, Cappato, Claeys, Dillen, Hager, de La Perrière

**PPE-DE:** Andria, Arvidsson, Balfe, Banotti, Bartolozzi, Bayona de Perogordo, Beazley, Berend, Böge, Boursanges, Bowis, Bremmer, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcóyen Tormo, Garriga Polledo, Gil-Robles, Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Grönfeldt Bergman, Grossetête, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hieronymi, Inglewood, Jeggle, Karas, Kastler, Khanbhai, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lulling, Maat, Mann Thomas, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenmarck, Sudre, Suominen, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, von Wogau, Zacharakis, Zimmerling, Zissener

**UEN:** Berlato, Camre, Caullery, Collins, Crowley, Fitzsimons, Muscardini, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro

**Verts/ALE:** Aaltonen, Breyer, Buitenweg, Dhaene, Flautre, Gahrton, Lagendijk, MacCormick, McKenna, Maes, Mayol i Raynal, Onesta, de Roo, Rühle, Sörensen, Staes, Wuori, Wyn

### **Abstention: 11**

**GUE/NGL:** Alyssandrakis, Bordes, Cauquil, Krarup, Laguiller, Patakis, Schröder Ilka, Vachetta

**NI:** Martinez

**PSE:** Dehousse, Martin Hans-Peter

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**23. Lagendijk report A5-0397/2003**

**Paragraph 2**

**For: 189**

**EDD:** Andersen, Bonde, Sandbæk

**ELDR:** Andreasen, Busk, Calò, Davies, De Clercq, Di Pietro, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Lynne, Maaten, Monsonís Domingo, Mulder, Nicholson of Winterbourne, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Schmidt, Sterckx, Sørensen, Väyrynen, Vallvé, Vermeer, Virrankoski, Wallis, Watson

**GUE/NGL:** Ainardi, Bakopoulos, Bergaz Conesa, Boudjenah, Caudron, Di Lello Finuoli, Figueiredo, Frahm, Fraisse, Herzog, Kaufmann, Koulourianos, Marset Campos, Meijer, Modrow, Nair, Seppänen, Sjöstedt, Wurtz

**NI:** Cappato, Gorostiaga Atxalandabaso

**PSE:** Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, Carlotti, Carnero González, Casaca, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, El Khadraoui, Ettl, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Junker, Katiforis, Kefler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Miguélez Ramos, Miranda de Lage, Moraes, Müller, Paasilinna, Patrie, Pérez Royo, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Sacconi, Sakellariou, dos Santos, Scheele, Schmid Gerhard, Schulz, Skinner, Souladakis, Stockmann, Swiebel, Swoboda, Titley, Trentin, Vairinhos, Van Lancker, Walter, Weiler, Whitehead, Wiersma, Zorba, Zrihen

**Verts/ALE:** Aaltonen, Auroi, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Ferrández Lezaun, Flautre, Gahrton, Isler Béguin, Lagendijk, Lipietz, MacCormick, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Sörensen, Staes, Wuori, Wyn

**Against: 165**

**ELDR:** André-Léonard

**NI:** Berthu, Beysen, Claeys, Dillen, Hager, de La Perriere, Martinez

**PPE-DE:** Andria, Arvidsson, Balfe, Banotti, Bartolozzi, Bayona de Perogordo, Beazley, Berend, Bourlanges, Bowis, Bremmer, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Fiori, Flemming, Florenz, Folias, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Grönfeldt Bergman, Grossetête, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hieronymi, Inglewood, Jeggle, Karas, Kastler, Khanbhai, Klauf, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lulling, Maat, Mann Thomas, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenmarck, Sudre, Suominen, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, van Velzen, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Zacharakis, Zimmerling, Zissener

**UEN:** Berlato, Camre, Caullery, Collins, Crowley, Fitzsimons, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro

**Abstention: 13**

**EDD:** Belder, Blokland, van Dam

**GUE/NGL:** Alyssandrakis, Bordes, Cauquil, Krarup, Laguiller, Patakis, Schröder Ilka, Vachetta

**PSE:** Dehousse, Martin Hans-Peter

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**24. B5-0490/2003 – Sri Lanka****Resolution****For: 73****EDD:** Andersen, Belder, van Dam, Sandbæk**ELDR:** André-Léonard, Lynne**GUE/NGL:** Bakopoulos, Koulourianos, Markov, Meijer**NI:** Berthu, Beysen, Dupuis, Gorostiaga Atxalandabaso**PPE-DE:** Andria, Arvidsson, Bowis, Camisón Asensio, Chichester, Cushnahan, Daul, Deva, Flemming, Fourtou, Friedrich, García-Margallo y Marfil, Goepel, Gomolka, Grönfeldt Bergman, Grossetête, Hatzidakis, Karas, Kastler, Koch, Korhola, Kratsa-Tsagaropoulou, McCartin, Mann Thomas, Mayer Hans-Peter, Menrad, Mombaur, Nicholson, Ojeda Sanz, Perry, Poettering, Pomés Ruiz, Posselt, Rübig, Salafranca Sánchez-Neyra, Schröder Jürgen, Sommer, Stenmarck, Sudre, Zimmerling**PSE:** Baltas, Berger, Casaca, De Keyser, Ettl, Kindermann, McAvan, Mastorakis, Medina Ortega, Miguélez Ramos, Myller, Scheele, Souladakis**Verts/ALE:** Auroi, Buitenweg, Lagendijk, MacCormick, Onesta, Rod

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**TEXTS ADOPTED****P5\_TA(2003)0509****SIS II****European Parliament recommendation to the Council on the second-generation Schengen information system (SIS II) (2003/2180(INI))***The European Parliament,*

- having regard to the proposal for a recommendation to the Council by Carlos Coelho, on behalf of the PPE-DE Group, on the second-generation Schengen information system (SIS II) (B5-0268/2003),
- having regard to the upcoming enlargement of the European Union,
- having regard to its position of 17 December 2002 on the initiative by the Kingdom of Spain with a view to adopting a Council Regulation concerning the introduction of some new functions for the Schengen Information System, in particular in the fight against terrorism<sup>(1)</sup>,
- having regard to the Presidency Conclusions of the Thessaloniki European Council, in particular paragraph 11 thereof,
- having regard to the Conclusions of the Justice and Home Affairs Council of 5 and 6 June 2003, in particular as regards the functions of the SIS and the SIS II architecture,
- having regard to the discussions in Council about the two Spanish initiatives concerning the introduction of new functions for the Schengen Information System, in particular as regards the fight against terrorism,
- having regard to the Commission staff working paper on the development of the second generation Schengen information system (SIS II) — 2002 progress report (SEC(2003) 206),
- having regard to the proposal of the Commission for a regulation amending the Convention implementing the Schengen Agreement of 14 June 1985 on the gradual abolition of checks at common borders as regards access to the Schengen Information System by the services in the Member States responsible for issuing registration certificates for vehicles (COM(2003) 510),
- having regard to the fifth annual report of the Schengen Joint Supervisory Authority (JSA),
- having regard to the working documents on common rules on personal data protection under the third pillar, and, in particular, the note of the Greek Presidency of 3 June 2003,
- having regard to Rule 49(3) and Rule 107 of its Rules of Procedure,
- having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs (A5-0398/2003),

***The Schengen Information System II***

- A. whereas the Schengen Information System (SIS) was created as a compensatory measure to allow for the free movement of persons,
- B. whereas over the years the perception of the SIS has moved away from the concept of a compensatory measure towards an idea that the SIS is a useful and efficient tool of police cooperation whose data can be used for purposes other than those initially envisaged<sup>(2)</sup>,

<sup>(1)</sup> P5\_TA(2002)0611.

<sup>(2)</sup> Note from the Presidency on requirements for SIS, doc. 5968/02, 5.2.2002.



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- C. whereas, with enlargement of the EU, there is a need to develop a second generation SIS,
- D. whereas the decision was taken to develop the SIS II by the year 2006,
- E. whereas, so far, no clear legal framework of the principles governing police cooperation has been laid down in application of Article 30 of the Treaty on European Union, nor has a clear border-protection policy been established,

***New functions***

- F. whereas the Council, in its conclusions of 5/6 June 2003, agreed in principle that the new SIS should allow for the addition of new categories of alerts (on persons and on objects) and fields, the interlinking of alerts, the modification of the duration of the alerts, and the storage, transfer and possible querying of biometric data, especially photographs and fingerprints,
- G. whereas the Council remains undecided on concrete questions such as which new categories of objects or persons to include,
- H. whereas the discussion in Council about the two Spanish initiatives concerning the introduction of new functions for the Schengen Information System, in particular as regards the fight against terrorism, led to an agreement about certain new objects, such as certain vehicles or documents,

***The European Arrest Warrant***

- I. whereas Council Framework Decision 2002/584/JHA on the European arrest warrant and the surrender procedures between Member States<sup>(1)</sup> provides in its Article 9 for the use of the SIS for the transmission of a European Arrest Warrant,

***New users***

- J. whereas the Council, in its conclusions of 5/6 June 2003 agreed in principle that the SIS II must allow new authorities to obtain access to the SIS (including where necessary the possibility of giving partial access or access with a purpose different from the original one set in the alerts), while it remains undecided on which authorities should acquire access,
- K. whereas the Council seems to have accepted<sup>(2)</sup> some of the conditions previously defined by Parliament on access for Europol to the SIS, but did not do so in respect of important requests, such as that Europol comply with the data protection requirements in Article 117 of the Schengen Convention, that it should only be able to search data for the purpose for which it was provided, that it should not be able to transfer any data to which it has access to any third State or third body, and that the Joint Supervisory Body's role be increased,
- L. whereas the situation is the same as regards access for national members of Eurojust, for which the Council did not accept Parliament's requests that Eurojust should not be able to transfer any data to which it has access to any third State or third body and that it should only be able to search data for the purposes for which it was provided,
- M. whereas the Council drafts on the Spanish initiatives open the possibility for access by national judicial authorities in the performance of their tasks as set out in national legislation; whereas the JSA is of the opinion that access must be limited to the purposes of the alerts in the SIS and cannot be extended to tasks as set out in national legislation<sup>(3)</sup>,
- N. whereas, in its recent abovementioned proposal for a regulation, the Commission suggested to Parliament and the Council that vehicle registration authorities have access to the SIS,

<sup>(1)</sup> OJ L 190, 18.7.2002, p. 1.

<sup>(2)</sup> The latest available documents are doc. 10054/03 and 10055/03.

<sup>(3)</sup> SCHAC 2513/02; p. 3.

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O. whereas access for a series of other authorities (non-governmental authorities such as credit agencies; extended access for authorities issuing residence permits; access for asylum authorities to Article 96 data, and for security and intelligence services and for benefits agencies to Article 100 data; access for authorities responsible for border surveillance; and extended access for Member States' representations abroad) is under discussion in Council working groups<sup>(1)</sup>,

P. whereas access for new users implies use of the data for new purposes,

#### **Data Protection**

Q. whereas the SIS is the largest database in Europe,

R. whereas currently the data protection regime of the SIS is not only governed by the Schengen convention and controlled by the JSA but also subject to a confusing number of data protection rules and control bodies under the first and the third pillar,

S. whereas all the discussed changes to the SIS have repercussions on data protection,

T. whereas Article 50 of the Draft Treaty establishing a constitution for Europe provides for a general European data protection law and an independent control authority; whereas Article 8 of the Charter of Fundamental Rights of the European Union also provides for the protection of personal data,

#### **External relations and SIS**

U. whereas the implementation of the Schengen rules as regards external borders by the new Member States will lead to new borders in Europe,

V. whereas the exchange of data with third countries entails the risk of violating EU data protection standards,

#### **Management of SIS**

W. whereas Parliament's call for the strategic management of the SIS to be entrusted to an agency financed entirely from the EU budget and subject to control by the European Parliament<sup>(2)</sup> is being discussed as one possible solution; whereas no consensus has so far been reached on this question,

#### **Location of SIS**

X. whereas there seems to be a consensus among Member States to keep the operational management of the SIS provisionally in its current location in Strasbourg and to provide for a contingency system at a different location,

#### **Synergy with the Visa Information System (VIS)**

Y. whereas the Council, in its conclusions on the development of the VIS adopted on 5 and 6 June 2003, invites the Commission to continue its preparatory work on the development of the VIS on the basis of a centralised architecture, taking into account the option of a common technical platform with SIS II and without delaying the development of SIS II; whereas the Council will give the necessary political guidance by December 2003 at the latest on the basic elements of the VIS, including the architecture, the functionalities, the choice of biometric identifier(s) and the approach for the implementation of the system, thus making it possible to integrate the VIS as a possible option in the call for tender for SIS II; whereas the Commission has presented two proposals to amend the regulations laying down a uniform format for visas and for residence permits of third-country nationals (COM(2003) 558), providing for the mandatory storage of the facial image and fingerprints as biometric identifiers,

<sup>(1)</sup> Doc. 5033/2003.

<sup>(2)</sup> European Parliament resolution of 20 September 2001 on crossing external borders and the development of Schengen cooperation, paragraph 19 (OJ C 77 E, 28.3.2002, p. 141).

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**Budget of SIS and VIS**

Z. whereas the development of SIS II is estimated to cost EUR 14,45 million more than originally planned; whereas the legislative basis covers only the costs of the development of SIS II and not the operating costs; whereas the appropriations for the development of SIS II are non-compulsory expenditure, and thus not subject to codecision,

AA. whereas the development of VIS is estimated to cost EUR 157 million (with annual operating costs of EUR 35 million); whereas the Commission is currently preparing a legislative act to allow for the inclusion in the Union budget of the necessary appropriations for the development of the VIS, on the basis of Article 66 of the Treaty establishing the European Community, which provides for consultation of the European Parliament; whereas the very high estimated costs of the development and operation of the VIS require a prior broad political consensus on the need for the VIS and on its functions,

1. Addresses the following recommendations to the Council:

- (a) that it encourage a public debate about the political objectives to be achieved with the SIS II and the nature of the SIS; requests also the clear definition of these objectives,
- (b) that the development of a new SIS in the future take place in a transparent and democratic way, which should avoid, inter alia, forwarding legislative proposals to Parliament only after a political agreement has already been reached in Council,
- (c) that a detailed study be undertaken about the feasibility of merging existing or future databases (SIS, Europol, Eurodac, VIS, Eurojust, etc.) on the basis of a single technical platform for a 'Union Information System', which should evolve to encompass future system needs in all relevant areas; reiterates its call to develop as far as possible synergies between the different databases with the aim of recombining the systems in order to optimise resources, avoid overlaps and gaps and ensure a coherent data protection regime,
- (d) that an annual assessment be undertaken of operational use, effectiveness and respect for fundamental rights as provided for by the Charter of Fundamental Rights of the European Union, the European Convention of Human Rights and the Council of Europe Convention of 28 January 1981 for the Protection of Individuals with regard to Automatic Processing of Personal Data, which has been ratified by all the Member States,
- (e) that each proposal for granting full or partial access to new authorities be thoroughly examined as regards the specific purpose for which those authorities need to access the SIS, which data they will be allowed to access, how the access should take place (directly or indirectly), and how the data protection requirements of Article 118 of the Schengen Convention can be ensured; argues that special attention should be given to the position of private parties (e.g. in the case of vehicle registration),
- (f) that it decide as soon as possible that the strategic management of the SIS and other large-scale IT-systems be entrusted to a European agency steered by a management board composed of representatives of the European institutions and Member States, and financed entirely from the EU budget and therefore subject to control by the European Parliament,
- (g) that it also decide as soon as possible on a definitive location for the central part of SIS II; demands that no task connected with running the SIS be assigned to a private company,
- (h) that it ensure that any extension of the SIS is accompanied by the highest standards of data protection, with a view to always trying to find the right balance between the right to the protection of personal data and security; also to pay particular attention to the human rights implications and dangers inherent in the inclusion of biometric data; is of the opinion that, as the guiding principle, data should be used only for purposes expressly stated well in advance; requests the respect of this principle; objects therefore to any derogations from that principle, such as those expressed in the Council conclusions of 5 and 6 June 2003 calling for further examination of the 'possibility for some authorities to use the SIS data for purposes other than those for which they were originally introduced in the SIS',

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- (i) that it ensure the very close involvement of the JSA and national data protection authorities in the development of the SIS II,
- (j) that it provide better financial and human resources to enable the JSA to carry out its work; repeats its call for a specific budget section for the JSA independent from Council's section <sup>(1)</sup>,
- (k) that it encourage the JSA to cooperate as closely as possible with the European Data Protection Officer who is currently being appointed by the European Parliament and the Council,
- (l) that it start immediately the process of harmonising the rules on data access and protection, particularly those currently in respect of the third pillar; urges that such a harmonisation should be build upon the formulation of fundamental principles, which have to be respected without exception,
- (m) that it ensure the use of the Schengen facility agreed at the Copenhagen European Council also for the national preparation of the new Member States for inclusion in the SIS; that it pay particular attention to ensuring that consistently high standards of data protection and efficiency are maintained across the national and central elements of the SIS, especially in the light of any differences in structure and technology,
- (n) that citizens should be better informed about the SIS; refers to the principle that data subjects have a right of access to and rectification of their individual data and that, if the right of access cannot be observed in full or in part, data subjects must be notified of their right to appeal to the competent authority; asks that there be a right of appeal at the European level to the Ombudsman and/or the Data Protection Supervisor,
- (o) that it encourage the Commission to base its proposal for the legislative act allowing for the inclusion in the Union budget of the necessary appropriations for the development of the VIS not only on Article 66 also on Article 62(2)(b)(iv) [rules on a uniform visa] of the Treaty establishing the European Community (providing for codecision as of 1 May 2004); wishes, on this occasion but also on a continuous basis, to be comprehensively informed by the Council on the VIS, including on the outcome of the feasibility study, the inclusion of biometric data, the external aspects of the VIS development and data protection provisions,
- (p) that it provide regular information about the development of SIS II,
- (q) that Parliament's positions as outlined above be taken into account by the Council.

\*

\*   \*

2. Instructs its President to forward this recommendation to the Council and, for information, to the Commission and the Schengen Joint Supervisory Authority.

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<sup>(1)</sup> European Parliament position of 21 September 2000 on the initiative of the Portuguese Republic with a view to the adoption of a Council Decision establishing a Secretariat for the Joint Supervisory Data Protection Bodies set up by the Convention on the Establishment of a European Police Office (Europol Convention), the Convention on the Use of Information Technology for Customs Purposes and the Convention implementing the Schengen Agreement on the gradual abolition of checks at the common borders (Schengen Convention) (OJ C 146, 17.5.2001, p. 83).

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P5\_TA(2003)0510

**Market access to port services \*\*\*III**

**European Parliament legislative resolution on the joint text approved by the Conciliation Committee for a European Parliament and Council directive on market access to port services (PE-CONS 3670/2003 – C5-0461/2003 – 2001/0047(COD))**

(Codecision procedure: third reading)

*The European Parliament,*

- having regard to the joint text approved by the Conciliation Committee and the relevant Commission statement (PE-CONS 3670/2003 – C5-0461/2003),
- having regard to its position at first reading <sup>(1)</sup> on the Commission proposal to Parliament and the Council (COM(2001) 35) <sup>(2)</sup>,
- having regard to the amended proposal (COM(2002) 101) <sup>(3)</sup>,
- having regard to its position at second reading <sup>(4)</sup> on the Council common position <sup>(5)</sup>,
- having regard to the Commission's opinion on Parliament's amendments to the common position (COM(2003) 208 – C5-0182/2003) <sup>(6)</sup>,
- 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 (A5-0364/2003),

1. Rejects the joint text;
2. Instructs its President to forward this legislative resolution to the Council and the Commission.

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<sup>(1)</sup> OJ C 140 E, 13.6.2002, p. 283.

<sup>(2)</sup> OJ C 154 E, 29.5.2001, p. 290.

<sup>(3)</sup> OJ C 181 E, 30.7.2002, p. 160.

<sup>(4)</sup> *Texts Adopted*, 11.3.2003, P5\_TA(2003)0078.

<sup>(5)</sup> OJ C 299 E, 3.12.2002, p. 1.

<sup>(6)</sup> Not yet published in the OJ.

P5\_TA(2003)0511

**Organisations promoting equality equality between men and women \*\*\*I**

**European Parliament legislative resolution on the proposal for a decision of the European Parliament and of the Council establishing a Community action programme to promote organisations active at European level in the field of equality between men and women (COM(2003) 279 – C5-0261/2003 – 2003/0109(COD))**

(Codecision procedure: first reading)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 279) <sup>(1)</sup>,
- having regard to Article 13(2) and Article 251 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0261/2003),

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<sup>(1)</sup> Not yet published in the OJ.

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- having regard to Rule 67 of its Rules of Procedure,
  - having regard to the report of the Committee on Women's Rights and Equal Opportunities and the opinion of the Committee on Budgets (A5-0396/2003),
1. Approves the Commission proposal as amended;
  2. Considers that the financial statement as amended is compatible with the ceiling of heading 5 of the Financial Perspectives 2000-2006;
  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 to the Commission.
- 

#### **P5\_TC1-COD(2003)0109**

**Position of the European Parliament adopted at first reading on 20 November 2003 with a view to the adoption of European Parliament and Council Decision No .../2003/EC establishing a Community action programme to promote organisations active at European level in the field of equality between men and women**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 13(2) thereof,

Having regard to the proposal from the Commission<sup>(1)</sup>,

Acting in accordance with the procedure laid down in Article 251 of the Treaty<sup>(2)</sup>,

Whereas:

- (1) The principle of equality between men and women is a fundamental principle of Community law, laid down in Article 2 and Article 3(2) of the Treaty and clarified by the case-law of the Court of Justice of the European Communities. Under the Treaty, equality between men and women is one of the Community's specific 'tasks' and objectives and the Community is actively to promote such equality in all fields of Community action.
- (2) Article 13 of the Treaty confers on the Council the power to take appropriate action to combat all discrimination based, inter alia, on sex. Pursuant to Article 13(2), when the Council adopts Community incentive measures, excluding any harmonisation of the laws and regulations of the Member States, to support action taken by the Member States in order to contribute to the achievement of that objective, it is to act in accordance with the procedure referred to in Article 251 of the Treaty.
- (3) Articles 21 and 23 of the Charter of Fundamental Rights prohibit any discrimination on grounds of sex and lay down the principle of equality between men and women in all areas.
- (4) Experience of action at Community level has shown that promoting gender equality calls in practice for a combination of measures and, in particular, of legislation and practical action designed to reinforce one another.
- (5) The Commission's White Paper on *European Governance* advocates the participation of citizens in shaping and implementing policy, the involvement of civil society and civil society organisations, and more effective and transparent consultation of interested parties.

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<sup>(1)</sup> OJ C ...

<sup>(2)</sup> *Position of the European Parliament of 20 November 2003.*

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- (6) The Fourth World Conference on Women held in Beijing on 15 September 1995 adopted a Declaration and a Platform for Action calling on governments, the international community and civil society to take strategic action to eliminate both discrimination against women and the barriers to gender equality.
- (7) By Decision 2001/51/EC of 20 December 2000<sup>(1)</sup>, the Council established a Community action programme relating to the Community framework strategy on gender equality; these actions should be supplemented by support measures in the areas concerned.
- (8) Budget lines A-3037 (No ABB 040503) and A-3046 (No ABB 040501) of the general budget of the European Communities for the year 2003 and preceding years are intended to support the European Women's Lobby and women's organisations working to promote equality between men and women.
- (9) Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities<sup>(2)</sup>, hereinafter 'the Financial Regulation', requires the adoption of a basic instrument for existing support measures.
- (10) The activities of some organisations help to promote gender equality, particularly in the case of Community measures targeted specifically at women.
- (11) The European Women's Lobby, in particular, which comprises most of the women's organisations in the 15 Member States and has over 3 000 members, plays a major role in promoting, monitoring and disseminating Community measures aimed at women with a view to achieving equality between men and women. Its activity serves the general European interest.
- (12) Consequently, a structured programme should be adopted to provide financial assistance to such organisations in the form of an operating grant **for activities with aims of general European interest in the area of gender equality or with an objective which is part of the European Union's policy in this area.**
- (13) This programme covers a wide geographic area owing to the fact that the Agreement on the European Economic Area (EEA) provides for increased cooperation in the field of gender equality between the European Community and its Member States on the one hand and the countries of the European Free Trade Association on the other. The EEA Agreement lays down the procedures for the participation of the EFTA States party to the EEA Agreement in Community programmes in this field. Furthermore, this programme should be opened up for participation by associated countries of Central and Eastern Europe, in accordance with the conditions established in the Europe Agreements, in their additional protocols and in the decisions of the respective Association Councils, and to Turkey in accordance with the conditions laid down in the Framework Agreement of 17 December 2001 establishing the general principles for the participation of Turkey in Community programmes<sup>(3)</sup>.
- (14) The specific nature of organisations active at European level in the field of the promotion of equality between women and men should be taken into account when laying down the procedures for granting such assistance.
- (15) This Decision *lays down*, for the entire duration of the programme, *a financial programme constituting the prime reference within the meaning of point 33 of 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<sup>(4)</sup>, for the budgetary authority during the annual budgetary procedure,*

<sup>(1)</sup> OJ L 17, 19.1.2001, p. 22.

<sup>(2)</sup> OJ L 248, 16.9.2002, p. 1.

<sup>(3)</sup> OJ L 61, 2.3.2002, p. 29.

<sup>(4)</sup> OJ C 172, 18.6.1999, p. 1. Agreement as amended by Decision 2003/429/EC of the European Parliament and of the Council (OJ L 147, 14.6.2003, p. 25).

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HAVE DECIDED AS FOLLOWS:

#### Article 1

##### Objective of the programme

1. ***This Decision establishes*** a Community Action Programme to provide support for the European Women's Lobby and ***promote*** other organisations active at European level in the field of equality between *women and men*.
2. The general objective of the programme is to support the activities of these organisations, of which an ongoing programme of work or a specific measure serves the general European interest in the field of equality between *women and men* or pursues an objective which is part of the European Union's policy in this area.

#### Article 2

##### Access to the programme

1. The European Women's Lobby, in so far as it complies with the provisions laid down in the Annex, shall be entitled to an operating grant enabling it to carry out its activities of representing and coordinating non-governmental women's organisations and relaying information on women to the European institutions and non-governmental organisations.
2. In order to be eligible for a grant, an organisation active at European level in the field of equality between women and men must comply with the provisions laid down in the Annex and meet the following requirements:
  - (a) its activities must contribute to the development and implementation of Community actions to promote equality between *women and men*;
  - (b) its activities must be in accordance with the principles underlying, ***and the legal provisions governing***, Community action in *the area* of equality between *women and men*;
  - (c) its activities must have transnational potential;
  - (d) the organisation must have been legally established for more than one year, acting alone or in the form of various coordinated associations.

#### Article 3

##### Participation of countries outside the Community

In addition to organisations established in the Member States, participation in the programme shall be open to organisations active at European level in the field of equality between *women and men* established in:

- (a) ***acceding States which signed the Accession Treaty in 2003***;
- (b) the EFTA/EEA countries, in accordance with the conditions laid down in the EEA Agreement;
- (c) Romania and Bulgaria, the conditions for participation to be laid down in accordance with the Europe Agreements, their additional protocols and the decisions of the respective Association Councils;
- (d) Turkey, the conditions for participation to be laid down in accordance with the *above-mentioned* Framework Agreement of 17 December 2001 on the general principles for the participation of Turkey in Community programmes.



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## Article 4

## Selection of beneficiaries

1. An operating grant shall be awarded directly to the **beneficiaries referred to** in point 2.1 of the Annex.
2. The award of an operating grant on the basis of an ongoing programme of work or of a grant for a specific action to an organisation which is pursuing an objective of general European **interest which** is part of the European Union's policy of promoting equality between *women and men* must meet the general criteria laid down in points 2.2. and 2.3. of the Annex. Organisations entitled to receive grants shall be selected following a call for proposals.

## Article 5

## Awarding of the grant

***The principles of degressivity in real terms and of cofinancing shall apply to all beneficiaries as follows:***

- ***organisations identified by a basic act: at least 10 % of cofinancing even through contributions in kind, and no degressivity;***
- ***organisations selected by calls for proposals: at least 20 % of cofinancing even through contributions in kind, and degressivity in real terms at a maximum rate of 2,5 % from the third year onwards.***

## Article 6

## Financial provisions

1. This programme shall start on 1 January 2004 and shall end on 31 December **2008**.
2. The financial framework for the implementation of this programme for the period from 2004 to **2008** is hereby set at EUR **5,5** million.
3. The annual appropriations shall be authorised by the budgetary authority within the limits of the financial perspective.
4. ***The appropriations scheduled after the year 2006 are subject to an agreement of the budgetary authority on the financial perspective beyond 2006.***

## Article 7

## Monitoring and evaluation

By 31 December **2007** at the latest, the Commission shall submit a report to the European Parliament and the Council on the achievement of the objectives of this programme. This report shall be based on the results obtained by the beneficiaries and shall assess, in particular, their effectiveness in achieving the objectives set out in Article 1 and the Annex.

***The report shall be based fundamentally on an external assessment report which should be made available no later than the end of 2006 and should examine at least the overall relevance and coherence of the programme, the effectiveness of its execution (preparation, selection and implementation of the measures) and the overall and individual effectiveness of the various measures in relation to the achievement of the objectives specified in Article 1 and the Annex.***

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Article 8

Entry into force

This Decision shall enter into force on the day following that of its publication in the Official Journal of the European Union.

Done at ..., on ...

For the European Parliament  
*The President*

For the Council  
*The President*

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ANNEX

1. Activities supported

The general objective laid down in Article 1 is to reinforce Community action in the field of equality between men and women and the effectiveness of such action by offering financial support to the European Women's Lobby and other organisations active at European level in the field of equality between women and men.

1.1. Activities carried out by the European Women's Lobby will include the following:

- Follow-up to the Beijing Platform for Action (United Nations);
- Working towards improving European legislation on gender equality and the inclusion of women in all policy areas;
- Participation at meetings and conferences on gender equality;
- Taking action to ensure that the views and interests of women are included in national and European policies, in particular encouraging their participation in decision-making;
- Reinforcing the aspect of equality between *women and men* in the EU enlargement process **and developing cooperation with women's organisations in the new Member States.**

1.2. Activities of organisations working to promote equality between men and women which may help reinforce and increase the effectiveness of Community action include the following:

- representation of interested parties at Community level;
- awareness-raising activities aimed at promoting gender equality, in particular through studies, campaigns and seminars;
- dissemination of information on Community action to promote gender equality;
- action promoting, inter alia, the **interlinking** of working and family life, the involvement of women in decision-making, the fight against **all forms of** gender-related violence, gender stereotypes and discrimination at work **as well as gender mainstreaming in education, sport, health and social protection;**
- **measures fostering cooperation with women's organisations in third countries and raising awareness of the situation of women worldwide.**

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## 2. Carrying out of the activities supported

The activities carried out by *organisations* which may receive a Community grant under the programme will come under one of the following strands:

2.1. Strand 1: ongoing activities of the European Women's Lobby, whose members are, *inter alia*, women's organisations in the Member States of the European Union, respecting the following principles:

- the European Women's Lobby must be free to select its members;
- the European Women's Lobby must be free to pursue its activities in accordance with **point 1.1**.

2.2. Strand 2: ongoing activities of **a non-profit-making** organisation pursuing an objective of general European interest in the field of gender *equality*.

In accordance with *Article 2*, this applies to a non-profit-making *organisation* carrying out its activities exclusively in order to achieve equality between women and men, ***inter alia by combating violence as an obstacle to equality***.

An annual operating grant may be awarded to support implementation of such an organisation's ongoing programme of work.

2.3. Strand 3: specific actions of an organisation pursuing an objective of general European interest in the field of equality between women and men or an objective which is part of the European Union's policy in this area.

## 3. Selection of beneficiaries

3.1. The operating grant will be awarded directly to the European Women's Lobby under strand 1 of the programme.

3.2. Organisations entitled to receive an operating grant under strand 2 of the programme will be selected on the basis of calls for proposals.

3.3. *Organisations* entitled to receive a grant for specific action under strand 3 of the programme will be selected on the basis of calls for proposals.

***The priority themes and types of activity of calls for proposals will be communicated to the European Parliament before proceeding to the calls for proposals.***

## 4. Checks and audits

4.1. The beneficiary of an operating grant shall keep available for the Commission all the supporting documents, including the audited financial statement, regarding expenditure incurred during the grant year, for a period of five years following the last payment. The beneficiary of a grant shall ensure that, where applicable, supporting documents in the possession of partners or members be made available to the Commission.

4.2. The Commission may have an audit of the use made of the grant carried out either directly by its own staff or by any other qualified outside body of its choice. Such audits may be carried out throughout the lifetime of the agreement and for a period of five years from the date of payment of the balance. Where appropriate, the audit findings may lead to recovery decisions by the Commission.

4.3. Commission staff and outside personnel authorised by the Commission shall have appropriate right of access, in particular to the beneficiary's offices and to all the information, including information in electronic format, needed in order to conduct such audits.

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4.4. The Court of Auditors and the European Anti-Fraud Office (OLAF) shall enjoy the same rights, especially of access, as the Commission.

4.5. In order to protect the European Communities' financial interests against fraud and other irregularities, the Commission may carry out on-the-spot checks and inspections under this programme in accordance with Council Regulation (Euratom, EC) No 2185/96 <sup>(1)</sup>. Where necessary, investigations shall be conducted by OLAF and these shall be governed by Regulation (EC) No 1073/1999 of the European Parliament and of the Council <sup>(2)</sup>.

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<sup>(1)</sup> OJ L 292, 15.11.1996, p. 2.

<sup>(2)</sup> OJ L 136, 31.5.1999, p. 1.

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P5\_TA(2003)0512

### **Support for UNMIK and OHR in Bosnia and Herzegovina \***

**European Parliament legislative resolution on the proposal for a Council regulation on amending Council Regulation (EC) No 1080/2000 of 22 May 2000 on support for the United Nations Interim Mission in Kosovo (UNMIK) and the Office of the High Representative in Bosnia and Herzegovina (OHR) (COM(2003) 389 – C5-0325/2003 – 2003/0143(CNS))**

(Consultation procedure)

*The European Parliament,*

- having regard to the Commission proposal to the Council (COM(2003) 389) <sup>(1)</sup>,
  - having regard to Article 181a(2) of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0325/2003),
  - having regard to Rule 67 of its Rules of Procedure,
  - having regard to the report of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy and the opinion of the Committee on Budgets (A5-0390/2003),
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. Calls for initiation of the conciliation procedure under the Joint Declaration of 4 March 1975 if the Council intends to depart from the text approved by Parliament;
  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.

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<sup>(1)</sup> Not yet published in the OJ.

Thursday 20 November 2003

TEXT PROPOSED  
BY THE COMMISSIONAMENDMENTS BY  
PARLIAMENT

## Amendment 1

## ARTICLE 1, POINT 2

*Article 1, paragraph 2 (Regulation (EC) No 1080/2000)*

2. This financing shall be in the form of a grant to the budgets of the UNMIK, the OHR and the SP.

2. This financing shall be in the form of a grant to the budgets of the UNMIK, the OHR and the SP. ***The amount of the grant shall take into account the contributions from Member States and will be subject to the annual budgetary procedure.***

## Amendments 4 and 6

## ARTICLE 1, POINT 3

*Article 1a (Regulation (EC) No 1080/2000)*

The **Commission** shall appoint the Special Coordinator of the Stability Pact, after consultation with the OSCE Chairman in Office and other participants, and endorsement by the OSCE Chairman in Office.

The **Council** shall appoint the Special Coordinator for the Stability Pact ***for South-East Europe, following a Commission proposal and on an annual basis***, after consultation with the OSCE Chairman-in-Office and other participants and endorsement by the OSCE Chairman-in-Office, ***as foreseen in the Cologne Agreement of June 1999 on the creation of the Stability Pact for South-East Europe.***

***The Commission shall in due time inform the relevant committee of the European Parliament on its proposal.***

## Amendments 5 and 7

## ARTICLE 1, POINT 3a (new)

*Article 1b (new) (Regulation (EC) No 1080/2000)*

**(3a) The following Article 1b is inserted:**

**Article 1b**

***The candidate proposed by the Commission shall be invited to make a statement before the relevant committee of the European Parliament.***

***This Committee shall give its opinion on the candidate to the Commission and the Council, on the basis of the outcome of this hearing.***

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P5\_TA(2003)0513

## Promotion of relations between the EU and non-industrialised regions \*

**European Parliament legislative resolution on the proposal for a Council decision establishing a Community action programme for bodies promoting reciprocal understanding of relations between the European Union and certain non-industrialised regions in the world (COM(2003) 280 – C5-0350/2003 – 2003/0110(CNS))**

(Consultation procedure)

*The European Parliament,*

- having regard to the Commission proposal to the Council (COM(2003) 280) <sup>(1)</sup>,
  - having regard to Article 308 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0350/2003),
  - having regard to Rule 67 of its Rules of Procedure,
  - having regard to the report of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy and the opinion of the Committee on Budgets (A5-0384/2003),
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. Calls for initiation of the conciliation procedure under the Joint Declaration of 4 March 1975 if the Council intends to depart from the text approved by Parliament;
  5. Considers that the financial statement of the Commission proposal is compatible with the ceiling of heading 5 of the financial perspectives 2000-2006;
  6. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
  7. Instructs its President to forward its position to the Council and the Commission.

TEXT PROPOSED  
BY THE COMMISSION

AMENDMENTS BY  
PARLIAMENT

### Amendment 1

#### *Recital 3*

(3) Special attention should be given to the regional dimension of Community assistance, taking account of the divergence of needs and priorities among the main regions covered by the aforementioned regulations and stepping up regional cooperation.

(3) Special attention should be given to the regional dimension of Community assistance, taking account of the divergence of needs and priorities among the main regions covered by the aforementioned regulations and stepping up regional cooperation **in a balanced and co-ordinated manner.**

<sup>(1)</sup> Not yet published in the OJ.

Thursday 20 November 2003

TEXT PROPOSED  
BY THE COMMISSIONAMENDMENTS BY  
PARLIAMENT

## Amendment 2

*Recital 4*

(4) Increased reciprocal knowledge between the European Union and partners receiving assistance from it should be promoted.

(4) Increased reciprocal knowledge **and understanding** between the European Union and partners receiving assistance from it should be promoted **as well as the visibility thereof**.

## Amendment 3

*Recital 5*

(5) Strengthening reciprocal knowledge between the EU and its partners will be assisted by the work of bodies specialising in the analysis of relations between the European Union and the regions concerned.

(5) Strengthening reciprocal knowledge **and understanding** between the EU and its partners will be assisted by the work of bodies specialising in the analysis of relations between the European Union and the regions concerned **and having the necessary knowledge of the cultural background**.

## Amendment 4

*Recital 7a (new)*

**(7a) The European Parliament, the Council and the Commission undertook, at the time of the adoption of the Financial Regulation, to achieve the objective of ensuring that this basic act enters into force as from the financial year 2004.**

## Amendment 5

*Article 1, paragraph 1*

1. A Community action programme is hereby established for the promotion of centres, institutes and networks specialising in the analysis of relations between the European Union and certain regions.

1. A Community action programme is hereby established for the promotion of centres, institutes and networks specialising in the analysis of relations between the European Union and certain regions, **thereby promoting a dialogue of cultures and civilisations and the universal value of human rights**.

## Amendment 6

*Article 1, paragraph 2*

2. The general objective of this programme shall be to support the activities of these bodies. The activities shall consist of the annual work programme of a centre, institute or network and must be in keeping with those described in the Annex. The activities supported must contribute to increasing understanding and dialogue between the European Union, the regions covered by the ALA, MEDA, TACIS and CARDS Regulations and the candidate countries.

2. The general objective of this programme shall be to support the activities of these bodies. The activities shall consist of the annual work programme of a centre, institute or network and must be in keeping with those described in the Annex. The activities supported must contribute to increasing understanding and dialogue between the European Union, the regions covered by the ALA, MEDA, TACIS and CARDS Regulations and the candidate countries **and to reinforcing social, cultural and human partnership**.

## Amendment 8

*Article 2, paragraph 1, indent 1*

— it must be an independent and non-profit making legal entity active chiefly in promoting understanding of relations between the EU and the regions concerned, with an objective that serves the public good.

— it must be an independent and non-profit making legal entity active chiefly in promoting understanding of relations between the EU and the regions concerned, with an objective that serves the public good **and the dignity of human beings**.

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TEXT PROPOSED  
BY THE COMMISSIONAMENDMENTS BY  
PARLIAMENT

## Amendment 7

Article 2, paragraph 1, indent 3

- |                                                                                                                                                                                      |                                                                                                                                                                                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>— its activities must be in keeping with the principles underlying Community external relations action and take account of the priority areas identified in <b>Article 5</b>.</p> | <p>— its activities must be in keeping with the principles underlying Community external relations action and take account of the priority areas identified in <b>point 5 of the Annex</b>.</p> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## Amendment 16

Article 4, paragraph 1a (new)

**1a. Grants may be awarded under this action of the programme to support certain operational and administrative costs of bodies pursuing an aim of general European interest, acting in various geographical fields.**

**In order to award the grants, the Commission shall publish calls for proposals. However, the Commission may award these grants without publication of a call for proposals when the budget heading names a beneficiary explicitly. It may proceed in the same manner when the budget identifies beneficiaries and the amounts allocated to each of them, if the total amount of the budget line concerned is entirely pre-assigned by the budgetary authority. In both cases, all other requirements of the Financial Regulation, its Implementing Rules and the basic act shall apply.**

**The Commission may award grants to the bodies concerned upon receipt of an appropriate workplan and budget. Grants may be awarded on an annual basis or on a renewable basis pursuant to a framework partnership agreement with the Commission.**

**Grants awarded under this action shall not be subject to the principle of gradual reduction set out in Article 113(2) of the Financial Regulation.**

## Amendment 17

Article 4, paragraph 2

**2. Bodies entitled to receive such operating grants shall be selected following a call for proposals covering the full duration of the programme, with a view to establishing a partnership between these bodies and the European Union.**

Deleted

**On the basis of the call for proposals, the Commission shall adopt the list of recipients and the amounts approved in accordance with Article 116 of the Financial Regulation.**

## Amendment 10

Article 5

1. The operating grants awarded under this programme may not finance the body's entire eligible expenditure for the calendar year for which the grant is awarded.

1. The operating grants awarded under this programme may not finance the body's entire eligible expenditure for the calendar year for which the grant is awarded. **The principles of degressivity in real terms and cofinancing shall apply to all beneficiaries as indicated below:**



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TEXT PROPOSED  
BY THE COMMISSIONAMENDMENTS BY  
PARLIAMENT

2. The amount of an operating grant awarded may not exceed **70%** of the **organisation's** eligible expenditure for the calendar year for which the grant is awarded.

3. Pursuant to Article 113(2) of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002, where such operating grants are renewed, they shall be gradually decreased. If a grant is awarded to a body having already received an operating grant the preceding year, **the percentage of Community cofinancing represented by the new grant shall be at least 10 percentage points lower than the Community cofinancing percentage represented by the grant in the preceding year.**

2. The amount of an operating grant awarded **under the programme** may not exceed **80%** of the eligible expenditure **of the body** for the calendar year for which the grant is awarded.

3. Pursuant to Article 113(2) of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002, where such operating grants are renewed, they shall be gradually decreased **in real terms**. If a grant is awarded to a body having already received an operating grant the preceding year, **degressivity shall apply at a rate of 2,5 % from the third year onward.**

## Amendment 11

## Article 6, paragraph 1

1. This programme shall start on 1 January 2004 and end on 31 December **2006**.

1. This programme shall start on 1 January 2004 and end on 31 December **2008**.

## Amendment 12

## Article 6, paragraph 2a (new)

**2a. The appropriations scheduled after the year 2006 are subject to an agreement of the budgetary authority on the financial perspective beyond 2006.**

## Amendment 13

## Article 7

By 31 December **2005** at the latest the Commission shall report to the Council on the achievement of the objectives of the programme. The report shall be based on the results obtained by the beneficiaries and assess, in particular, their relevance, effectiveness and usefulness in achieving the objectives defined in Article 1 and the Annex.

By 31 December **2007** at the latest the Commission shall report **to the European Parliament and** to the Council on the achievement of the objectives of the programme. The report shall be based on the results obtained by the beneficiaries and assess, in particular, their relevance, effectiveness and usefulness in achieving the objectives defined in Article 1 and the Annex.

## Amendment 14

## Article 8

The principle of the gradual decrease of the rate of Community cofinancing provided for in Article 5 in the case of renewal of an operating grant to bodies having received such a grant for the same activities the year before the entry into force of this Decision and for the two preceding years shall apply only from the third year following the entry into force of this Decision.

The principle of the gradual decrease of the rate of Community cofinancing provided for in Article 5 in the case of renewal of an operating grant to bodies having received such a grant for the same activities the year before the entry into force of this Decision and for the two preceding years shall apply only from the third year following the entry into force of this Decision **provided that these bodies have fully satisfied all requirements regarding sound management.**

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TEXT PROPOSED  
BY THE COMMISSIONAMENDMENTS BY  
PARLIAMENT

Amendment 19

Annex, point 3

*Bodies entitled to receive an operating grant shall be selected on the basis of calls for proposals, as provided for in the Financial Regulation. These calls for proposals will be launched at the beginning of this programme in order to select the partners with which the European Union will implement it*

*In order to award the grants, the Commission shall publish calls for proposals. However, the Commission may award these grants without publication of a call for proposals when the budget heading names a beneficiary explicitly. It may proceed in the same manner when the budget identifies beneficiaries and the amounts allocated to each of them, if the total amount of the budget line concerned is entirely pre-assigned by the budgetary authority. In both cases, all other requirements of the Financial Regulation, its Implementing Rules and the basic act shall apply.*

Amendment 15

Annex, point 3, subparagraph 1a (new)

*The priority themes and types of activity of calls for proposals shall be communicated to the European Parliament before proceeding to the calls for proposal.*

P5\_TA(2003)0514

## Promoting European citizenship \*

**European Parliament legislative resolution on the proposal for a Council decision establishing a Community action programme to promote active European citizenship (civic participation) (COM(2003) 276 – C5-0321/2003 – 2003/0116(CNS))**

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2003) 276) <sup>(1)</sup>,
  - having regard to Article 308 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0321/2003),
  - having regard to Rule 67 of its Rules of Procedure,
  - having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs and the opinions of the Committee on Budgets, the Committee on Employment and Social Affairs and the Committee on Culture, Youth, Education, the Media and Sport (A5-0368/2003),
1. Approves the Commission proposal as amended;
  2. Considers that the financial statement of the Commission proposal is compatible with the ceiling of headings 3 and 5 of the financial perspectives 2000-2006;
  3. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;

<sup>(1)</sup> Not yet published in the OJ.

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4. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
5. Calls for initiation of the conciliation procedure under the Joint Declaration of 4 March 1975 if the Council intends to depart from the text approved by Parliament;
6. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
7. Instructs its President to forward its position to the Council and Commission.

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TEXT PROPOSED  
BY THE COMMISSION

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AMENDMENTS BY  
PARLIAMENT

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Amendment 1

*Recital 1*

(1) The Treaty establishes citizenship of the Union, which **complements and** does not replace national citizenship, and which is to be promoted with due regard for subsidiarity.

(1) The Treaty establishes citizenship of the Union, which does not replace national citizenship, **but, rather, complements and extends it by recognising a set of rights which are common to all European citizens**, and which is to be promoted with due regard for subsidiarity.

Amendment 2

*Recital 1a (new)*

**(1a) The establishment of European citizenship reflects the need felt by the new community of citizens to embody shared democratic values while also perceiving themselves as an integral part of the process of construction of the European Union.**

Amendment 3

*Recital 2*

(2) The Community and the Member States have as their objectives the promotion of employment, improved living and working conditions, proper social protection, the development of human resources with a view to **lasting high** employment and the combating of exclusion.

(2) The Community and the Member States have as their objectives the promotion of employment, improved living and working conditions, proper social protection, the development of human resources with a view to **full** employment and the combating of exclusion

Amendment 4

*Recital 3*

(3) Effective and uniform application of Community law is a new priority which is indispensable to the proper functioning of **the internal market**. Citizens, consumers and undertakings will be unable to assert all their rights under the Community legal order before any national court unless **judges** are sufficiently informed and trained in this regard. A common policy on the application of European law, including the case-law, is an essential part of the European Union's objective of gradually creating an area of freedom, security and justice.

(3) Effective and uniform application of Community law is a new priority which is indispensable to the proper functioning of **an area without internal frontiers**. Citizens, consumers and undertakings will be unable to assert all their rights under the Community legal order before any national court unless **members of the judiciary** are sufficiently informed and trained in this regard. A common policy on the application of European law, including the case-law, is an essential part of the European Union's objective of gradually creating an area of freedom, security and justice.

Thursday 20 November 2003

TEXT PROPOSED  
BY THE COMMISSIONAMENDMENTS BY  
PARLIAMENT

Amendment 5

Recital 8a (new)

*(8a) The democratic principle constitutes one of the cornerstones of the Community edifice. The draft treaty establishing a Constitution for Europe provides for a chapter on the democratic life of the Union. In accordance with Article 46 thereof, the institutions shall maintain an open, transparent and regular dialogue with representative associations and civil society.*

Amendment 6

Recital 10a (new)

*(10a) The International European Movement, consisting of more than 30 national sections and a large number of civil society associations, has been a major force behind European integration since 1948. It has thus been pursuing the general European interest uninterruptedly for the last 55 years.*

Amendment 51

Recital 10b (new)

*(10b) The Council has reaffirmed its belief in the need to continue supporting town twinning schemes, given the important role that they can play in promoting civic identity and mutual understanding between the peoples of Europe. In the context of the multi-annual programme, an appropriate budget for, and continued promotion of, town-twinning schemes should be guaranteed, as the European Parliament has insisted every year in the budgetary procedure. It is essential to make the application procedure for, and administration of, town-twinning schemes comprehensible and bring them closer to the citizens. The Commission must ensure that, pending the entry into force of the present Decision, current programmes such as, for instance, support for town-twinning schemes in the European Union, are safeguarded by putting project proposals out to tender in good time.*

Amendment 8

Recital 13

(13) Civil dialogue plays an essential part in promoting cooperation with civil society in the social field, **and was supported until 2001 under budgetary heading B3-4101**. Although the activities of the Platform of European Social non-governmental organisations were financed from 2001 to 2002 under heading B3-4105 for preparatory measures combating and preventing exclusion, and in 2003 by joint funding under headings B3-4105 and B5-803, they are much wider-ranging than these programmes and contribute to establishing the new form of governance advocated in the Social Policy Agenda adopted at Nice.

(13) Civil dialogue plays an essential part in promoting cooperation with civil society in the social field, **in particular with charitable associations. In Declaration 23 annexed to the final act of Maastricht, the Community stressed the importance of cooperation with charitable associations in pursuing the objectives of Article 136 of the Treaty**. Although the activities of the Platform of European Social non-governmental organisations **and charitable associations** were financed from 2001 to 2002 **under budgetary headings B3-410 and in particular B3-4105** for preparatory measures combating and preventing exclusion, and in 2003 by joint funding under

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headings B3-4105 and B5-803, they are much wider-ranging than these programmes and contribute to establishing the new form of governance advocated in the Social Policy Agenda adopted at Nice.

## Amendment 9

*Recital 15*

(15) Heading A-3016 of the general budget of the European *Communities* for the financial year 2003 and previous financial years provides support for the Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union. The Association's purpose is to promote exchanges of views and experience on matters concerning the case-law, organisation and functioning of its Members in the performance of their judicial and/or advisory functions. Its work is essential in order to **coordinate** and relay to the public the judicial decisions of the Councils of State with regard to Community law and to facilitate the pooling of methods of transposing and implementing European law at national level.

(15) Heading A-3016 of the general budget of the European *Union* for the financial year 2003 and previous financial years provides support for the Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union. The Association's purpose is to promote exchanges of views and experience on matters concerning the case-law, organisation and functioning of its Members in the performance of their judicial and/or advisory functions. Its work is essential in order to **facilitate coordination** and relay to the public the judicial decisions of the Councils of State **and Supreme Administrative Jurisdictions** with regard to Community law and to facilitate the pooling of methods of transposing and implementing European law at national level.

## Amendment 10

*Recital 15a (new)*

**(15a) Budget item B3-4002 of the general budget of the European Union for the financial year 2003 and previous financial years is for the purpose of financing information and education measures arising from the implementation of Community measures in connection with the development of the social dimension of the internal market, thereby contributing substantially to realising and transposing the European social agenda and raising the citizens' interest in the social dimension of the European internal market.**

## Amendment 11

*Recital 17*

(17) The European Parliament, the Council and the Commission undertook, at the time of the adoption of the Financial Regulation, to achieve the objective of ensuring that this basic act enters into force as from the financial year 2004.

(17) The European Parliament, the Council and the Commission undertook, at the time of the adoption of the Financial Regulation, to achieve the objective of ensuring that this basic act enters into force as from the financial year 2004 **taking into consideration the budgetary remarks in the context of implementation.**

## Amendment 12

*Recital 17a (new)*

**(17a) The new Member States can fully participate in the whole programme.**

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## Amendment 13

*Recital 18*

(18) Provision should be made for the geographic coverage of the programme to extend to the Member States, and possibly, in the case of certain actions, to the candidate countries and the EFTA/EEA countries.

(18) Provision should be made for the geographic coverage of the programme to extend to the Member States **and the new Member States**, and possibly, in the case of certain actions, to the candidate countries and the EFTA/EEA countries.

## Amendment 14

*Article 1 paragraph 1, subparagraph 1 and subparagraph 2, introduction*

1. This Decision establishes a Community action programme to support bodies working in the field of active European citizenship and to promote actions in this field.

1. This Decision establishes a Community action programme to support bodies working in the field of active European citizenship and to promote actions in this field. **The general objective of the programme shall be to reduce the democratic deficit in the European Union while increasing transparency.**

The programme shall have the following objectives:

The programme shall have the following **specific** objectives:

## Amendment 15

*Article 1, paragraph 1, subparagraph 2, point (a)*

(a) to promote the values and objectives of the European Union;

(a) to promote **and disseminate** the values and objectives of the European Union;

## Amendment 16

*Article 1, paragraph 1, subparagraph 2, point (c)*

(c) to involve citizens closely in reflection and discussion on the construction of the European Union;

(c) to involve citizens closely in reflection and discussion on the construction of the European Union **through the work of think tanks and research and academic institutions that positively promote and provide constructive critiques of the development of European integration;**

## Amendment 17

*Article 1, paragraph 1, subparagraph 2, point (ea) (new)*

**(ea) to strengthen the intermediate structures linking citizens with the European Union and its institutions, such as associations and federations of European interest, town-twinning schemes, NGOs and trade union organisations as well as academic and educational institutions.**

## Amendment 19

*Article 1, paragraph 1, subparagraph 2, point (eb) (new)*

**(eb) to promote the principle of participatory democracy, including the participation of women in decision-making.**

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## Amendment 20

## Article 1, paragraph 2

2. The activities supported by the programme seek to support the operation and to promote the actions of the bodies pursuing the programme's objectives in accordance with the criteria set out in **the Annex**.

2. The activities supported by the programme seek to support the operation and to promote the actions of the bodies pursuing the programme's objectives in accordance with the criteria set out in **Article 8a**.

## Amendment 21

## Article 2, paragraph 1

To be eligible for a Community grant for an action, bodies must satisfy the requirements set out in **the Annex**.

To be eligible for a Community grant for an action, bodies must satisfy the requirements set out in **Article 8a**.

## Amendment 22

## Article 2, paragraph 3

To be eligible for an operating grant for the ongoing work programme of a body pursuing an aim of general European interest in the field of active citizenship or an objective forming part of the European Union's policy in this area, bodies must satisfy the requirements of **the Annex** and be so structured as to accommodate actions having a potential impact throughout the European Union.

To be eligible for an operating grant for the ongoing work programme of a body pursuing an aim of general European interest in the field of active citizenship or an objective forming part of the European Union's policy in this area, bodies must satisfy the requirements of **Article 8a** and be so structured as to accommodate actions having a potential impact throughout the European Union.

## Amendment 23

## Article 4

**1. Operating grants for the ongoing work programme of a body pursuing an aim of general European interest in the field of active citizenship or an objective forming part of the European Union's policy in this area shall be awarded in accordance with the overall criteria laid down in the Annex.**

2. Grants for actions specified in the programme shall be awarded **in accordance with the overall criteria laid down in the Annex. Actions shall be selected** by means of a call for proposals.

**The programme shall cover three types of beneficiaries:**

**Part 1:** operating grants **shall be awarded directly to the beneficiaries referred to in point 2.1.1 of Article 8a without excluding any body on the basis of subjective criteria or because they approach the policies of the Union from differing but constructive perspectives;**

**Part 2:** operating grants **shall be awarded to the beneficiaries referred to in point 2.1.2 of Article 8a by means of a call for proposals and operating grants shall be awarded to the beneficiaries explicitly named in budget lines entirely pre-assigned by the budgetary authority;**

**Part 3:** grants for actions specified in the programme **under point 2.1.3 of Article 8a** shall be awarded by means of a call for proposals.

## Amendment 24

## Article 5

Grants under the different actions of the programme shall be awarded in compliance with the provisions set out in the relevant part of **the Annex**.

**1.** Grants under the different actions of the programme shall be awarded in compliance with the provisions set out in the relevant part of **Article 8a**.

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**1a. The principles of degressivity in real terms and cofinancing shall apply to all beneficiaries as follows:**

- **bodies identified by a basic act: at least 10 % of cofinancing, including by means of contributions in kind, with no degressivity;**
- **bodies explicitly named in the budget lines and bodies selected by calls for proposals: at least 20 % of cofinancing, including by means of contributions in kind, with a rate of degressivity of 2,5 % from the third year onwards.**

Amendment 25

Article 6

The annual appropriations shall be authorised by the budgetary authority within the limits of the financial perspective.

**1. The financial framework for the implementation of the programme for the period specified in Article 1(3) is EUR 149 192 300.**

**2. The annual appropriations shall be authorised by the budgetary authority within the limits of the financial perspective.**

**3. The 2004 budget shall serve as the basis for the level of appropriations set. The effects of enlargement must be taken into account.**

**4. The appropriations scheduled after the year 2006 shall be subject to an agreement of the budgetary authority on the financial perspective beyond 2006.**

Amendment 26

Article 7, paragraph –1 (new)

**(–1) The Commission shall present annually a short report on the implementation of the programme to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions.**

Amendment 27

Article 7, paragraph 1, subparagraph 1

1. No later than 31 December 2007, the Commission shall submit a report to the European Parliament **and** the Council on the achievement of the programme's objectives and shall, if appropriate, make proposals for any adjustment to be made with a view to continuing or not continuing the programme.

1. No later than 31 December 2007, the Commission shall submit a report to the European Parliament, the Council **and the national parliaments** on the achievement of the programme's objectives and shall, if appropriate, make proposals for any adjustment to be made with a view to continuing or not continuing the programme.

Amendment 28

Article 7, paragraph 1, subparagraph 2

This report shall be based, inter alia, on an external evaluation report which must be available no later than the end of 2006 and which must appraise at least the overall pertinence and coherence of the programme, the effectiveness of its execution

This report shall be based, inter alia, **on a consultation of the bodies supported by this programme and** on an external evaluation report which must be available no later than the end of 2006 and which must appraise at least the overall pertinence



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(preparation, selection, implementation of the actions) and the overall and individual effectiveness of the various actions in terms of achievement of the objectives as set out in Article 1 and in **the Annex**.

and coherence of the programme, the effectiveness of its execution (preparation, selection, implementation of the actions) and the overall and individual effectiveness of the various actions in terms of achievement of the objectives as set out in Article 1 and in **Article 8a. The Commission shall forward the external evaluation report to the European Parliament and the Council.**

## Amendment 29

## Article 7, paragraph 2, subparagraph 2

No later than 31 December 2009, the Commission shall present to the European Parliament and the Council a report on the achievement of the programme's objectives. This report shall be based, inter alia, on the outcome of the external evaluation and shall assess the results obtained by the beneficiaries of the programme, in particular as regards the effectiveness and efficiency of their actions, considered overall and individually, in achieving the objectives set out in Article 1 and in **the Annex**.

No later than 31 December 2009, the Commission shall present to the European Parliament and the Council a report on the achievement of the programme's objectives. This report shall be based, inter alia, on the outcome of the external evaluation and shall assess the results obtained by the beneficiaries of the programme, in particular as regards the effectiveness and efficiency of their actions, considered overall and individually, in achieving the objectives set out in Article 1 and in **Article 8a**.

## Amendment 30

## Annex, title

## ANNEX

## Article 8a

## Amendment 31

## Annex, point 1, paragraph 6

The purpose of the Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union is to **coordinate** and relay to the public the judicial decisions of the Councils of State with regard to Community law and to facilitate the pooling of methods of transposing and implementing European law at national level.

The purpose of the Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union is to **facilitate coordination** and relay to the public the judicial decisions of the Councils of State **and Supreme Administrative Jurisdictions** with regard to Community law and to facilitate the pooling of methods of transposing and implementing European law at national level.

## Amendment 32

## Annex, point 2.1.1., introduction

2.1.1. Part 1: permanent work programmes of the **following** bodies pursuing an aim of general European interest in the field of active European citizenship:

2.1.1. Part 1: permanent work programmes of the bodies pursuing an aim of general European interest in the field of active European citizenship, **in a non-exhaustive list including:**

## Amendment 33

## Annex, point 2.1.1., indent 6a (new)

— **Council of European Municipalities and Regions (CEMR)**

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## Amendment 34

*Annex, point 2.1.1, indent 6b (new)*

- **International European Movement**

## Amendment 35

*Annex, point 2.1.1, indent 6c (new)*

- **Venice Commission (Council of Europe). Promotion of initiatives aimed at strengthening relations between constitutional courts and European courts (seminars and action to promote the interoperability of databases and documentation centres dealing with constitutional case-law of interest to the European Union);**

## Amendment 36

*Annex, point 2.1.1., indent 6d (new)*

- **Conference of Community and European Affairs Committees (COSAC) – creation of an ‘Interparliamentary Agora’ website**

## Amendment 37

*Annex, point 2.1.1., indent 6e and 6f (new)*

- **European Judicial Training Network;**
- **International Federation of Europe Houses (FIME);**

## Amendment 38

*Annex, point 2.1.1.a. (new)*

- 2.1.1.a. The bodies shall be subject to periodic review.**

## Amendment 39

*Annex, point 2.1.2., indent 2*

- **a European multiplier network of** non-profit bodies active in the states participating in the programme and promoting the principles and policies contributing to the objectives in this area;
- non-profit bodies **with a multiplier effect** active in the states participating in the programme and promoting the principles and policies contributing to the objectives in this area;

## Amendment 40

*Annex, point 2.1.3. point (a)*

- (a) actions in the field of active European citizenship, conducted in particular by non-governmental organisations, associations and federations of European interest or cross-industry trade unions; by way of derogation from Article 114 of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002, cross-industry trade unions participating in the European social dialogue are eligible under this part even if they do not have legal personality;
- (a) actions in the field of active European citizenship, conducted in particular by non-governmental organisations, **the media**, associations and federations of European interest or cross-industry trade unions; by way of derogation from Article 114 of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002, cross-industry trade unions participating in the European social dialogue are eligible under this part even if they do not have legal personality;

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## Amendment 41

Annex, point 2.1.3.a. (new)

**2.1.3.a. Part 4: Innovative actions**

*Any innovative action promoting the concept of civic participation in the broad sense that cannot be financed by other parts of the programme.*

## Amendment 42

Annex, point 2.1.3.b. (new)

**2.1.3.b. Part 5: INFO-POINTS EUROPE (IPE) and carrefours: permanent work programme of INFO-POINTS EUROPE (IPE) and Carrefours**

*INFO-POINTS EUROPE and Carrefours are EU information points. Their aim is to make information about the EU accessible to the general public in the context of greater proximity to citizens and to increase citizens' involvement in European integration. The specific feature of Carrefours is that they are located in rural areas and pay particular attention to rural development.*

*IPes/Carrefours are established with a promoter who is responsible for running them either alone or in partnership.*

**Mission of IPes/Carrefours**

*IPes/Carrefours are intended to carry out a fourfold mission:*

- 1. They supply the public with basic information about the European Union, its policies and programmes;*
- 2. They help in disseminating information (answering questions) and make it possible to view official papers (documents and/or publications of EU bodies);*
- 3. Where appropriate, they point to other, more suitable sources of information. To this end, they cooperate closely with other EU liaison offices at regional level, thereby enhancing their work;*
- 4. They take part in the debate on the European Union by organising seminars, meetings, discussions, etc. (in conjunction with other European liaison offices and regional information networks).*

## Amendment 43

Annex, point 2.2., indent 2a (new)

- resources to be committed under part 4 of the programme shall not be less than 5 % of the annual budget available for this programme.*

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## Amendment 44

Annex, point 3.1.a. (new)

**3.1.a The Commission shall inform the European Parliament of its intention to proceed with a call for proposals, stating its priorities, if any, as regards the themes and kinds of activities envisaged.**

## Amendment 45

Annex, point 3.2.

3.2. The bodies receiving grants under **part 3** of the programme shall be selected on the basis of calls for proposals. As regards cross-industry trade unions participating in the European social dialogue, the call for proposals may take the form of a restricted invitation.

3.2. The bodies receiving grants under **parts 3, 4 and 5** of the programme shall be selected on the basis of calls for proposals. **The Commission shall ensure that the calls for proposals are 'customer friendly' and does not represent an insurmountable bureaucratic burden. Wherever appropriate the calls for proposals shall be organised in two steps with the first step requiring only the submission of limited documentation strictly necessary for the assessment of the proposal.** As regards cross-industry trade unions participating in the European social dialogue, the call for proposals may take the form of a restricted invitation.

## Amendment 46

Annex, point 6

**In the light of a cost/benefit analysis, the Commission may decide to entrust all or part of the tasks of managing the programme to an executive agency, in conformity with Article 55 of the Financial Regulation applicable to the general budget of the European Communities; it may also have recourse to experts and incur any other expenditure on technical and administrative assistance, not involving the exercise of public authority, outsourced under ad hoc service contracts. It may also finance studies and organise meetings of experts likely to facilitate the implementation of the programme, and undertake information, publication and dissemination actions directly linked to the achievement of the programme's objective.**

Deleted

## Amendment 47

Annex, point 6, paragraph 1a (new)

**The Commission shall have a regular exchange of views with representatives of current and potential beneficiaries of the action programme on the design, implementation and follow-up of the programme.**

## Amendment 48

Annex, point 6a (new)

**6a. Acknowledgement of funding**

**Any body or activity receiving a grant from this programme must acknowledge the support received from the European Union. To this end the Commission shall lay down detailed visibility guidelines.**

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PARLIAMENTAmendment 49  
*Annex point 6b (new)***6b. Dissemination of results*****In order to facilitate the dissemination of results as many of the products as possible financed by this programme shall be made available electronically free of charge.***Amendment 50  
*Annex, point 7.5a (new)****7.5a. Bodies benefiting from an operating grant under this Decision may participate in calls for proposals for other programmes and projects. They shall not, however, receive any preferential treatment over organisations not funded under the general budget of the European Union.***

P5\_TA(2003)0515

**Stockholm Convention on Persistent Organic Pollutants \*****European Parliament legislative resolution on the proposal for a Council decision concerning the conclusion, on behalf of the European Community, of the Stockholm Convention on Persistent Organic Pollutants (COM(2003) 331 – C5-0315/2003 – 2003/0118(CNS))**

(Consultation procedure)

*The European Parliament,*

- having regard to the proposal for a Council decision (COM(2003) 331) <sup>(1)</sup>,
- having regard to the conclusion, on behalf of the European Community, of the Stockholm Convention on Persistent Organic Pollutants,
- having regard to Articles 95(1), 175(1) and 300(2), first subparagraph of the EC Treaty,
- having regard to Article 300(3), first subparagraph, of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0315/2003),
- having regard to the opinion of the Committee on Legal Affairs and the Internal Market on the proposed legal basis,
- having regard to Rules 63, 67 and 97(7) of its Rules of Procedure,
- having regard to the report of the Committee on the Environment, Public Health and Consumer Policy (A5-0371/2003),

1. Approves the proposal for a Council decision as amended and approves conclusion of the Convention;

2. Instructs its President to forward its position to the Council and Commission, the governments and parliaments of the Member States and the Secretary General of the United Nations.

<sup>(1)</sup> Not yet published in the OJ.

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TEXT PROPOSED  
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## Amendment 1

## Citation 1

Having regard to the Treaty establishing the European Community, and in particular **Article 95(1) and** Article 175(1), in conjunction with Article 300(2), first sentence of the first subparagraph and Article 300(3), first subparagraph thereof,

Having regard to the Treaty establishing the European Community, and in particular Article 175(1), in conjunction with Article 300(2), first sentence of the first subparagraph and Article 300(3), first subparagraph thereof,

## Amendment 2

## Recital 8

(8) **While** the provisions of the Convention concern environmental protection, **certain provisions on the control of intentional production and use of chemicals, are also relevant to the functioning of the internal market. Consequently,** it is appropriate to choose **Articles** 175(1) **and 95(1)** as the legal basis, in conjunction with Article 300.

(8) **As most of** the provisions of the Convention concern environmental protection **and the protection of human health,** it is appropriate to choose **Article** 175(1) as the legal basis, in conjunction with Article 300.

## Amendment 3

## Recital 10

(10) **The Convention foresees that Parties submit proposals to the Secretariat of the Convention for listing additional substances in Annexes A, B or C. As these proposals may affect relevant Community legislation and as it is necessary to ensure that proposals are justified and have sufficient support in the Community, only joint proposals by the Community and the Member States should be submitted to the Secretariat. When preparing draft proposals, due account of Annex D to the Stockholm Convention should be taken.**

**Deleted**

## Amendment 4

## Article 2

## Article 2

**Proposals to amend Annexes A, B and C to the Convention shall only be made, on behalf of the Community and the Member States, by the Commission following a Council Decision to be adopted by qualified majority on a proposal from the Commission**

**Deleted**

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P5\_TA(2003)0516

**Protocol on Long Range Transboundary Air Pollution \***

**European Parliament legislative resolution on the proposal for a Council decision concerning the conclusion, on behalf of the European Community, of the 1998 Protocol to the 1979 Convention on Long Range Transboundary Air Pollution on Persistent Organic Pollutants (COM(2003) 332 – C5-0318/2003 – 2003/0117(CNS))**

(Consultation procedure)

*The European Parliament,*

- having regard to the proposal for a Council decision (COM(2003) 332) <sup>(1)</sup>,
- having regard to the conclusion, on behalf of the European Community, of the 1998 Protocol to the 1979 Convention on Long Range Transboundary Air Pollution on Persistent Organic Pollutants,
- having regard to Articles 95(1), 175(1) and 300(2), first subparagraph, of the EC Treaty,
- having regard to Article 300(3), first subparagraph, of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0318/2003),
- having regard to the opinion of the Committee on Legal Affairs and the Internal Market on the proposed legal basis,
- having regard to Rules 63, 67 and 97(7) of its Rules of Procedure,
- having regard to the report of the Committee on the Environment, Public Health and Consumer Policy (A5-0372/2003),

1. Approves the proposal for a Council decision as amended and approves conclusion of the Protocol;
2. Instructs its President to forward its position to the Council and Commission, and the governments and parliaments of the Member States and the Secretary General of the United Nations.

TEXT PROPOSED  
BY THE COMMISSION

AMENDMENTS BY  
PARLIAMENT

## Amendment 1

*Citation 1*

Having regard to the Treaty establishing the European Community, and in particular **Article 95(1) and** Article 175(1), in conjunction with Article 300(2), first sentence of the first subparagraph and Article 300(3), first subparagraph thereof,

Having regard to the Treaty establishing the European Community, and in particular Article 175(1), in conjunction with Article 300(2), first sentence of the first subparagraph and Article 300(3), first subparagraph thereof,

## Amendment 2

*Recital 6*

(6) **While** the provisions of the Protocol concern environmental protection, **certain provisions on the control of intentional production and use of chemicals, are also relevant to the functioning of the internal market. Consequently,** it is appropriate to choose **Articles 175(1) and 95(1)** as the legal basis, in conjunction with Article 300.

(6) **As most of** the provisions of the Protocol concern environmental protection **and the protection of human health,** it is appropriate to choose **Article 175(1)** as the legal basis, in conjunction with Article 300.

<sup>(1)</sup> Not yet published in the OJ.

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Amendment 3

Recital 8

*(8) The Protocol foresees that Parties submit proposals to the Secretariat of the Protocol for listing additional substances in Annexes I, II or III. As these proposals may affect relevant Community legislation and as it is necessary to ensure that proposals are justified and have sufficient support in the Community, only joint proposals by the Community and the Member States should be submitted to the Secretariat. When preparing draft proposals, due account of the Decision 1998/2 of the Executive Body for the Convention on Long-Range Transboundary Air Pollution should be taken.*

*Deleted*

Amendment 4

Article 3

Article 3

*Deleted*

*Proposals to amend Annexes I, II and III to the Protocol shall only be made, on behalf of the European Community and the Member States, by the Commission following a Council Decision adopted by qualified majority on a proposal from the Commission.*

P5\_TA(2003)0517

## Financial provisions of the draft Treaty establishing a constitution for Europe

### European Parliament resolution on the financial provisions in the draft Treaty establishing a Constitution for Europe

*The European Parliament,*

- having regard to the 1975 Brussels Treaty,
- having regard to Part Five, Title II, of the EC Treaty and, in particular, Articles 269 and 272 thereof,
- having regard to the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission on budgetary discipline and the improvement of the budgetary procedure <sup>(1)</sup>,
- having regard to its resolutions of 11 March 2003 on reform of the budgetary procedure: possible options in view of the revision of the treaties <sup>(2)</sup> and of 24 September 2003 on the draft Treaty establishing a Constitution for Europe and the European Parliament's opinion on the convening of the Intergovernmental conference (IGC) <sup>(3)</sup>,
- having regard to the draft Treaty establishing a Constitution for Europe of 18 July 2003 <sup>(4)</sup>, in particular the financial provisions thereof,
- having regard to Rules 37 and 42 of its Rules of Procedure,

<sup>(1)</sup> OJ C 172, 18.6.1999, p. 1.

<sup>(2)</sup> P5\_TA(2003)0081.

<sup>(3)</sup> P5\_TA(2003)0407.

<sup>(4)</sup> OJ C 169, 18.7.2003, p. 1.



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- A. whereas the budgetary powers granted to the European Union by the EC Treaty have, since the entry into force of the 1975 Brussels Treaty, been based on an institutional balance between the European Parliament and the Council of Ministers guaranteeing that the interests of European citizens and also those of national governments are reflected in the budget,
  - B. whereas this dual system, created in 1975, and the introduction of the financial perspective in 1988, together with budgetary discipline, have ensured the financing of the Union's activities through the adoption of annual budgets that continue to remain far below the ceiling of own resources,
  - C. whereas the own resources ceiling of 1,24 % of Gross National Income would allow for payment appropriations in 2003 to the amount of EUR 118,8 billion and whereas the European Parliament adopted payment appropriations for the 2003 budget amounting to EUR 97,5 billion, thus leaving a margin of EUR 21,3 billion under the own resources ceiling,
  - D. whereas the draft Treaty establishing a Constitution for Europe is the result of a long and democratic process launched to allow the enlarged Union to function with the heritage of the past and which fully involved both governments and European and national Parliaments,
- 1. Supports the financial provisions laid down in the draft Treaty establishing a Constitution for Europe of 18 July 2003 despite being aware that it does not preserve the current balance of powers between the European Parliament and the Council as the two arms of the budgetary authority, which ensures democratic control over the authorisation of expenditure;
  - 2. Considers that the consensus reached by the European Convention leaves the final decision on own resources to the Member States, the final decision on the multiannual financial framework now included in the Treaty, after conciliation with, and consent of, the European Parliament, to the Council, and the final say on the annual budget to Parliament, and finally simplifies the budgetary procedure;
  - 3. Recalls the significant concessions the Parliament has accepted, in particular to insert the new multiannual financial framework into the Constitution and to fully leave the final decision on own resources to the Member States meeting in Council;
  - 4. Condemns forcefully the suggestions regarding modifications to the financial provisions in the draft Treaty establishing the Constitution for Europe, discussed at the informal Ecofin Council in Stresa and at the Intergovernmental Conference;
  - 5. Underlines that such suggestions would represent a major and unacceptable step backwards compared not only to the draft Treaty but even to the current situation, and would radically modify the global institutional balance by reversing the budgetary powers in favour of the Council;
  - 6. Calls on the Member States to consider that any attempt to reduce the powers vested in Parliament as an arm of the budgetary authority would result in creating a serious democratic deficit in the functioning of the Union;
  - 7. Instructs its President to forward this resolution to the Italian Presidency, the Council, the Commission, the national parliaments and the Intergovernmental Conference.
-

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## Euromed

### European Parliament resolution on Euromed

*The European Parliament,*

- having regard to the Barcelona Declaration and the work programme of 28 November 1995 adopted at the Barcelona Conference,
  - having regard to its earlier resolutions on Mediterranean policy, with particular reference to that of 11 April 2002 <sup>(1)</sup> on the meeting of Euro-Mediterranean Foreign Ministers in Valencia on 22/23 April 2002,
  - having regard to the Communication from the Commission to the Council and the European Parliament to prepare the VI Meeting of Euro-Mediterranean Ministers of Foreign Affairs, Naples, 2/3 December 2003 (Barcelona VI) (COM(2003) 610),
  - having regard to the Communication of 11 March 2003 from the Commission to the Council and the European Parliament on 'Wider Europe — Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours' (COM(2003) 104),
  - having regard to its resolution of 23 October 2003 on peace and dignity in the Middle East <sup>(2)</sup>,
  - having regard to its resolution of 20 November 2003 <sup>(3)</sup> on the abovementioned Communication of 11 March 2003,
  - having regard to the Communication of 21 May 2003 from the Commission to the Council and the European Parliament on 'Reinvigorating EU actions on human rights and democratisation with Mediterranean partners' (COM(2003) 294),
  - having regard to Rule 37(4) of its Rules of Procedure,
- A. whereas the new neighbourhood policy will contribute in particular to a strengthening of EU relations with the Mediterranean countries at a time when the Union is preparing itself for enlargement to include ten new Member States,
- B. whereas the absence of any solution to the Israeli-Palestinian conflict is continuing to undermine the development of the Barcelona Process,
- C. whereas Euro-Mediterranean parliamentary dialogue initially took place within a parliamentary forum bringing together members of parliament from the EU Member States and the Mediterranean partner countries and whereas the forum's conversion into a parliamentary assembly (EMPA) forms part of the action programme of the VIth Meeting of Euro-Mediterranean Ministers of Foreign Affairs to be held on 2/3 December 2003 in Naples,
- D. whereas, on the one hand, the process marks a turning point in EU action in the region, but, on the other, an overall assessment of EU policy in the Mediterranean thus far reveals shortcomings in relation to the promotion of civil society, respect for human rights, the establishment of common security mechanisms and the development of free trade,
- E. whereas in a number of partner countries women have unfortunately yet to be actively involved in social and political life,

<sup>(1)</sup> OJ C 127 E, 29.5.2003, p. 644.

<sup>(2)</sup> P5\_TA(2003)0462.

<sup>(3)</sup> P5\_TA-PROV(2003)0520.

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1. Reaffirms the need to ensure, through dialogue, a mutual awareness and understanding of genuinely equitable cooperation in the Euro-Mediterranean area with a view to strengthening the rule of law and democracy, improving its inhabitants' living conditions and maintaining peace;
2. Is strongly in favour of closer parliamentary cooperation and calls on all the Member States to help step up Euro-Mediterranean parliamentary dialogue; advocates the establishment of the EMPA, which is the most suitable instrument for this purpose, and calls for the Ministerial Conference in Naples to approve the conversion of the Euro-Mediterranean Parliamentary Forum into a parliamentary assembly with consultative powers;
3. Takes the view that one of the tasks of the future EMPA will be to monitor, assess and participate in the smooth functioning of the Euro-Mediterranean partnership, to promote the proper implementation of the association agreements concluded between the European Union and the Mediterranean partner countries, and to adopt recommendations to be addressed to the Interministerial Conference with a view to achieving the objectives of the Euro-Mediterranean partnership; stresses the need to step up political dialogue;
4. Emphasises the urgent need for the cycle of violence afflicting the Middle East to be brought to an end by means of full implementation of the road map and achievement of the goal of 'two peoples, two states'; restates its support for those in Israel and Palestine who are working for a fair settlement to the conflict, and for the Peace Coalition that drew up the Geneva Agreement; considers the establishment of a climate of trust between Israelis, Palestinians and the Arab peoples to be of the utmost importance to Euro-Mediterranean relations;
5. Restates the view that each party to the Barcelona Process must first and foremost work to promote democracy and the rule of law and respect for human rights, particularly women's rights; places special emphasis on compliance with the provisions set out in the democratic clauses contained in the Euro-Mediterranean association agreements;
6. Hopes that the 'New Neighbourhood Policy' and the Communication entitled 'EU-Mediterranean Region: human rights and democracy' will result in a clarification of that aspect and calls on the Council to lay down clear benchmarks in the Action Plans so as to establish a specific and constructive dialogue with the partner countries in this field;
7. Calls on the Commission, the Council and partner countries to place these issues high on the agenda during the Association Council meetings, with a view to bringing about a real step forward on the basis of annual reports;
8. Maintains that civil society should be given a central role in the partnership and calls for the implementation of policies aimed at creating a rich social fabric;
9. Reaffirms its opposition to the use of capital punishment and calls on the Mediterranean associate countries to place a moratorium on executions; calls furthermore on the Commission to take action in support of campaigns for a moratorium on executions;
10. Deplores the obstacles to the independence of the judiciary and freedom of the media in several partner countries; in this connection, expresses its solidarity in particular with the lawyer Radhia Nasraoui, who has been on hunger strike since 15 October 2003, and Ali Lmrabet, detained as a prisoner of conscience since July 2003, and calls on the relevant authorities to give favourable consideration to their cases;
11. Emphasises that responsibility for the allocation of funds to NGOs as part of the European Initiative for Democracy and Human Rights lies solely with the Commission, and is concerned, in this respect, at the Tunisian authorities' decision to freeze funds allocated by the Commission to the Tunisian Human Rights League, in contravention of the EU-Tunisia Association Agreement;
12. Reaffirms the need for mutually supportive cooperation between both shores of the Mediterranean in the fight against terrorism and organised crime at world level; stresses, however, that such action must not in any way undermine respect for the rule of law and human rights;

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13. Calls on the host countries to introduce structured integration measures capable of establishing a strong link between immigration policy and cooperation and development aid policy; reiterates that priority should be given to combating illegal immigration and the mafia-type organisations which encourage it, always bearing in mind the principle of shared responsibility and solidarity between the Mediterranean partner countries; expresses in this regard its concern for the tragedies that occur almost daily in the southern Mediterranean region, specifically in the Spanish coastal region of Andalusia and in certain areas along the southern Italian coast; considers that the Euro-Mediterranean partnership should improve the management of migration flows and border controls and promote efforts with regard to readmission to countries of origin and transit, as well as the provision of the necessary technical and financial assistance;

14. Calls for the Euromed partnership to be geared to implementing a policy of economic openness and internal liberalisation in the partner countries, together with a sustainable endogenous development policy geared to the needs of Mediterranean countries;

15. Reaffirms the need to encourage the further spread of the South-South cooperation process along the lines of the Agadir agreement, since this is the only means of building a free-trade area; draws attention, in this connection, to the important role played by cross-border projects in enhancing and stepping up regional cooperation;

16. Calls for the section of the European Investment Bank dealing with the Mediterranean and the Middle East to be expanded into a branch capable of meeting the objectives laid down in the new strategy, with financial assistance from other Mediterranean countries;

17. Calls on the Council to ensure that the Valencia Ministerial Conference decisions on the establishment of a Euro-Mediterranean Foundation to promote further dialogue between cultures and civilisations are acted upon, that an operational decision is taken thereon at the Naples Ministerial Conference and that the requisite financial resources are allocated to the foundation;

18. Hopes that, through the streamlining of procedures, the new MEDA regulation will enable projects to be implemented, lead to greater decentralisation and facilitate local partners' access to funds; calls on the Commission to verify whether the revision meets real needs;

19. Hopes to see swifter ratification of the association agreements signed between individual Mediterranean countries and the EU and encourages the conclusion of the agreement with Syria as soon as possible, whilst reminding the Syrian authorities of the need to launch internal and external political reforms, and expresses the desire on the part of the national and European parliaments to participate fully in establishing the objectives and evaluating the agreements;

20. Notes with satisfaction the recent positive steps undertaken by Libya with regard to payment of compensation and cooperation in the fight against terrorism which led to the lifting of UN sanctions; insists that Libya and Mauritania should participate fully in the Barcelona Process and accept its principles, and calls on the Mediterranean associated countries which have so far stood aside from interparliamentary dialogue to reconsider their position; calls on the Commission to envisage implementing cooperation projects with Libya, once that country has accepted the principles of the Barcelona Process;

21. Calls on the Commission and the Council to instigate an in-depth debate exploring the prospects for a multi-dimensional Euro-Mediterranean agricultural system geared to product complementarity, sustainable development and the environment;

22. Calls on the Euro-Mediterranean Foreign Ministers actively to work towards a settlement of the conflict in the Western Sahara through the implementation of the United Nations peace plan;

23. Instructs its President to forward this resolution to the Council and Commission, and to the governments and parliaments of the Member States and the Mediterranean partner countries signatory to the Barcelona Declaration.

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**P5\_TA(2003)0519****EU-Russia summit****European Parliament resolution on the 12th EU-Russia Summit held on 6 November 2003 in Rome***The European Parliament,*

- having regard to its previous resolutions on Russia,
  - having regard to the Partnership and Cooperation Agreement between the EU and Russia, which entered into force on 1 December 1997,
  - having regard to the Common Strategy of the EU on Russia of 4 June 1999, the period of application of which has been extended to 24 June 2004,
  - having regard to its resolutions of 10 April 2002 <sup>(1)</sup>, 16 January 2003 <sup>(2)</sup> and 3 July 2003 <sup>(3)</sup> on Chechnya,
  - having regard to its resolution of 15 May 2003 on the EU-Russia Summit <sup>(4)</sup>,
  - having regard to the Commission Communication to the Council and European Parliament of 11 March 2003 entitled 'Wider Europe – Neighbourhood: a new framework for relations with our eastern and southern neighbours' (COM(2003) 104),
  - having regard to the sixth meeting of the Cooperation Council between the EU and Russia, held on 15 April 2003,
  - having regard to the Joint Statement of the 12th EU-Russia Summit, which took place in Rome on 6 November 2003,
  - having regard to its resolution of 20 November 2003 <sup>(5)</sup> on the abovementioned communication of 11 March 2003,
  - having regard to the Council Presidency Declaration of 8 October 2003 and the General Affairs Council statement of 17 November 2003,
- A. whereas enhanced and comprehensive cooperation with Russia is of strategic importance for the achievement of stability and security for the whole of Europe,
- B. whereas enlargement will extend the border of the EU with Russia, thereby strengthening the ties between the two sides and underlining the need for good-neighbourly relations,
- C. whereas the foundations of the EU's Russian policy, notably the PCA, the Common Strategy and the TACIS programme, were laid a number of years ago and must be updated,
- D. whereas the PCA is still largely underused, in particular by the Russian side, where lengthy decision-making procedures concerning responsibilities within the Russian Government hamper the full use of the agreement's potential,
- E. whereas further development of the democratic process in Russia, especially in the field of free and fair elections, freedom of information, the media and the rule of law, and Russia's integration in more comprehensive political, economic, scientific and security structures constitute interrelated processes,
- F. whereas the crisis in Chechnya is ongoing and human rights abuses linked to Russian security forces and troops reportedly under the control of the newly elected Chechen president are continuing and increasingly spreading to the neighbouring republic of Ingushetia; whereas, at the same time, unacceptable acts of violence and terrorism, reportedly by Chechen fighters, against Russian troops, members of the Chechen administration, the unarmed civilian population and people linked to President Akhmed Kadyrov have also continued,

<sup>(1)</sup> OJ C 127 E, 29.5.2003, p. 585.

<sup>(2)</sup> P5\_TA(2003)0025.

<sup>(3)</sup> P5\_TA(2003)0335.

<sup>(4)</sup> P5\_TA(2003)0219.

<sup>(5)</sup> P5\_TA-PROV(2003)0520.

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- G. whereas the responsibility of the EU to play a primary role on the international scene is not met if it turns a blind eye to this conflict,
- H. having regard to recent non-transparent actions of the Russian judiciary, as in the cases of Yukos and the Open Society Institute,
1. Takes note of the agreement reached at the summit to reinforce the strategic partnership between the EU and Russia on the basis of common values and with the aim of consolidating stability, security and prosperity in a Europe without dividing lines; underlines, however, with reference to its double-track policy towards Russia, that the understanding and definition of these common values should be sharpened;
  2. Welcomes the commitment to promote further rapprochement and comprehensive integration of social and economic structures of the enlarged EU and Russia, to create 'common spaces' between both sides and to launch the work of the EU-Russia Permanent Partnership Council;
  3. Welcomes, in particular, the endorsement of the concept of a Common European Economic Space, which offers a blueprint for economic integration, and calls upon both sides to continue this work with a view to presenting proposals on how to promote trade and investment and to achieving tangible results as early as possible;
  4. Recognises the desirability of strengthening the long-term energy relations between the EU and Russia in order to ensure mutual energy security and welcomes the progress achieved in the ongoing energy dialogue aimed at establishing an energy partnership between Russia and the EU as an integral part of the Common European Economic Space; recognises Russia's important role as energy supplier for the EU and the EU's importance for investments in this field, with particular reference to urgently needed maintenance as well as investment in new, environmentally more reliable techniques;
  5. Welcomes the agreement to take forward work to create a common space of freedom, security and justice emphasising common democratic values, in particular respect for human rights and the rule of law; recalls in this context the need for fair, transparent, non-discriminatory and proportional application of the law by the Russian authorities and especially by the judiciary; considers that defendants must be granted due process so that they have a chance of defending themselves;
  6. Invites the Council and the Commission, in this context, to continue to support the democratic process and especially the implementation of judicial reforms in Russia since failure to respect these key principles would not only undermine the progress made in Russia to create a positive environment for the development of trade and investment by Russian and foreign companies but could also hold back Russia's integration into a Common European Economic Space;
  7. Welcomes the renewal of the Agreement on Science and Technology Cooperation as well as Russian participation in the Bologna process, which provides for mutual recognition of diplomas; stresses, in particular, that this agreement will enable Russian scientists to take part in the EU's sixth research and development framework programme; calls on both sides to adopt special programmes aimed at promoting their cooperation in the fields of high-tech and scientific research, including the aircraft-building industry, space exploration, nuclear energy, telecommunications and the pan-European transport system;
  8. Welcomes the setting-up of a common space of external security as well as the high degree of mutual understanding in regard to a number of acute international issues and the central role of the UN in world affairs; joins both sides in condemning all acts of terror and in stressing the importance of international cooperation to combat terrorism in all its forms;
  9. Expresses in this context its deep concern about continuing reports of grave human rights abuses in Chechnya and urges the Russian authorities to allow unfettered international human rights monitoring in the republic, to immediately halt attempts by the Russian authorities to forcibly return Chechen internally

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displaced persons and refugees until they can return voluntarily in safety and dignity to their place of origin or choice, to ensure immediate action to bring to justice those responsible for grave abuses committed during the conflict in Chechnya, and to provide concrete information about all criminal investigations into alleged crimes which may amount to human rights violations or violations of international humanitarian law;

10. Calls also on the Council and the Commission to express their concern, once again, on the case of kidnapped Dutch 'Médecins sans frontières' aid worker Arjan Erkel;

11. Welcomes the decision of a British court to refuse the extradition of the Chechen leader Akhmed Zakhaiev requested by the Russian authorities;

12. Supports the statement made by its President on the inadequate handling of the Chechnya and Kyoto issues in the Summit's joint statement;

13. Deplores the declarations made by the President-in-Office of Council at the end of the EU-Russia Summit, in which he expressed his support for the Russian Government's position concerning the human rights situation in Chechnya and the state of democracy in the Russian Federation;

14. Urges the Council and Commission to keep the issue of Chechnya as a separate item high on the agenda of EU-Russia relations and to reiterate once again to the Russian authorities the call for the resumption of negotiations with all the parties, in order to achieve an immediate political solution to the conflict, which cannot be considered solely as part of the fight against terrorism, making clear the EU's willingness to act as a mediator;

15. Recalls that a political solution to the Transdnistria problem is only possible if combined with full withdrawal of Russian troops from Moldova, and urges Russia to honour its international obligations and withdraw its troops in accordance with the timetable laid down at the OSCE meetings in Istanbul and Porto;

16. Welcomes the agreement to strengthen the dialogue on non-proliferation, disarmament and arms control and coordination of activities within existing international mechanisms; reiterates the importance of nuclear and chemical disarmament for the non-proliferation system and invites Russia and the Member States to play a leading role in these areas;

17. Welcomes the signing of the agreement between the Russian Federation and Europol and looks to Russia to quickly conclude negotiations on an EU-Russia Readmission Agreement, to step up work against organised crime and to promote cooperation on border management;

18. Notes with satisfaction the commitment to implement as soon as possible and in full the package on Kaliningrad, including the launch of a high-speed train feasibility study before the end of 2003 and its timely completion; welcomes the entry into force of the Russian-Lithuanian border agreement and calls upon Russia to sign and ratify its border agreements with Estonia and Latvia;

19. Remains convinced that it is possible and desirable to work towards Russia's speedy accession to the WTO and calls upon both sides to intensify their work and to resolve the outstanding issues for conclusion of bilateral market access and FDI protection negotiations on Russia's WTO accession, while ensuring mutually acceptable and commercially viable terms;

20. Deplores the fact that the Summit involved no discussions on the environment issues where EU and Russia share responsibility; states that one of the issues that should have been given high priority is the environmental threat to the Baltic Sea;

21. Stresses the importance of Russia's ratification and observance of the Espo Convention on Environmental Assessment in a Transboundary Context in order to develop effective environmental protection measures for the Baltic Sea; states that it is vital for all oil extraction in the Baltic Sea, irrespective of location, that an environmental impact assessment (EIA) be carried out; states that such an EIA should be conducted according to international standards, be accessible for any other country and should also cover the establishment of new large-scale ports or extending the life of nuclear power plants;

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22. Expects of Russia concrete and quick action on the EU proposal to accelerate the phasing-out of single-hull tankers;
  23. Calls on the Duma to abide by its commitments and ratify as soon as possible the Kyoto Protocol as a key element for the enhancement of multilateralism;
  24. Instructs its President to forward this resolution the Council, the Commission, the parliaments of the Member States and accession countries and the President, the State Duma and the Government of the Russian Federation.
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**P5\_TA(2003)0520**

## **Relations with our neighbours to the east and south**

### **European Parliament resolution on 'Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours' (COM(2003) 104 – 2003/2018(INI))**

*The European Parliament,*

- having regard to the communication from the Commission to the Council and the European Parliament on 'Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours' (COM(2003) 104),
- having regard to the communication from the Commission on 'Paving the way for a New Neighbourhood Instrument' (COM(2003) 393),
- having regard to the communication from the Commission to the Council and the European Parliament on 'Reinvigorating EU actions on Human Rights and democratisation with Mediterranean partners – Strategic guidelines' (COM(2003) 294),
- having regard to the Commission proposal for a Council regulation on local border traffic at the EU external land borders (COM(2003) 502),
- having regard to the document entitled 'A Secure Europe in a Better World' by the High Representative for the CFSP, endorsed by the European Council at Thessaloniki in June 2003,
- having regard to the Council conclusions of 16 June 2003 on Wider Europe – Neighbourhood,
- having regard to the Second Action Plan for the Northern Dimension, endorsed by the European Council at Brussels in October 2003,
- having regard to the Arab Human Development Report for the year 2002 published by the UNDP (United Nations Development Programme),
- having regard to its resolution of 11 June 2002 on relations between the European Union and the Arab Maghreb Union: a privileged partnership <sup>(1)</sup>,
- having regard to its resolution of 16 January 2003 on the Northern Dimension – New Action Plan 2004-2006 <sup>(2)</sup>,
- having regard to its resolution of 19 June 2003 on the Commission communication to the Council and the European Parliament on an open method of coordination for the Community immigration policy and on the Commission communication to the Council and the European Parliament on integrating migration issues in the European Union's relations with third countries <sup>(3)</sup>,

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<sup>(1)</sup> P5\_TA(2002)0296.

<sup>(2)</sup> P5\_TA(2003)0020.

<sup>(3)</sup> P5\_TA(2003)0292.



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- having regard to its previous resolutions on the countries and regions neighbouring the enlarging EU,
  - having regard to Rules 47(2) and 163 of its Rules of Procedure,
  - having regard to the report of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy and the opinion of the Committee on Budgets (A5-0378/2003),
- A. whereas it is essential for the enlarged EU not to have closed external borders and to define a strategy for the relations with its neighbours to the east and south, by means of which to share and develop peace, stability, security, respect for human rights, democracy and prosperity in a large shared area, thus making a positive contribution to the construction of a new international order based on multi-lateralism,
- B. whereas it is very much in the EU's interest, following the successful experience in the central and eastern acceding countries, that new impetus be given to efforts to construct a society in eastern European countries which is democratic, is based securely on the rule of law, respects human rights and is moving towards efficient and sustainable market economic and social systems and environmental protection; whereas the EU should therefore provide incentives and support at all appropriate levels, taking into account the needs resulting from the emergence of new Schengen borders in eastern Europe,
- C. whereas all the countries on the EU's new eastern external frontier are having to tackle similar structural problems, but a specific analysis for each country seems unavoidable to do justice, for instance, to conflict management in Chechnya, the democratic deficits of Belarus, the regional conflicts surrounding Nagorno-Karabakh or Abkhazia or South Ossetia and the problems of Moldova arising from the situation in Transnistria, which are making general political and economic progress more difficult,
- D. whereas one of the challenges of the Wider Europe — Neighbourhood strategy will be to give fresh momentum in the countries concerned to moves to bring them into line with the EU's values — security, democracy and a stable market economy — and whereas the prospect of an association agreement as a possible future framework for relations with the EU could here serve as a significant incentive for countries with which the EU does not currently have any such agreement,
- E. whereas the initiated Wider Europe — Neighbourhood strategy certainly reflects the EU's most important task of contributing to peace, security, democracy and economic stability wherever this is at all possible; whereas the strategy should therefore avoid allowing a new dividing line to emerge with our eastern neighbours in Europe,
- F. whereas in this regard the signal given by the joint declaration by Russia, Ukraine, Belarus and Kazakhstan in late September 2003 on the formation of a Common Economic Space should be included in the considerations on the shape of the Wider Europe — Neighbourhood initiative,
- G. whereas good neighbourly relations between the two sides of the Mediterranean sea border are of even greater importance for an enlarged Europe; whereas, in parallel to its current enlargement in the eastern part of the European continent, the EU must also revive and reaffirm its links with its Mediterranean neighbours and the Middle East,
- H. whereas differing circumstances in our eastern and southern neighbour countries must initially result in evenly-weighted but different approaches, in order to make possible, in due course, the creation of an area of common prosperity and common values on the basis of enhanced economic integration, more intensive political and cultural relations and closer transfrontier cooperation,
- I. whereas conflict prevention, the peaceful resolution of existing conflicts and the fight against organised crime must form the starting-point of the European security strategy, on the basis of the initial guidelines which appeared in the document submitted to the Thessaloniki European Council by the High Representative for the CFSP,

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- J. whereas it is also necessary to develop means of dealing more effectively with 'soft security' challenges such as nuclear hazards, serious pollution, arms smuggling and activities of international criminal and organised crime networks, including the serious crimes of drug trafficking, trafficking in illegal immigrants and trafficking in women and children for sexual exploitation,
  - K. whereas the Wider Europe — Neighbourhood policy will have to evaluate existing EU policies and agreements in order to represent a step forward irrespective of, and not in contradiction with, the present and future aspiration of some of the countries concerned to join the EU in the long term or to establish special contractual relations,
  - L. whereas the Commission communication on Wider Europe — Neighbourhood considers the relations with Russia, the western NIS and the Mediterranean neighbours and whereas, therefore, any budgetary implications would currently fall under heading 4 of the EU Budget (External Actions),
  - M. whereas the suggested new framework is not yet fully articulated into concrete actions or does not yet contain sufficiently firm elements to allow the budgetary authority to evaluate its final budgetary implications, and whereas the Commission states that these are to be reflected in the budget proposals for coming years,
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- 1. Declares that the new frontier of the enlarged Union should be regarded as a positive opportunity for the countries and regions directly affected, aiming at building up a network of deepened relations; therefore considers that it should be the task of the European Union to develop with these countries and regions a comprehensive and effective neighbourhood concept, capable of furthering the search for more effective solutions to the problems posed by interdependence and globalisation;
  - 2. Believes, in this connection, that it is necessary to define a coherent system for relations between the 25 Member States of the enlarged Union, those countries whose future accession to the Union has, in whatever terms, been agreed, those whose potential for accession is not yet decided, and all the Union's other neighbours, to be based on respect for human rights, democracy and the rule of law, dialogue between cultures and religions and co-development by means of convergent policies giving special attention to the differing subregional realities;
  - 3. Considers that the Wider Europe — Neighbourhood policy and the New Neighbourhood Instrument must be implemented in our relations with all our neighbours and that the geographical dimension of 'neighbourhood' must take account of all the areas that are essential to ensure real territorial continuity and political sustainability for the Union's strategy, while at the same time clearly differentiating between the regions and countries covered, in particular on the basis of the types of challenges involved, their level of respect for democracy, human rights and individual freedoms, and their interest in, and capacity for, engaging in closer cooperation;
  - 4. Points out, first, that for this purpose the existing agreements, economic contacts and cultural relations offer suitable starting points for consolidating structures that have proved their worth, but, second, that the essentially different circumstances of our eastern and southern neighbours need to be taken into account;
  - 5. Draws emphatic attention to the existing instruments (association agreements, the Community initiative Interreg, and the programmes PHARE, TACIS, CARDS and MEDA, partnership and cooperation agreements and free trade agreements), and stresses that no third country may be hampered in its own individual progress as a result of the failings of other third countries in the area concerned;
  - 6. Stresses that the analysis of the new threats to global security arising from terrorism, regional and ethnic-religious conflicts, extremist fundamentalism and from those who use violence in the name of religion, calls for an enhanced capacity to develop inclusive policies based on an effective and democratic multilateralism;
  - 7. Supports the use of the Wider Europe — Neighbourhood policy as one of the instruments for further developing the EU-Russia partnership, but believes that, for reasons linked to Russia's size and resources and its own ambitions, EU-Russia relations outside this policy framework will continue to be very important; stresses, however, that there must be no difference as regards the attention given to respect for human

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rights and expects from Russia concrete steps in this field; reaffirms that the current situation in Chechnya and the state of democracy are currently obstacles to full development of the EU-Russia partnership;

8. Calls on the Commission and the Council to develop a special policy within the framework of the Wider Europe – Neighbourhood policy for the countries of the southern Caucasus, attaching particular importance to conflict prevention;

9. Calls, similarly, for relations with the Mediterranean region to take account not only of those countries which are already members of the Euro-Mediterranean partnership but also of Libya and Mauritania, which have observer status and which are also, above all, members of the embryonic Arab Maghreb Union;

10. Calls for particular attention to be paid to the EFTA countries, Iceland, Liechtenstein, Norway and Switzerland and those European countries which, by reason of size and choice, have not participated in the Union's enlargement process (Andorra, Monaco, San Marino, Vatican City State but are already integrated in different ways into European structures and can therefore contribute actively to the development of this process;

11. Emphasises that the launch of the Wider Europe – Neighbourhood policy must have absolutely no effect on the candidate status of Bulgaria and Romania (with the aim of accession in 2007) and Turkey (the European Council is to decide, in December 2004, whether to open accession negotiations and, if so, on what date), the potential candidate status of the western Balkan countries (the ultimate objective of EU accession having been confirmed by the European Council in March and June 2003), or the criteria governing eligibility for EU membership;

12. Takes the view that irrespective of the question of possible future membership, Turkey should also be included in the Wider Europe – Neighbourhood policy;

13. Believes that the involvement of the western Balkan countries in a new, overarching Wider Europe – Neighbourhood policy could entail their participation in the Euro-Mediterranean partnership, and that in any case maximum priority should be given to subregional integration in the area as an essential step towards further integration into the European structures; emphasises that full cooperation by the countries concerned with the ICTY remains an important factor in this participation, since it presents a basis for reconciliation and the development of mutual trust between peoples;

14. Considers that the Wider Europe – Neighbourhood policy is in no way incompatible with certain European neighbouring countries' aspirations to EU membership or different contractual relations, and may in fact, despite being separate from enlargement policy, constitute an important instrument enabling those countries to move towards the stage at which they are in a position to apply for accession under Article 49 of the EU Treaty on the basis of the progress made so far; nor should the Wider Europe – Neighbourhood policy exclude forms of association at a later stage;

15. Stresses, in the meantime, that under Article 49 of the Treaty on European Union any European State which respects the principles of liberty, democracy, respect for human rights and fundamental freedoms and the rule of law may apply to become a member of the Union, and clear recognition of the right of countries, such as Ukraine and Moldova, that explicitly express their European aspirations to obtain EU membership when they fulfil all the requisite political and economic criteria should be a strong incentive for their cooperation in the framework of the Wider Europe – Neighbourhood initiative;

16. Considers that, for those countries which aspire to eventually become members of the EU, the screening instrument used by the Commission to assess approximation to EU rules, as developed for the candidate countries, should be made available;

17. Considers that in order to have maximum effect, the Wider Europe – Neighbourhood policy should encompass a vast pan-European and Mediterranean region, structured bilaterally, subregionally and regionally (including the Northern Dimension and cooperation in the Black Sea and Mediterranean regions); points to the geopolitical differences between the eastern and southern neighbourhoods, and believes that, while there should be significant scope for developing subregional and regional cooperation in the south, a bilateral approach is more promising as regards States bordering the east as regional cooperation scarcely seems possible in view of these differences;

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18. In this context, with regard to the new neighbours in eastern Europe:
- recognises that a resolution of the Transnistria conflict would greatly improve the conditions for economic and social progress in Moldova and relieve Europe of a source of instability; notes with interest that ideas on sending an EU civilian or military mission are being considered in the Council,
  - notes that the European Union provides Moldova with balance of payment loans and that these loans are made necessary not least by the barriers which the European Union maintains against Moldovan export products; regrets this inconsistency between EU policies affecting Moldova and calls on the Commission to address this issue,
  - welcomes the joint initiative of all parliamentary parties to call for support for Moldova's desire for EU integration, which is increasingly becoming the binding element in the country,
  - notes that the political conditions in Belarus, the only country with a dictatorial government left in Europe, continue to make it inappropriate to engage in any comprehensive cooperation with that country; calls, however, for intensified EU support to civil society and to the democratic opposition and for the exploitation of all existing possibilities in this regard; stresses the importance of preparing an action plan for this purpose, so as to create the preconditions for the European Union to have relations with that country,
  - considers that Ukraine, by virtue of its size, geographical location, profound historical, cultural, economic and other links with central and western Europe, as well as with Russia, and its potential to become an ever more valuable partner of the EU in essential areas, must be given a particularly important role in the context of the EU's Wider Europe — Neighbourhood policy; supports Ukraine's desire for EU integration and the Council's and the Commission's current focusing on preparing an action plan for Ukraine,
  - notes that the projected establishment of a Common Economic Space together with Russia, Belarus and Kazakhstan could hamper further cooperation between Ukraine and the EU; is of the opinion that only a fully democratic and independent Ukraine which has developed an open society comparable to those of the new EU Member States can decide on the country's final orientation; calls for close monitoring of the state of democracy in the run up to the presidential elections in 2004; takes the view that in order to support those who seek to advance the reform process, the EU should leave its door open to membership;
19. With regard to the Mediterranean area and the Middle East:
- considers that there should be a relaunch of the current Euro-Mediterranean partnership through bilateral and multilateral sectoral initiatives, including the establishment of a Foundation for Dialogue between Cultures, repositioning that partnership with the wider framework of the Wider Europe — Neighbourhood policy; reaffirms the priority of enhancing sub-regional relations in the Maghreb and the Mashreq, that being, moreover, the ultimate goal of the association agreements which are bilateral but which should promote, and contribute to, greater regional integration; reaffirms the need for the European Union to implement high-profile programmes in these regions, taking care to ensure that civil society in the countries concerned is fully involved,
  - points out that a multilateral, coherent and effective Euro-Mediterranean partnership, in addition to encompassing the socio-economic dimension, must also fully embrace respect for, and the promotion of, human rights, as well as education and the fight against exclusion and poverty; demands that these fundamental principles be applied firmly and consistently in the European Union's relations with its Mediterranean partners, and in particular in connection with the MEDA programmes and current and future association agreements,
  - hopes that bilateral association agreements will develop into multilateral agreements with all the Barcelona Process partner countries;

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20. Believes that the Wider Europe – Neighbourhood policy could offer cooperation in three areas:

- first area: political, human, civil and cultural,
- second area: security (internal and external),
- third area: sustainable economic and social co-development,

also believes that a certain number of common policies could be developed in each of these areas;

21. Believes that the Wider Europe – Neighbourhood concept should include a common policy on human rights, citizenship, democracy and the rule of law, as well as a common policy for the development of civil society, the latter paying special attention to credible media and respect for pluralism, education, research, culture and health care; strongly endorses, in this connection, the Commission's recent communication on the measures undertaken by the EU with its Mediterranean partners in this field; stresses that the recommendations set out therein must be implemented in a systematic, decisive and consistent fashion, especially in terms of clear and publicly-stated objectives and reference criteria for the different action plans, by incorporating into them, in particular, compliance with international human rights instruments; reaffirms the need to include in these actions, on a mainstreamed basis, the promotion and protection of women's rights; considers it important to strengthen all the opportunities for inter-cultural dialogue, so as to enable the peoples of the European Mediterranean to consolidate their mutual respect, understanding and tolerance; recalls the active and crucial role played by the EP in these areas, and reiterates that if democratic legitimacy is to be ensured there must be greater parliamentary control of these processes;

22. Believes that the Wider Europe – Neighbourhood policy should include common efforts in the field of illegal migration, the fight against terrorism, illegal trade, concern for international legal order, combating corruption and a policy on conflict prevention and settlement; in all these fields, the EU's principles concerning the rule of law must be guaranteed;

23. Considers that, taking into account the aim of developing a climate of trust and enhanced collaboration with neighbouring countries as well as regional cross-border cooperation, securing the European Union's external frontiers with regard to drug smuggling, subsidy fraud, illegal immigration, trafficking in human beings, fighting terrorism, and veterinary and food inspections should be pursued in close cooperation with the new neighbour countries; in the surveillance of the external frontiers the Galileo navigation system and the Global Monitoring of Environment and Security (GMES) satellite monitoring system must also be involved; in addition, the technological equipment used by customs authorities should be standardised;

24. Supports, in particular, the proposal to set up an agency for the management and operational coordination of frontiers which would, above all, be responsible for appropriate monitoring of migratory flows from the east and south, partly with the aim of developing the requisite climate of trust and collaboration with neighbouring countries;

25. Believes that the Wider Europe – Neighbourhood policy should include: a policy to facilitate the free movement of people, goods, services and capital; a macroeconomic and monetary policy which also safeguards social cohesion; a microeconomic and employment policy accompanied by the introduction of special programmes for technical and financial assistance and an infrastructure and networks policy; considers, in this connection, that particular stress should be laid on energy, and recommends the development of convergent policies between the EU and its neighbours possessing energy resources; considers it necessary to develop environmental and social policies that are closely linked to the above-mentioned economic policies;

26. Draws the Commission's attention to the health and environmental situation affecting Belarus and Ukraine as a result of the Chernobyl catastrophe; calls for the development of a programme of medical aid and supplies of hospital equipment, bearing in mind these countries' fragile resources and means;

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27. Stresses that each of the above areas and the associated common policies will need to receive adequate funding; considers that the EBRD should play a major part here, and that the EIB should be given a mandate and appropriate resources to extend loans to all of eastern Europe, including Moldova and Ukraine, while the existing EIB section for the Mediterranean and the Middle East must be developed into a branch thereof, which will be able to fulfill the future requirements of the new strategy, also with financial contributions from other Mediterranean countries;

28. Considers that the development of the three areas should, above all, create the general conditions for progressive sharing of common values and principles with all the countries concerned; believes that, at the same time, it will be essential to develop, especially for policy in the economic and social area, the various regional and subregional dimensions in order to take account of the specific characteristics of the different areas and countries;

29. Envisages, in that respect, the opportunity to take into account, as a new option, the setting up of a free trade area which could encompass aspects of the internal market as well as internal and external security ('European Economic Area Plus') between the EU and its European neighbours, without ruling out future membership;

30. Recalls further that one of the eventual aims of the Barcelona Process is the setting-up of an equitable free trade zone within the Mediterranean and stresses that the Neighbourhood policy is aimed not least at reducing poverty and creating an area of shared prosperity;

31. Draws the Commission's attention to the existence of environmental Euro-regions straddling new Member States and new neighbours, such as the Białowieża (Poland/Belarus), Neman (Poland/Lithuania/Belarus) and Polesye (Ukraine/ Belarus/Poland) reserves, which are of prime importance for the continent of Europe;

32. Welcomes the general thrust of the Wider Europe — Neighbourhood initiative but points out, at the same time, that the regions concerned by it are already covered by major EU geographical cooperation programmes and notes that the communication does not give any clear indication how these will be streamlined and made more effective and how they will finally play a part in the attainment of the ambitious goals of the new initiative;

33. Notes that the communication expressly mentions '... increased financial assistance ...'; takes the view, whilst fully accepting the importance of the relations with the Union's neighbours, that the margins left under the current financial perspectives do not permit the financing of new needs without affecting other areas negatively; underlines that the financial amounts should be an important element in the negotiations on a new financial perspective for 2007 and beyond;

34. Takes the view that the new enhanced relationship with the Union's neighbours goes beyond what has traditionally been seen as 'external actions' for third countries and creates a new dimension to the partnership; believes, therefore, that the possibility of opening up heading 7 of the financial perspective (pre-accession strategy), or some other adjustment of the current headings, with appropriate financing after 2006, could be considered;

35. Takes the view that at least the CARDS part of funding under a Neighbourhood Instrument could be financed under heading 7 (pre-accession strategy), in line with the suggestion that the EU's relations with the Balkan region be transferred to this heading from heading 4 (external action);

36. Welcomes the Council's call, included in its conclusions of 16 June 2003 and the 7 October 2003 EU-Ukraine Summit, for the Commission to pave the way for a deepening of bilateral relations with Ukraine, Moldova and the southern Mediterranean partners through the preparation of action plans; considers, however, that the entire Wider Europe — Neighbourhood policy will require coherent action plans;

37. Insists that the proposed functioning of these action plans must fully respect Parliament's legislative and budgetary prerogatives, and rejects any proposal that would give the Council predominance on policy issues; emphasises that issues of policy must be dealt with in the framework of the established procedures and must guarantee the rights of both arms of the legislative and budgetary authorities;

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38. Stresses that the action plans should be integrated into the common fields of cooperation; prefers, therefore, that cooperation measures and measures for integration levels should as far as possible be adjusted to one another, as this will also increase transparency and help to limit the management burden on the Commission; calls, in particular, for the definition of a clear mechanism for implementation of the measures concerning democracy and human rights which will be included in the action plans so as to prevent the ineffectiveness of the current human rights clauses;

39. Stresses that it is particularly important to take as the starting point of the Wider Europe – Neighbourhood policy the evaluation of the currently existing agreements and financial instruments which concern the new EU neighbours, and to take this evaluation into account by drafting national and regional action plans; asks that it be closely associated in the Wider Europe – Neighbourhood policy by taking part, through an annual report, in the evaluation of the implementation of the action plans;

40. Considers that the EU should in the first instance support the applications to join the WTO made by its neighbouring countries that are not yet members, involving several important steps towards adapting their legislation to that of the EU;

41. Supports the Commission's proposal, in its communication on a New Neighbourhood Instrument, for Neighbourhood Programmes as provisional solutions to the long-standing bureaucratic problems which greatly complicate EU support for crossborder cooperation; calls for these programmes to be put in place with all speed; regrets that Parliament's call for action in this field was not properly acted on much earlier, and that the rigidity of the financial perspective will delay the launch of the New Neighbourhood Instrument until 2007; calls for the proposed instrument, in addition to the crossborder dimension, to be implemented as a pilot project in some parts of the border and to be targeted as of now on transnational cooperation, on the lines of the Interreg III B mechanisms; emphasises that crossborder cooperation should involve countries and regions which have maritime borders in common;

42. Stresses that cross-border cooperation and interregional cooperation constitute a key element in the enhancement of relations with the neighbour states, and calls for the application of an instrument with the mechanisms of Interreg III A and C that includes the participation of regional and local authorities;

43. Welcomes the proposal, within the overall Wider Europe – Neighbourhood initiative, to create a New Neighbourhood Instrument to promote cross-border actions and improve the current unsatisfactory situation arising from the different character of the financing instruments now used (Interreg for Member States' share of projects and TACIS and PHARE for neighbouring countries' shares); also notes that MEDA and CARDS should be covered by the initiative;

44. Considers that the New Neighbourhood instrument for the enlarged Union's external borders must be linked to external policy programmes and processes, while taking into account the various existing regional priorities; considers that this instrument should combine objectives associated with both external policy and social and economic cohesion; stresses that this instrument must be based on the lessons learned from previous experiences in implementing cross-border cooperation;

45. Draws attention, in the definition of New Neighbourhood programmes and of future New Neighbourhood instruments, to the different problems concerning countries with a land border with the enlarged EU and those with which the EU shares sea borders; is convinced, in this regard, that the Schengen Agreement should allow small and local border movement for populations, thus preserving and developing traditional cross-border relations;

46. Points out that New Neighbourhood programmes and New Neighbourhood instruments must be easily accessible to regional and local communities, which must be directly involved in their management; calls, in this regard, on the Commission to start establishing in border regions an EU consular infrastructure so as to deal with the necessary simplification of visa procedures and facilitate decentralised implementation of the programmes;

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47. Welcomes the Commission's proposal for a regulation on local border traffic at the external land borders of the Member States, and regards this proposal as an important step towards ensuring that the new Schengen borders will not be a barrier to trade, social and cultural interchange or regional cooperation; notes, however, that such risks persist in relation to regions of the relevant neighbouring countries other than the border regions, and that further measures should therefore be taken where possible;

48. Draws emphatic attention once again to the important role of the new Member States in stepping up, at their frontiers, efforts to promote political dialogue and the gradual establishment of a free trade area by means of national action plans and to consolidate cross-frontier cooperation;

49. Is convinced that the existence of several diverse bodies involving the countries concerned by this resolution constitutes a favourable point of departure for ensuring a multilateral institutional dimension for the Union's strategy and the management of common policies; stresses that the political dialogue and the institutions concerned must take account of the different levels involved, be they governments, parliaments, regional or local government bodies or civil society organisations;

50. Advocates, in connection with the Wider Europe – Neighbourhood initiative,

- that the EU's joint action in existing international institutions (Organization for Security and Cooperation in Europe (OSCE), Council of Europe) be stepped up,
- that there be closer cooperation with the Council of Europe, with particular reference to its experience in the consolidation of democracy and the establishment of the rule of law,
- that consideration be given to the possibility of extending the OSCE to the countries of the Mediterranean and the Middle East, or, at least, developing cooperation processes with those countries,
- that the European Conference be re-launched as an instrument for cooperation within the framework of the Wider Europe – Neighbourhood policy, with the countries of the southern Caucasus possibly also taking part as full members,
- that, during the Italian Council Presidency, the Euro-Mediterranean Parliamentary Assembly be established, with a view to conferring a solid parliamentary dimension on the Barcelona process and ensuring its future extension to the other countries of the Mediterranean region and the Middle East;

51. Calls on the countries included in the Wider Europe – Neighbourhood policy that have not yet done so to sign, ratify and strictly apply all the current international treaties on anti-terrorist measures with full respect to the UN Charter; calls for the introduction of a network of contacts to allow the exchange of information and cooperation in the fight against terrorism;

52. Favours, in order to strengthen respect for human rights in the Mediterranean area, the creation of independent institutions in the countries concerned which could guarantee effective implementation of the rights that follow from signed bilateral and multilateral agreements; invites all countries concerned that have not yet done so to support the proposal for a moratorium on the death penalty and to ratify the Rome Statute establishing the International Criminal Court;

53. Instructs its President to forward this resolution to the Council, the Commission, the Governments and Parliaments of the Member States and the candidate countries, the United Nations, the Council of Europe, the OSCE, and the Governments of the countries referred to in this resolution.

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## The Northern dimension

### European Parliament resolution on the Northern dimension

*The European Parliament,*

- having regard to the Second Northern Dimension Action Plan 2004-2006 as endorsed by the European Council held in Brussels on 16/17 October 2003,
  - having regard to its resolution of 16 January 2003 on the Northern Dimension — New Action Plan 2004-2006 <sup>(1)</sup>,
  - having regard to the Communication from the Commission to the Council and the European Parliament of 11 March 2003 on Wider Europe — Neighbourhood: A Framework for Relations with our Eastern and Southern Neighbours (COM(2003) 104),
  - having regard to Rule 37(4) of the Rules of Procedure,
- A. whereas, since its creation in 1999, the Northern Dimension has shown great potential but has not yet reached the desired level in developing the northern areas of our continent and the Arctic,
- B. whereas in March 2003 the Commission published its first outline for the Wider Europe — Neighbourhood policy, and the European Council conclusions of 16 June 2003 now serve as the basis for the Commission's further work; whereas this policy places a new emphasis on relations with current and future neighbours of the enlarged Union, and the Northern Dimension forms an integral part of this,
- C. whereas the principal objective of the future Northern Dimension policy is to address the opportunities and challenges posed by enlargement, which extends the EU border with Russia and makes Belarus and Ukraine new neighbouring countries to the EU, and whereas several of the Northern Dimension partner countries will become members of the EU, thus increasing the importance of the internal aspects of the Northern Dimension,
- D. whereas the new border regions have great human and economic potential and it is therefore important to step up efforts to stimulate sustainable development and economic growth, to facilitate the movement of people and goods across borders while working closely together to combat organised crime, to reduce poverty and social disparities, to improve public health and social wellbeing and to promote productive employment as well as social and cultural exchange, the overall aim being the strengthening of democracy and stability in the area,
- E. whereas maritime safety remains an important issue, especially as regards the Baltic Sea, where oil transport by tanker is increasing rapidly; whereas the Baltic Sea is already heavily polluted and its position as an inland sea makes it especially vulnerable,
- F. whereas in the Northern and Arctic regions the effects of global climate change could be dramatic,
- G. whereas the scope of the Northern Dimension covers much more than north-western Russia, extending also to the entire Arctic region and the Baltic basin,

<sup>(1)</sup> P5\_TA(2003)0020.

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- H. whereas increased interaction at all levels between Russia and the EU in the context of the Northern Dimension is essential to achieve these overall objectives and will act as a catalyst for Russia's closer ties with the EU,
- I. whereas, at its meeting in Luxembourg on 9 April 2001, the General Affairs and External Relations Council decided to set up a Northern Dimension Forum, and whereas this decision still remains to be implemented,
1. Welcomes the Second Action Plan for the Northern Dimension as an important part of the development of the Northern Dimension policies and an important contribution to the region concerned;
  2. Emphasises in this regard the key purpose of the present Action Plan, which is to provide a clear operational framework for all Northern Dimension stakeholders, setting out strategic objectives and priorities;
  3. Underlines that the forthcoming accession of the 10 new Member States will further increase the importance of the Northern Dimension, as will the further development and implementation of the Union's Wider Europe — New Neighbourhood policy; considers that the New Neighbourhood policy and the New Neighbourhood Instrument must be implemented in relations with all EU neighbours, thus enhancing the financing of Northern Dimension policies;
  4. Supports the present Action Plan's specific activities, taking into account all major points made by the European Parliament in its previous resolutions and covering six broad priority sectors:
    - the economy, business and up-to-date infrastructure,
    - human resources, education, scientific research and health and social questions,
    - energy cooperation,
    - the environment, nuclear safety and natural resources,
    - cross-border cooperation and regional development,
    - justice and home affairs,as well as paying special attention to regions with specific needs such as Kaliningrad and the Arctic region;
  5. Welcomes the environmental aspects presented in the Action Plans, in particular concerning maritime safety in the Baltic Sea, the decision to propose the designation of the Baltic Sea as a Particularly Sensitive Sea Area within the International Maritime Organisation and the overall emphasis on sustainable development and sustainable use of natural resources; supports, in particular, the goal of enhanced monitoring of pollutants and more effective waste water management;
  6. Expresses its concern at the tendency to over-emphasise the exploitation of fossil fuels and neglect the significant role which renewable sources of energy could play in the region;
  7. Welcomes, in particular, the approach adopted in the Northern Dimension Environmental Partnership, including the NDEP support fund; welcomes, therefore, the establishment of the Northern Dimension Partnership in Public Health and Social Well-being in Oslo on 27 October 2003;
  8. Welcomes the signature on 21 May 2003 of the Multilateral Nuclear Environmental Programme (MNEPR) as a major step towards greater transparency, efficiency and speed in internationally financed nuclear clean-up and dismantlement programmes in Russia; encourages Russia to ratify this agreement without delay; stresses the importance of environmental impact and risk assessment in the implementation of projects;

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9. Regrets the lack of coordination between the existing international environmental, nuclear safety and non-proliferation programmes; calls on the European Union to take an initiative to examine the establishment of an International Environmental and Non-Proliferation Oversight Agency for the purposes of coordination of efforts to help Russia to tackle the serious environmental problems caused by radioactive waste;
  10. Welcomes the emphasis on increased cooperation in the field of Justice and Home Affairs, in particular with reference to the fight against organised crime, trafficking in human beings, cooperation in border management and civil protection;
  11. Welcomes the attention paid to the question of trafficking in women and gives its support to the idea presented in the Action Plan of projects aimed at improving the situation of victims and potential victims and at discouraging demand for sexual services from women and children;
  12. Recognises the special role north-western Russia has in the Northern Dimension policies, but points out that both the development of the Arctic Window and the need for increased political and scientific cooperation with Canada and the United States remain unaddressed in the Action Plan;
  13. Calls for improved coordination between the EU, the Arctic Council, the Council of the Baltic Sea States, the Nordic Council, the Barents Euro-Arctic Council and other bodies involved in Arctic and regional matters on the one hand, and a clear division of responsibilities among all relevant public bodies in the EU on the other;
  14. Regrets the lack of concrete proposals explicitly targeted to benefit the indigenous peoples in the area, with regard in particular to the Sami, whose political representation should be increased;
  15. Believes that stronger links between the Northern Dimension policies and the EU budget are necessary, and calls for adequate funding of the former;
  16. Is concerned at the implementation difficulties affecting the TACIS cross-border cooperation budget line; stresses the need to improve the regulatory and budgetary framework for implementation of the TACIS cross-border programme along the lines suggested for the New Neighbourhood Instrument and will closely examine proposals to extend lending facilities for the TACIS countries; also stresses the importance of cooperation between Interreg and TACIS operations, and expects that some pilot projects could be carried out in parts of the border region even before the launch of the New Neighbourhood Instrument;
  17. Calls on all parties to work actively to connect the EU and Russian energy, transport and information networks, which will require greater involvement of the European Investment Bank; calls on the Council to establish a broader mandate for the EIB as soon as possible so as to enable it to become even more involved in Russia;
  18. Underlines the importance of including projects with a northern dimension in the TEN package proposed by the Commission; recalls that in developing the transport infrastructure in the Northern Dimension region, special attention must be paid to the environmental sustainability of proposed solutions by giving rail and sea transport priority;
  19. Calls for further involvement of elected representatives at all levels in the implementation and evaluation of the Action Plan; regrets that this democratic dimension is missing;
  20. Instructs its President to forward this resolution to the Council, the Commission and the governments of the Member States, the 10 new Member States, Russia, Belarus, Canada and the USA.
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## Defence equipment

**European Parliament resolution on the communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions – European Defence – Industrial and market issues – Towards an EU Defence Equipment Policy (COM(2003) 113 – 2003/2096(INI))**

*The European Parliament,*

- having regard to the communication from the Commission (COM(2003) 113) and to its previous communications (COM(1996) 10) and (COM(1997) 583),
- having regard to its resolutions of 11 April 1984 <sup>(1)</sup>, 13 July 1990 <sup>(2)</sup>, 17 September 1992 <sup>(3)</sup>, 19 January 1995 <sup>(4)</sup>, 15 May 1997 <sup>(5)</sup>, 14 May 1998 <sup>(6)</sup>, 30 November 2000 <sup>(7)</sup>, 10 April 2002 <sup>(8)</sup>, 15 May 2002 <sup>(9)</sup> and 10 April 2003 <sup>(10)</sup>, on this subject,
- having regard to the Presidency Conclusions of various European Councils on this matter and, in particular, those of the Cologne European Council (3/4 June 1999) and of the Helsinki European Council (10/11 December 1999) on strengthening the common European Security and Defence Policy, and to the Presidency's reports on developing the Union's military and non-military crisis management capability,
- having regard to the letter of intent on measures to facilitate the restructuring of the European defence industry signed in London on 6 July 1998 by the Defence Ministers of Germany, Spain, France, Italy, the UK and Sweden, which specifies the objectives and principles adopted by governments in order to promote the constitution and effective functioning of transnational defence companies in Europe,
- having regard to the joint statement by the Ministers of Defence of the aforementioned countries, made on 20 April 1998, in which they agreed to make it a priority to seek to harmonise the requirements of their armed forces so as to avoid a duplication of their acquisition, research and technological development policies,
- having regard to the agreement concluded by the EU Foreign Ministers at their informal meeting of 7 May 2000 in the Azores, in which they decided to back plans for joint EU-NATO working groups looking at security issues, military capabilities, arrangements for the EU to use NATO military assets, and the definition of more permanent consultation mechanisms between the EU and NATO,
- having regard to the military and police capability improvement conferences and the European Action Plan on this matter of 19 November 2001,
- having regard to the Declaration issued by the Heads of State and Government of the Atlantic Alliance on 21 November 2002 at the Prague summit,
- having regard to the Ministerial meeting of the North Atlantic Council and the NATO-EU Ministerial meeting held in Madrid on 3 June 2003,

<sup>(1)</sup> OJ C 127, 14.5.1984, p. 70.

<sup>(2)</sup> OJ C 231, 17.9.1990, p. 209.

<sup>(3)</sup> OJ C 284, 2.11.1992, p. 138.

<sup>(4)</sup> OJ C 43, 20.2.1995, p. 89.

<sup>(5)</sup> OJ C 167, 2.6.1997, p. 137.

<sup>(6)</sup> OJ C 167, 1.6.1998, p. 190.

<sup>(7)</sup> OJ C 228, 13.8.2001, p. 173.

<sup>(8)</sup> OJ C 127 E, 29.5.2003, p. 582.

<sup>(9)</sup> OJ C 180 E, 31.7.2003, p. 392.

<sup>(10)</sup> P5\_TA(2003)0188.

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- having regard to Article 17(1) of the EU Treaty, in particular the point concerning cooperation in the field of armaments, and to Article 296 of the Treaty on the protection of national security interests,
  - having regard to Rules 47(2) and 163 of its Rules of Procedure,
  - having regard to the report of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy and the opinion of the — Committee on Industry, External Trade, Research and Energy (A5-0342/2003),
  - having regard to the second report of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy (A5-0370/2003),
- A. whereas the European Security and Defence Policy (ESDP) has made it possible to launch and conduct EU-led operations to manage both non-military and military crises, irrespective of the specific objectives of the security and defence policy of the Member States,
- B. whereas the consistent failure of several European States to increase expenditure on defence or to improve their military capabilities and interoperability with the Allies may jeopardise the cohesion of NATO,
- C. whereas the defence budget of the EU Member States is approximately 50 % of that of the US, but their military capability is a mere 10 % of that of the US,
- D. whereas both societies are based on the same values of liberty, democracy, the rule of law and human rights, and therefore close cooperation is necessary between them,
- E. whereas the concept of a European Security and Defence Identity was accepted and recognised by all parties to the Atlantic Alliance at the Berlin meeting of June 1996,
- F. whereas the strategic partnership agreement concluded on 16 December 2002 and the implementation of permanent agreements concluded between, and implemented by, the EU and NATO, and in particular the 'Berlin Plus' agreements, have enabled the EU to use NATO's military operational planning capabilities and command structures to carry out EU-led operations, requiring more rigorous accounting in respect of defence equipment,
- G. whereas the end of the cold war has led to a reduction in orders for military equipment, and it is therefore necessary to strengthen this sector once more, not only in the interests of its economic and social revival but also and above all in order to ensure a safer world,
- H. whereas the ongoing restructuring of national defence-linked industries has given rise to various coordination initiatives, as evidenced by the aforementioned letter of intent and the associated framework agreement, and also the creation of the Organisation for Joint Armament Cooperation,
- I. whereas, following the events of 11 September 2001, security within the EU has become a more urgent issue, increasing the responsibility of those Member States charged with protecting the external borders of the Union,
- J. whereas parliamentary controls over the Common Foreign and Security Policy (CFSP) and ESDP are divided between the European Parliament and the national parliaments, and the latter continue to have basic powers over military expenditure and operational matters involving the armed forces,
- K. having regard to the eastwards enlargement of NATO, parallel to that of the EU, and the consequent need for growing coordination between all Member States,
- L. whereas the European defence industry is economically and politically essential to the EU,

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- M. whereas an internal market for armament equipment does not exist, and separate national procurement procedures and different forms of export regulation obstruct its development,
- N. noting the potential benefits for SMEs and the call in the defence industries for a coordinated defence equipment policy,
1. Notes the communication from the Commission which follows a request made by the European Parliament and provides Member States with an appropriate framework for reflection on enhanced and effective cooperation in the arms sector;
  2. Insists on the need for the EU to endow itself with military capabilities, so as to ensure the credibility of its foreign and defence policy objectives; is aware that, if this project is to be successful, Member States must make a commitment to military expenditure over a period of time corresponding to their long-term defence obligations; awaits the drafting of the Commission Green Paper in 2004 setting out standards generally applicable to the purchase of defence equipment;
  3. Expresses its conviction that NATO remains not only a fundamental guarantee for the stability and security of the Euro-Atlantic area, but also an essential framework for developing joint operations; considers that it is therefore in the common interest to increase the interoperability of intra-European and transatlantic defence equipment;
  4. Recognises, within this framework, the need for favourable conditions to be established for the development of a European defence equipment industry which is competitive and viable; vigorously supports the Commission's project to map the situation of the defence industry in the EU through data collection; calls for the development of a research and development programme designed to improve the Union's capabilities in the area of defence; stresses also the need for Community-level support for pilot and demonstration projects to develop European capabilities in advanced technological sectors;
  5. Insists that in developing a European defence contribution, no shadow budgets should be created and urges that parliamentary control be assured; recalls that, at the current stage, this control has, for the most part, to be exercised by national parliaments;
  6. Encourages Member States to restructure the defence equipment industries sector and subscribe to the principle of industrial and technological interdependence in this sector, so as to ensure that public defence spending is used more effectively and overlapping is avoided;
  7. Attaches great importance, therefore, to intra-European cooperation, to competitiveness and to the principle of Community preference, without excluding cooperation with third countries or the acquisition by Member States of defence equipment outside Europe, where supply proposals are more economically attractive than those available within the European Union and where these purchases operate in a form that is complementary to the realisation of a European project;
  8. Calls for the expectations of the candidate countries in terms of security and national stability to be duly taken into account, since these countries have to be involved in the process of restructuring defence-linked industries;
  9. Considers that the increased opening-up of the arms markets must seek to ensure security of supply at national and European level; advocates, to this end, a reduction in controls on intra-Community transfers of defence equipment, the simplification of administrative procedures, and the approximation of national licence systems; recognises, however, the complexity and political sensitivity of this sector;
  10. Reiterates its position calling for the progressive establishment of a European armaments market and, in order to do this, calls for the drawing-up and implementation of common rules; asks the Commission to propose transparent procedures and simplification measures;

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11. Stresses that standards bodies in the European Union should make a major contribution to interoperability of armaments, in particular as regards products which may be used in both the civilian and military area;
  12. Reiterates that the internal opening-up of military markets should be accompanied by a further strengthening of export controls at the external borders of the EU; underlines, in this perspective, that the EU and its Member States should fully implement all of Parliament's recommendations on the implementation of the EU Code of Conduct on Arms Exports;
  13. Proposes that, as part of the negotiations for the forthcoming financial perspective, Community support programmes be set up to review defence equipment; proposes, in particular, that a programme be set up devoted exclusively to the development of equipment for the protection of the EU's external frontiers, with the objective of meeting the requirements of the fight against international terrorism and organised crime, illegal immigration, trafficking in arms, narcotics and human beings, and maritime crime;
  14. Recalls the decision by the Thessaloniki European Council to create, in the course of 2004, an intergovernmental agency in the field of defence capabilities development, research, acquisition and armaments, subject to the authority of the Council and open to participation by all Member States; stresses, however, that the activities of this agency must be precisely defined in advance, so as to endow it with added value; requests that it be consulted when the activities and working methods of the Agency will be defined;
  15. Is of the opinion that the Agency should deal, firstly, with the equipment and armament of the European crisis intervention force, especially in relation to its compatibility; the Agency should also develop a long-term approach towards capability needs; the Agency should analyse at what moment in time and in which area a new need will arise, and which technological possibilities will exist at that moment to meet the respective shortfall; the Agency should have its own budget which should concentrate on the research and development of new technologies;
  16. Expects full codecision procedures to be followed when decisions are to be made in the field of industrial policy;
  17. Instructs its President to forward this resolution to the Council and the Commission.
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**P5\_TA(2003)0523****Stabilisation and association process for South-East Europe****European Parliament resolution on the Stabilisation and Association Process for South-East Europe: Second Annual Report (COM(2003) 139 – 2003/2094(INI))***The European Parliament,*

- having regard to the European Commission's Second Annual Report on the Stabilisation and Association Process for South-East Europe (COM(2003) 139),
- having regard to the Conclusions of the Fourth Parliamentary Conference EU-Stability Pact Countries of 21 May 2003,
- having regard to its Resolution of 5 June 2003<sup>(1)</sup> on the meeting of the Troika with the countries participating in the Stability Pact for South-Eastern Europe, and of its resolution of 3 July 2003<sup>(2)</sup> on the European Council of 19/20 June 2003 in Thessaloniki,

<sup>(1)</sup> P5\_TA(2003)0264.

<sup>(2)</sup> P5\_TA(2003)0320.

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- having regard to the Presidency Conclusions of the EU-West Balkans Summit of 21 June 2003 in Thessaloniki, and to the Joint Declaration of the EU-West Balkans adopted at this Summit,
- having regard to UN Security Council Resolution 1244 (1999) of 10 June 1999 on Kosovo, Resolution 1503 (2003) of 28 August 2003 on the part related to the relations and activity of the International Criminal Court of the former Yugoslavia (ICTY), Resolution 1491 (2003) of 11 July 2003 on the situation in Bosnia-Herzegovina, UN Secretary-General Report S/2003/675 of 26 June 2003 on the United Nations Interim Administration Mission in Kosovo, and the European Parliament Resolutions of 28 February 2002 <sup>(1)</sup>, 26 September 2002 <sup>(2)</sup> and 24 October 2002 <sup>(3)</sup>, on the International Criminal Court,
- having regard to Rules 47(2) and 163 of its Rules of Procedure,
- having regard to the report of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy and the opinions of the Committee on Industry, External Trade, Research and Energy and the Committee on Women's Rights and Equal Opportunities (A5-0397/2003),

**General and horizontal issues**

1. Reiterates its conviction, previously expressed in paragraph 3 of its resolution of 7 November 2002 on the report from the Commission 'The Stabilisation and Association Process for South-Eastern Europe — First Annual Report' <sup>(4)</sup>, that there can only be a European perspective if countries comply with the Copenhagen criteria and asks the Council and the Commission to link assistance to the countries participating in the stabilisation and association process (SAP countries) and the possible progression to a further stage of the stabilisation and association process (SAP) to the following conditions:

- cooperation with the ICTY;
- the implementation of an effective policy in favour of the return of refugees and displaced persons;
- the implementation of active policies against corruption, organised crime, trafficking in human beings, arms and drugs;

2. Considers it undesirable that in the future, a SAP country may become member of the EU if it has entered into a bilateral agreement with the USA that jeopardises the full effectiveness of the ICC;

3. Points out that the successful completion of the work of the Office of the ICTY Prosecutor must rely on full and swift cooperation from all governments of the SAP countries, in particular those to whom a transfer of fugitives has been requested (Croatian government, Serbian and Montenegro government, and the Bosnian Serb authorities);

4. Invites the Commission and the Council to give their full support to the ICTY Prosecutor in her accomplishment of the priorities for the next four years, as set-up by the UN Security Council, namely, to complete investigations by 2004, ensure surrender of all remaining fugitives and finalise all trials in 2008 and appeals in 2010;

5. Notes that the SAP countries have begun domestic trials against suspects of war crimes; underlines that legal proceedings should be instituted against suspects irrespective of their ethnicity;

6. Reiterates its call to the Council and the Commission, made in paragraph 35 of its aforementioned resolution of 3 July 2003, to present a viable financial framework for the SAP countries under a restructured Heading 7 of the Financial Perspectives;

7. Calls on the Council and the Member States to begin to prepare for the likely withdrawal of the US forces from the UN contingents in South-East Europe, and to plan in due time their replacement with EU-lead peace-keeping forces;

<sup>(1)</sup> OJ C 293 E, 28.11.2002, p. 88.

<sup>(2)</sup> OJ C 273 E, 14.11.2003, p. 291.

<sup>(3)</sup> P5\_TA(2002)0521.

<sup>(4)</sup> P5\_TA(2002)0534.



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8. Calls on the SAP countries to seriously address the problem of discrimination against the Roma population, including through the adoption of effective anti-discrimination laws and the systematic monitoring of the access offered to Roma people to education, housing, employment, health care and social services;
9. Reiterates its proposal, expressed in paragraph 4 of its aforementioned resolution of 7 November 2002, for an in-depth reflection as to the future developments of the current institutional framework and the status of state-like entities, within the framework of the relevant UN resolutions;
10. Notes that States in which, in practice, the rights of citizens depend on their ethnicity do not have a perspective towards EU accession;
11. Stresses that the present visa regime between the EU and SAP countries undermines and slows down the European perspective for these countries, and has become a source of humiliation for its citizens; calls on the Council and the Commission to establish clear benchmarks on the ways in which the visa-regimes with the SAP countries can gradually be developed and eased as the countries undertake necessary reforms; is of the opinion that this will offer a tangible sign that the EU is coming closer to the citizens of SAP countries;
12. Urges the Commission to encourage the creation of areas of facilitated freedom of movement between neighbouring regions, which will thus enhance the development of cross-border and regional cooperation;
13. Urges the Commission to promote and support the setting-up of twinning programmes at all levels and to support all actions facilitating networking among the various actors in the EU and SAP countries;
14. Calls on the Commission to facilitate the setting-up of an effective administration by strengthening the structures of the State as well as of regional and communal administrations in the SAP countries and to assist and support the municipalities in programming economic development measures;
15. Encourages the participation of all citizens in the local administration, thus strengthening the sense of community; invites the Commission and the European Agency for Reconstruction to assist local authorities in adopting participatory budgets and promoting territorial communal planning;
16. Calls on the Commission to present proposals to implement the promises made at the Thessaloniki European Council, in particular regarding access to community programmes such as Socrates; encourages the SAP countries, as part of the EU's pre-accession strategy, to participate in the Community's programmes to promote gender equality;
17. Invites the SAP countries to promptly implement the free-trade agreements already signed; points out that the non-implementation of these agreements constitutes an obstacle to the development of the SAP and of viable regional markets, further weakening the economic situation;
18. Calls on the Commission to take duly into account the fact that reinforcing assistance to institution-building is a prerequisite for the successful development of the SAP; invites the Commission to use all assistance capacities in order to develop of a proper infrastructure;
19. Urges the Commission, within the context of the CARDS programme, to support local governments in selecting production sectors in which the establishment of small- and medium-sized enterprises will be facilitated, thus favouring traditional local economies; urges the Commission, moreover, to support the promotion of small loans and a local financial system, as a means of providing concrete aid to the economy and of instilling a sense of responsibility;

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20. Insists, therefore, that in the forthcoming Action Plan priority be given to structural and economic reforms leading to functioning market economies and achieving sustainable development;

21. Calls on the countries in the region, in the light of the persistent trafficking of women and children for sexual exploitation (in particular in Albania and Bosnia-Herzegovina), to take action, in cooperation with the 'countries of destination', at both internal and regional level, giving top priority to assistance to the victims, to training programmes for the services responsible and to prevention by increasing public awareness and informing public opinion;

### ***Albania***

22. Recalls that ensuring the proper functioning of democracy and pursuing political stability will be essential to speed up the implementation of reforms; deplores the obvious unsatisfactory manner in which the last local election was conducted;

23. Encourages the Albanian authorities to reinforce their commitment to proceed with the reforms initiated, as the successful conclusion of the SAA will depend on their ability to properly implement the legislation adopted and to achieve the necessary reforms;

24. Recommends that enhanced actions be taken to provide the means to fight corruption, organised crime, trafficking in human beings, arms and drugs; as well as to ensure the proper functioning of an independent and efficient judicial system, the improvement of Albania's administrative capacity, in particular in border management, the development of a free and independent media sector, and the promotion and guarantee of respect for human and minority rights;

25. Insists on the need to present, before the end of 2003, an accurate evaluation of the size of the national minorities population, in order to properly implement throughout the country the national legislation on minorities, as well as the Council of Europe Conventions; invites the authorities to reinforce the structures of the Administration responsible for the protection of minorities;

### ***Bosnia-Herzegovina***

26. Recognises the important and difficult work carried out by the OHR and the EU Special Representative in the implementation of the 'Reform Agenda'; is of the opinion that international efforts should gradually shift to monitoring, facilitating and guiding, in order to implement the ownership principle;

27. Welcomes the government and parliament of Bosnia-Herzegovina for having placed the armies of the entities under one supreme command;

28. Welcomes the installation of a Directorate-General for European Integration and a commission of both chambers for European Affairs; encourages the Bosnian Parliament to promptly decide on the legislation relating to common VAT and common custom reform;

29. Points out the contradiction of some political forces in Bosnia-Herzegovina, which openly support European integration but obstruct the indispensable reforms needed for a functioning state; notes that Bosnia-Herzegovina has to take responsibility for its own development and to rely less on the international community;

30. Reminds the Bosnian authorities that state-building is a precondition for coming closer to the EU; urges all the political and social actors to begin a thorough evaluation of the existing institutions stemming from the Dayton agreements so as to make them viable and effective and, if necessary, to go beyond Dayton and create mechanisms that strengthen state-building; in this spirit welcomes the enactment of longer terms for the executive authorities, which will lead to more effective governance;

31. Welcomes the return of refugees to their hometowns in part of the country, which, although slow, proves that the global climate has been steadily improving; urges the authorities at all levels in the Republika Srpska to finally make strong efforts to ensure the return of refugees, especially to the Posavina region and to Banja Luka;

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32. Emphasises that the most serious issues remain the continued impunity of indicted war criminals and problems with their extradition, which represent an obstacle for reconciliation and the development of mutual trust between the peoples; calls on the Bosnian authorities to fully cooperate with the ICTY; calls on the authorities of Bosnia-Herzegovina at all levels of administration, the civil society and all other responsible actors to do their utmost to bring Karadic and Mladic before this Tribunal;

33. Urges the Commission to conclude its feasibility study on the possibility of opening negotiations on the SAA before the end of 2003;

#### **Croatia**

34. Insists, as it had reiterated in paragraph 31 of the aforementioned resolution of 7 November 2002, that intensive dialogue and diplomatic instruments continue to be the most appropriate means by which to reach agreement on borders; regrets that the Croatian authorities decided to declare the ecological and fishing zone without appropriate dialogue and coordination with all countries of the Adriatic basin; hopes that an agreement on the further steps to be taken will be reached after the Venice Conference, foreseen for 25/26 November 2003;

35. Welcomes the new constitutional law on the rights of national minorities;

36. Praises the decision of Croatia not to enter into a bilateral agreement with USA on the ICC, despite forfeiting a considerable amount of US financial support;

37. Welcomes Croatia's application for EU-membership and invites the Commission to adopt its opinion on this application by the end of March 2004;

38. Draws the attention of the Croatian authorities to their interest in achieving significant improvements, before the adoption of the Commission's opinion on Croatia's application to join the EU, in the following areas:

- full implementation of all provisions in the recently adopted law on national minorities, in particular the representation of minorities in the judiciary and in the police force and the provisions on housing to returning refugees, which will have a direct impact on the practices of local authorities and will guarantee the unobstructed return of all refugees,
- the fight against corruption,
- full cooperation with the ICTY as a necessary basis for reconciliation,
- independence and freedom of the media (in particular, following international or EU recommendations to ensure the necessary transparency and independence of the sector and its regulatory authorities),
- implementation of the strategy for the reform of the judicial system adopted in 2002;

#### **Former Yugoslav Republic of Macedonia (FYROM)**

39. Welcomes the proposed police mission to follow-up to the Concordia programme, but expects that the EU military presence will also be maintained as long as necessary;

40. Calls for further efforts to be made to fully dismantle the Albanian National Liberation Army; insists on the essential role of regional cooperation and cooperation with the EU in putting an end to arms trafficking;

41. Urges a more prompt implementation of the Ohrid agreement, in particular with regard to the reform of FYROM's police and army, the Amnesty Law for former National Liberation Army fighters, and the reform of local government;

42. Insists on the urgency of a more active policy against corruption and organised crime; calls on all political parties to condemn and oppose the use of violence;

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***Serbia and Montenegro***

43. Points out that the EU should be ready to assist Serbia and Montenegro in reaching a lasting arrangement, while adopting a neutral stance regarding the form which this relationship should take;
44. Underlines the need to focus SAP/SAA technical assistance to the two republics on the practical issues that need to be resolved, regardless of the form taken by their ultimate relationship;
45. Notes the persisting difficulties of the Serbian Government to secure a parliamentary majority; expresses concern at the resulting deadlock concerning political and economic reforms;
46. Encourages the Serbian government to press on with the current reform of the army so as to conclude it promptly and effectively;
47. Points out that greater action is required in Serbia and Montenegro to fight corruption and organised crime; calls on the Commission, and invites the OSCE and the Council of Europe, to examine with the utmost urgency the allegations of violations of human rights, the lack of independence of the judiciary and the growing state influence over the media;
48. Calls on the Commission to find ways of creating, in close cooperation with the Regional Centre in Bucharest, a European network of associations for the fight against organised crime, trafficking in human beings, arms and drugs;
49. Calls on the authorities of the Republic of Serbia and of the Union of Serbia and Montenegro to fully cooperate with the ICTY;
50. Expresses its deep concern at the current standstill in the Parliament of the Republic of Montenegro; calls on both parties to resume talks so as to find a viable solution;
51. Urges the Commission to conclude its feasibility study on the possibility of opening negotiations on the SAA before the end of 2003;

***Kosovo***

52. Welcomes the start of the 'SAP Tracking Mechanism' for Kosovo which, as a technical non-political process, will enable Kosovo to benefit from the opportunities provided by the SAP; believes, nevertheless, that without the definition of the final status of Kosovo, numerous subsidiary problems cannot be solved effectively;
53. Welcomes the direct talks between the authorities of Belgrade and Pristina, which focus on practical issues of mutual interest; is favourable to a continuation of these talks;
54. Proposes that the EU, acting in cooperation with the United Nations, play a more active role in establishing a roadmap and a time frame with the aim of reaching a conclusion on the final status of Kosovo as soon as possible, and preferably within the next two years;
55. Is of the opinion that irrespective of the form of the final status — far reaching autonomy or independence — the Kosovo authorities must strengthen and enhance their efforts so as to create a tolerant society with mutual respect of all ethnic groups according to European standards; calls, therefore, on the Kosovo authorities to respect concretely the principles of a multi-ethnic, multicultural and multireligious society and to cooperate actively with UNMIK so as to improve the return of refugees and displaced persons, in particular of minorities;
56. Urges the UN to speed up the process of devolution of power to the Provisional Self Government, with the exclusion of the agreed reserved areas;

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57. Instructs the President to forward this resolution to the Council, the Commission, the EU National Parliaments, the Governments and Parliaments of the SAP countries and the Special Coordinator for the Stability Pact.
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**Sri Lanka****European Parliament resolution on Sri Lanka***The European Parliament,*

- having regard to its previous resolutions of 18 May 2000 <sup>(1)</sup> and 14 March 2002 <sup>(2)</sup> on Sri Lanka,
  - having regard to the ceasefire agreement signed between the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE) which entered into force on 23 February 2002,
  - having regard to the Oslo Declaration of December 2002, in which the Government of Sri Lanka and the LTTE agreed to explore a solution based on a federal structure within a united Sri Lanka,
  - having regard to the support given by the EU and the wider international community to the peace process, as reflected by the Tokyo Conference on Reconstruction and Development of Sri Lanka held on 9/10 June 2003, which pledged USD 4,5 billion over the next four years to underpin it, and which linked assistance pledged by donor countries to substantial and parallel progress in the peace process,
- A. whereas the ceasefire agreement has now held for 21 months, longer than any previous attempt, and gives great hope for bringing an end to the twenty-year-long civil war that has caused over 60 000 deaths and has impeded the development prospects of Sri Lanka,
- B. whereas political stability is vital to a long-term solution with the LTTE,
- C. whereas the government of Prime Minister Ranil Wickremasinghe, which was elected in 2001, made the resolution of the conflict its main priority,
- D. whereas the decision made by President Kumaratunga at the beginning of November to sack three ministers and prorogue parliament while Prime Minister Wickremasinghe was outside the country represents a threat to the peace process and shows the need, more than ever, for a real bipartisan commitment and approach to securing a political settlement in Sri Lanka between the major parties,
- E. whereas Norway has played a key role in brokering talks, but has suspended its participation in the peace process until the political crisis within the government is resolved,
- F. whereas prior to 4 November 2003 the peace dividend had already made a significant difference to the everyday life of Sri Lanka's citizens and also to the economy as a whole, as illustrated by the fact that the Colombo stock exchange was at a nine-year high and national GDP was experiencing a 5,6 % growth rate as compared to 1,5 % in 2001 while, additionally, incoming tourism was increasing substantially,
- G. whereas expectations remain high that an end to military conflict could improve the problematic human rights situation in Sri Lanka, which was documented again in the fourth periodic report on Sri Lanka by the UN Commission on Human Rights, as adopted this month,
1. Acknowledges the bold steps taken by the Government of Sri Lanka and the LTTE to create the conditions in which negotiations may lead to a political solution and a lasting peace, on the basis of the Oslo Declaration of December 2002, where the Government of Sri Lanka and the LTTE agreed to explore a solution based on a federal structure within a united Sri Lanka;

<sup>(1)</sup> OJ C 59, 23.2.2001, p. 278.

<sup>(2)</sup> OJ C 47 E, 27.2.2003, p. 613.

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2. Welcomes, therefore, the publication of the proposals by the Government of Sri Lanka for a provisional administrative structure and of those by the LTTE for an interim self-governing authority;
3. Acknowledges the contribution of the Government of Norway in facilitating the ongoing negotiations between the Government of Sri Lanka and the LTTE, and deeply regrets that the current political crisis and the lack of clarity as to who has political authority have obliged the Government of Norway to suspend its mediation role;
4. Acknowledges, furthermore, the contribution of the Sri Lanka Monitoring Mission, especially the continuation of its work despite recent setbacks;
5. Expresses its deep concern about the recent developments in Sri Lanka which threaten the internationally supported peace process, notably the decisions by President Chandrika Kumaratunga to sack the three Ministers for Defence, Interior and Information and to prorogue the Parliament of Sri Lanka;
6. Regrets, furthermore, the comments made by President Kumaratunga on the validity of the ceasefire agreement signed by Prime Minister Ranil Wickremasinghe with the LTTE;
7. Believes that it is essential that the political differences between the two main parties in the south be resolved without delay; believes, furthermore, that this can best be achieved by the full and immediate restoration of parliamentary and governmental functions;
8. Urges the President, in the national interest, to work together with the democratically elected Government and its Prime Minister; welcomes, therefore, the recent establishment of a committee of officials to work out the details of future working arrangements under which the President and the Prime Minister could work together on these important national issues;
9. Welcomes the commitments given by all sides, including the LTTE, to maintaining the ceasefire agreement and respecting the peace process; stresses the need for full respect for human rights by both the armed forces and the LTTE;
10. Calls on the Council, the Commission and the Member States to continue to monitor progress in the search for a lasting and equitable political solution based on respect for human rights and democracy and the rule of law, securing the interests of all peoples and communities on the basis of a federal structure within a united Sri Lanka;
11. Instructs its President to forward this resolution to the Council, the Commission, the Member States, the President, Prime Minister and Parliament of Sri Lanka, the LTTE, the Government of Norway and the other Co-Chairs of the Tokyo Donor Conference, and the UN Commission on Human Rights.

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**P5\_TA(2003)0525**

## **Aceh**

### **European Parliament resolution on Aceh**

*The European Parliament,*

- having regard to the recent appeal by the UN Secretary-General, Mr Kofi Annan, to open up the Aceh province to human rights and humanitarian aid organisations,
- having regard to its previous resolutions on the situation in Indonesia, and in particular its resolution of 5 June 2003 <sup>(1)</sup> on the situation in Indonesia, particularly in the Aceh province,

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<sup>(1)</sup> P5\_TA(2003)0271.

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- having regard to its resolution of 13 December 2000 <sup>(1)</sup> on the communication from the Commission to the Council and the European Parliament on developing closer relations between Indonesia and the European Union,
  - having regard to the joint EU, Japan and US statement issued on 6 November 2003 following Jakarta's decision to extend martial law in Aceh for the next six months,
- A. whereas the Indonesian government has extended martial law in the province of Aceh for a further six months,
- B. whereas the province has been effectively closed to national and international humanitarian and human rights workers, the press and rights monitors,
- C. deeply concerned by the fact that hundreds of combatants and civilians have died since the crackdown was launched in May,
- D. recalling that according to Presidential Decree No 28/2003 a democratic hearing process involving the House of Representatives (DPR) and a proper evaluation should have preceded the 19 November 2003 extension of martial law,
- E. whereas the Indonesia military and police personnel in Aceh is estimated at 45 000 and the number of rebels at 5 000, 2 000 of the latter having been killed, wounded or captured during the past six months, according to official figures,
- F. whereas the Free Aceh Movement (GAM) negotiators arrested after the collapsed peace talks in May 2003 have been condemned on terrorism and rebellion charges and sentenced to terms ranging from 11 to 15 years by the court, and the death penalty was requested on 5 November 2003 against a captured GAM leader,
- G. whereas only minor prison sentences have been passed against the military personnel found guilty of torture,
- H. whereas about 12 000 Acehnese civilians have perished during the 26 years of war, and whereas the Cessation of Hostilities Agreement (COHA) signed on 9 December 2002 between GAM and the Government of Indonesia was an attempt to bring peace to the province,
- I. whereas the first six months of the renewed Aceh military campaign have disrupted the food and health security of local people, and led to the destruction of infrastructure and of at least 600 schools, and to tens of thousands of people being voluntarily or forcibly internally displaced with no recourse to any meaningful aid,
- J. whereas the distribution by the military of humanitarian aid is not acceptable under international standards.
- K. whereas, according to the Nanggroe Aceh Darussalam Governor Abdullah Puteh, unemployment and poverty have reached alarming rates,
- L. whereas the disruption by the police on 20 October 2003 of the training in human rights monitoring organised in Banda Aceh by the Komnas HAM (Komisi Nasional Hak Asasi Manusia, National Commission for Human Rights) illustrates the difficulties faced by human rights activists in the province,
- M. having regard to the Commission's decision to grant EUR 8,5 million in aid to Indonesia for economic and social recovery,

<sup>(1)</sup> OJ C 232, 17.8.2001, p. 186.

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1. Is deeply concerned at the extension of martial law and military operations in Aceh and the ongoing violence, including armed skirmishes, kidnappings, killings and other acts of violence, particularly outside the major towns of Aceh;
2. Calls on the Indonesian Government to stop the offensive and resume talks with the GAM and to fully involve civil society – and in particular Acehnese women – in the dialogue and peace process;
3. Expresses its concern at the raid carried out by the military and the police, on 19 October 2003 in the province of Aceh, against a training programme in human rights monitoring organised by a governmental body, the National Human Rights Commission (Komnas HAM);
4. Calls on the Council and the Commission to assist Indonesia in order to resume talks with the GAM;
5. Calls on GAM, on the basis of the Geneva Agreement, to pursue its cause through the democratic process and to decommission its weapons, and calls on the Indonesian army to withdraw;
6. Calls on the elected political authorities to operate strict surveillance of military activity in the province, especially in order to ensure respect for the international laws on the protection of civilians;
7. Calls on the Indonesian Government to take the necessary measures in order to ensure that international humanitarian law and human rights standards are respected during operations by the security forces;
8. Urges the Indonesian Government to provide immediate and unimpeded access throughout Aceh for all humanitarian agencies, independent human rights observers, diplomatic representatives (including any from the Tokyo group), journalists and other parties with a legitimate interest;
9. Calls on the Indonesian Government to conduct transparently and accountably the evaluation process legally provided for, including in its scope the legislative bodies, the Komnas HAM, the political parties and the human rights community, so that the evaluation also considers whether martial law enables humanitarian work to aid the victims of conflict, as well as its effects on the social structure of Aceh;
10. Calls on the Indonesian Government to bring to account those responsible for violations of human rights in Aceh, as well as other parts of the country, whether committed by civilians, separatist groups, militias, paramilitary forces or the military;
11. Calls on the Indonesian Government to provide access to UN agencies and non-governmental organisations that can assist in the protection of civilians, particularly displaced persons;
12. Calls on the Indonesian Government to allow UN monitors to visit the province, in particular the UN Special Representative on Human Rights Defenders, the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, the UN Special Representative on Internally Displaced Persons and the UN Special Rapporteur on Torture;
13. Calls on the Indonesian Government to ensure that the International Committee of the Red Cross has comprehensive access to prisoners in police and military detention;
14. Asks the Indonesian Government to allow humanitarian aid to be delivered directly to those in need, rather than all aid having to be routed through the authorities;
15. Calls on the Indonesian authorities to work in collaboration with other actors in order to provide better capacity to deal with humanitarian needs and to care for internally displaced persons;



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16. Appeals to the Indonesian Government to prevent attacks on humanitarian agencies and their workers and to take appropriate action against those implicated in such attacks, in accordance with its responsibilities under the UN Declaration on Human Rights Defenders of 9 December 1998;

17. Calls on the Indonesian Government to guarantee the right to a fair trial and access to defence counsel, and to reform and strengthen the judiciary so that the law can provide protection against human rights violations;

18. Calls for freedom of religion and condemns the restriction on freedom of the press provided for under martial law;

19. Requests that the Commission assist the Indonesian Government in its efforts to implement the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the recommendations made by the Committee against Torture, and the recommendations made by the UN Special Rapporteur on the independence of judges and lawyers;

20. Instructs its President to forward this resolution to the Commission, the Council, the Government and Parliament of Indonesia, the Governor and the Regional House of Representatives (DPRD) of Aceh, the Indonesian National Commission on Human Rights (Komnas HAM), the permanent members of the Secretariat of the Tokyo Preparatory Conference on Peace and Reconstruction in Aceh, the Henri Dunant Centre for Humanitarian Dialogue, the UN Secretary-General, the UN High Commissioner for Human Rights and the ASEAN Secretariat.

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**P5\_TA(2003)0526**

## **Vietnam: freedom of religion**

### **European Parliament resolution on Vietnam**

*The European Parliament,*

- having regard to its previous resolutions on Vietnam, in particular those of 16 November 2000 <sup>(1)</sup>, 5 July 2001 on religious freedom in Vietnam <sup>(2)</sup> and 15 May 2003 <sup>(3)</sup>,
- having regard to the Cooperation Agreement between the European Community and the Socialist Republic of Vietnam of 17 July 1995, Article 1 of which lays down respect for human rights and democratic principles as the basis for cooperation,
- having regard to Articles 69 and 70 of Vietnam's Constitution, which guarantee freedom of religion in the following terms: 'the citizen (...) can follow any religion or follow none',
- having regard to Article 18 of the International Covenant on Civil and Political Rights, which Vietnam has ratified and which guarantees freedom of religion,
- having regard to the Cooperation Agreement signed between the European Union and Vietnam in 1985,
- having regard to its report on the situation of human rights in the world in 2002,
- having regard to the EC-Vietnam Strategy Paper 2002-2006,
- having regard to Rule 50(5) of the Rules of Procedure,

<sup>(1)</sup> OJ C 223, 8.8.2001, p. 337.

<sup>(2)</sup> OJ C 65 E, 14.3.2002, p. 369.

<sup>(3)</sup> P5\_TA(2003)0225.

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- A. whereas freedom of religion is one of the fundamental freedoms defined by the Universal Declaration of Human Rights and guaranteed by various international conventions to which Vietnam is party,
  - B. whereas the EU-Vietnam Cooperation Agreement is, precisely, based on respect for fundamental rights as defined in these conventions,
  - C. whereas also, despite the repeated declarations of the Vietnamese authorities, the situation with regard to fundamental freedoms in Vietnam, especially freedom of religion, remains extremely worrying,
  - D. having regard to the multiethnic, multicultural and multireligious character of the country,
  - E. having regard to the hopes raised by the meeting in March this year between Prime Minister Phan Van Khai and the Most Venerable Thich Huyen Quang, 86, Patriarch of the Unified Buddhist Church of Vietnam (UBCV), who has spent 21 years in prison,
  - F. regretting deeply that the unexpected and widely publicised meeting on 2 April 2003 between Prime Minister Phan Van Khai and the Most Venerable Thich Huyen Quang, Patriarch of the (outlawed) UBCV has been followed by the resumption and intensification of the repression of the UBCV, as well as by the continuing persecution of other non-recognised confessions such as the Protestant Churches of the Montagnards or the Hoa Hao Buddhist Church,
  - G. deploring the decision to place the Patriarch Thich Huyen Quang and the Venerable Thich Quang Do under house arrest, and the immediate condemnation of the Venerables Thich Tue Sy, Thich Thanh Huyen and Thich Nguyen Ly, as well as the personal assistant of the Patriarch, the Venerable Thich Dong Tho, to two years' administrative detention by written order of the People's Committee of Ho Chi Minh City, and the condemnation of four other monks, Thich Thien Hanh, Thich Vien Dinh, Thich Thai Hoa and Thich Nguyen Vuong, to two years' administrative detention by 'verbal' order of the authorities of Hue and of Ho Chi Minh City,
  - H. whereas respect for human rights is one of the essential elements of the Cooperation Agreement signed between the European Union and Vietnam,
  - I. having regard to the meeting of the Joint EU-Vietnam Committee pursuant to the Cooperation Agreement,
  - J. recalling the condemnation of Father Nguyen Van Ly and three of his relatives as well as the continual repression suffered by the Christian Montagnards and the Hoa Hao Buddhist Church,
  - K. noting that other religious groups are under government surveillance as well despite Vietnam's constitutional guarantee of freedom of religion and belief for its citizens,
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- 1. Strongly condemns the new and more serious wave of repression of the religious freedom of the UBCV and of the Christian Montagnards in Vietnam and the deliberate policy of the Vietnamese regime of eliminating non-recognised Churches, especially the UBCV;
  - 2. Calls on the Vietnamese authorities to halt immediately the policies of repression of the UBCV, the Catholic Church, Montagnard Christian groups and Hoa Hao Buddhists and to adopt without delay all the reforms necessary to guarantee all these churches' legal status;
  - 3. Calls on the Vietnamese Government to release immediately all Vietnamese citizens detained on account of their faith, their religious practices or simply their attachment to the freedom of religion, beginning with the Most Venerable Thich Huyen Quang, Patriarch of the UBCV, and the Venerable Thich Quang Do, his deputy;
  - 4. Calls on the Vietnamese authorities to respect the freedom of religion of all religious groups and guarantee the right of all Vietnamese to practise the religion of their choice, including freedom of worship and assembly, and calls for the establishment of a judicial system independent of the political authorities;

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5. Calls on the Commission to place the question of freedom of religion in Vietnam at the top of the agenda for the meeting of the Joint EU-Vietnam Committee to be held in Brussels on 21 November 2003;
  6. Calls on the Council and Commission to use all political and diplomatic means to ensure that freedom of religion finally becomes a reality in Vietnam;
  7. Calls on the Commission and Council to ensure that the human rights clauses contained in the agreements and treaties concluded are strictly complied with;
  8. Calls on the diplomatic representations of the European Union and of its Member States in Vietnam to follow the case of the dignitaries of the UBCV imprisoned or kept under house arrest, to pay particular attention to the situation of religious freedom in the country, and to coordinate their efforts to promote this freedom in a concrete manner;
  9. Recommends the appointment of a delegation of the European Parliament to visit Vietnam, to appraise the religious situation, especially that of the UBCV, and to meet its leaders, first and foremost the Patriarch Thich Huyen Quang and the Venerable Thich Quang Do;
  10. Instructs its President to forward this resolution to the Council, the Commission, the President, the Prime Minister and the President of the People's Assembly of Vietnam, the Patriarch and the deputy Patriarch of the UBCV, the Secretary General of the United Nations and the Special Rapporteur of the United Nations on freedom of religion.
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