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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

EN

Monday 15 December 2003

I

(Information)

EUROPEAN PARLIAMENT

2003-2004 SESSION

Sittings of 15 to 18 December 2003

STRASBOURG

(2004/C 91 E/01)

MINUTES

PROCEEDINGS OF THE SITTING

IN THE CHAIR: Pat COX

President

1. Resumption of session

The sitting opened at 17.05.

2. Approval of Minutes of previous sitting

Gérard Caudron had informed the Presidency that he had been present at the sitting of 4 December 2003, but that his name was not on the attendance register.

The Minutes of the previous sitting were approved.

3. Membership of committees and delegations

M. Mr Christodoulos Taramountas had been appointed to the LIBE Committee as observer.

Monday 15 December 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 on batteries and accumulators and spent batteries and accumulators (COM(2003) 723 — C5-0563/2003 — 2003/0282(COD))

referred to responsible ENVI
opinion ITRE

legal basis Article 95(1) EC, Article 175(1) EC

— Draft General Budget of the European Communities for the financial year 2004, as amended and accompanied by proposed modifications (14840/2003 — C5-0600/2003 — 2003/2001(BUD))

referred to responsible BUDG
opinion AFET, CONT, LIBE, ECON, JURI, ITRE, EMPL, ENVI, AGRI, PECH, RETT, CULT, DEVE, AFCO, FEMM

legal basis Article 272 EC, Article 177 EURATOM

— Proposal for a Council Framework Decision on the European Evidence Warrant for obtaining objects, documents and data for use in proceedings in criminal matters (COM(2003) 688 — C5-0609/2003 — 2003/0270(CNS))

referred to responsible LIBE
opinion JURI

legal basis Article 31 EU, Article 34(2) EU

— Proposal for a Directive of the European Parliament and of the Council on driving licences (Recasting) (COM(2003) 621 — C5-0610/2003 — 2003/0252(COD))

referred to responsible RETT
opinion LIBE, JURI, ITRE

legal basis Article 71(1) EC

— Proposal for a Council Decision authorising the Member States which are Contracting Parties to the Paris Convention of 29 July 1960 on Third Party Liability in the Field of Nuclear Energy to ratify, in the interest of the European Community, the Protocol amending that Convention, or to accede to it (14305/2003 — C5-0611/2003 — 2003/0150(AVC))

referred to responsible JURI
opinion ITRE, ENVI

legal basis Article 61 EC, Article 67(5) EC, Article 300(2), 1st subparagraph and (3), 2nd subparagraph EC

— Proposal for a Council decision establishing a secure web-based Information and Co-ordination Network for Member States' Migration Management Services (COM(2003) 727 — C5-0612/2003 — 2003/0284(CNS))

referred to responsible LIBE

legal basis Article 66 EC

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— Proposal for a Council Regulation establishing a European Agency for the Management of Operational Co-operation at the External Borders (COM(2003) 687 — C5-0613/2003 — 2003/0273(CNS))

referred to responsible LIBE
opinion AFET

legal basis Article 66 EC

— Opinion of the Council on 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 (C5-0614/2003 — 2003/2198(GBD))

referred to responsible BUDG

legal basis Article 274 EC

— Opinion of the Council on 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 (C5-0615/2003 — 2003/2206(GBD))

referred to responsible BUDG

legal basis Article 274 EC

— Opinion of the Council on 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 (C5-0616/2003 — 2003/2199(GBD))

referred to responsible BUDG

legal basis Article 274 EC

— Opinion of the Council on 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 (C5-0617/2003 — 2003/2208(GBD))

referred to responsible BUDG

legal basis Article 274 EC

— Draft Council Framework Decision laying down minimum provisions on the constituent elements of criminal acts and penalties in the field of drug trafficking (15102/2/2003 — C5-0618/2003 — 2001/0114(CNS))

referred to responsible LIBE

legal basis Article 31 EU, Article 34(2) EU

— Communication from the Commission to the Council, the European Parliament and the Court of Auditors: Financial information on the 6th, 7th and 8th European Development Funds — 2002 (COM(2003) 491 — C5-0619/2003 — 2003/2189(DEC))

referred to responsible CONT
opinion BUDG, DEVE

— Opinion of the Council on 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 (C5-0620/2003 — 2003/2219(GBD))

referred to responsible BUDG

legal basis Article 274 EC

— Opinion of the Council on 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 (C5-0621/2003 — 2003/2224(GBD))

referred to responsible BUDG

legal basis Article 274 EC

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— Proposal for a Decision of the European Parliament and of the Council amending Council Decision 1999/784/EC concerning Community participation in the European Audiovisual Observatory (COM(2003) 763 — C5-0622/2003 — 2003/0293(COD))

referred to responsible CULT
opinion BUDG, ITRE

legal basis Article 157(3) 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 amending European Parliament and Council Directive 94/35/EC on sweeteners for use in foodstuffs (COM(2003) 780 — C5-0623/2003 — 2002/0152(COD))

referred to responsible ENVI

legal basis Article 95 EC

— Opinion of the Council on 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 (C5-0624/2003 — 2003/2223(GBD))

referred to responsible BUDG

legal basis Article 274 EC

— Draft Council Decision amending Article 35 of the Rules of Procedure of the Court of First Instance with regard to the language of proceedings, with a view to the new division of jurisdiction in direct actions and the enlargement of the Union (15738/2003 — C5-0625/2003 — 2003/0825(CNS))

referred to responsible JURI
opinion AFCO

legal basis Article 245, 2nd paragraph EC, Article 160, 2nd paragraph EURATOM

— Proposal for a Council Decision on the conclusion of an Agreement on the participation of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the European Economic Area and four related agreements (11902/2003 — C5-0626/2003 — 2003/0160(AVC))

referred to responsible ITRE
opinion AFET

legal basis Article 310 EC, Article 300(2), 1st subparagraph EC, Article 300(3) EC

— Proposal for a Regulation of the European Parliament and of the Council on the implementation of the International Safety Management Code within the Community (COM(2003) 767 — C5-0627/2003 — 2003/0291(COD))

referred to responsible RETT
opinion ENVI

legal basis Article 80(2) EC

— Proposal for a Decision of the European Parliament and of the Council amending Decision 2000/819/EC on a multiannual programme for enterprise and entrepreneurship, and in particular for small and medium-sized enterprises (SMEs) (2001-2005) (COM(2003) 758 — C5-0628/2003 — 2003/0292(COD))

referred to responsible ITRE
opinion ECON, EMPL

legal basis Article 157(2) EC

2) *from committees:*

2.1) *reports:*

— *** Recommendation on the decision of the Representatives of the Governments of the Member States concerning the discharge to be granted to the Secretary-General of the Convention in respect of the implementation of its budget for the financial year 2002 (I5-0016/03 — C5-0406/2003 — 2003/0903(AVC)) — Committee on Budgetary Control. Rapporteur: Mr Kuhne (A5-0414/2003).

— Report on the communication from the Commission to the European Parliament and the Council in view of the European Council of Thessaloniki on the development of a common policy on illegal immigration, smuggling and trafficking of human beings, external borders and the return of illegal residents (COM(2003) 323 — C5-0372/2003 — 2003/2156(INI)) — Committee on Citizens' Freedoms and Rights, Justice and Home Affairs. Rapporteur: Mr Pirker (A5-0419/2003).

— Report on the future budgetary requirements for external actions (2003/2037(INI)) — Committee on Budgets. Rapporteur: Mr Podestà (A5-0434/2003) (Enhanced cooperation between committees — Rule 162a).

— *** I Report on the proposal for a European Parliament and Council directive on the widespread introduction and interoperability of electronic road toll systems in the Community (COM(2003) 132 — C5-0190/2003 — 2003/0081(COD)) — Committee on Regional Policy, Transport and Tourism. Rapporteur: Mrs Sommer (A5-0435/2003).

— * Report on the proposal for a Council decision concerning the conclusion of an Agreement aimed at renewing the Agreement for scientific and technological cooperation between the European Community and the Government of the United States of America (COM(2003) 569 — C5-0503/2003 — 2003/0223(CNS)) — Committee on Industry, External Trade, Research and Energy. Rapporteur: Mr Berenguer Fuster (A5-0436/2003) (Simplified procedure — Rule 158(1)).

— * Report on the amended proposal for a Council regulation laying down certain technical measures applicable to fishing activities in the area covered by the Convention on the conservation of Antarctic marine living resources (COM(2003) 384 — C5-0431/2003 — 2002/0138(CNS)) — Committee on Fisheries. Rapporteur: Mr Stevenson (A5-0437/2003).

— * Report on the amended proposal for a Council regulation amending Regulation (EC) No 1936/2001 of 27 September 2001 laying down control measures applicable to fishing for certain stocks of highly migratory fish (COM(2002) 421 — C5-0406/2002 — 2002/0186(CNS)) — Committee on Fisheries. Rapporteur: Mrs McKenna (A5-0438/2003).

— * Report on the amended proposal for a Council regulation amending Regulation (EC) No 973/2001 laying down certain technical measures for the conservation of certain stocks of highly migratory species (COM(2003) 421 — C5-0429/2003 — 2002/0189(CNS)) — Committee on Fisheries. Rapporteur: Mr Piétrasanta (A5-0439/2003).

— * Report on the amended proposal for a Council regulation laying down certain control measures applicable to fishing activities in the area covered by the Convention on the conservation of Antarctic marine living resources (COM(2003) 384 — C5-0430/2003 — 2002/0137(CNS)) — Committee on Fisheries. Rapporteur: Mr Stevenson (A5-0440/2003).

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— * Report on the proposal for a Council (Euratom) directive setting out basic obligations and general principles on the safety of nuclear installations (COM(2003) 032 — C5-0228/2003 — 2003/0021(CNS)) — Committee on Industry, External Trade, Research and Energy. Rapporteur: Mr Seppänen (A5-0441/2003).

— * Report on the proposal for a Council directive (Euratom) on the management of spent nuclear fuel and radioactive waste (COM(2003) 032 — C5-0229/2003 — 2003/0022(CNS)) — Committee on Industry, External Trade, Research and Energy. Rapporteur: Mr Vidal-Quadras Roca (A5-0442/2003).

— * Report on the proposal for a Council decision amending Decision 77/270/Euratom empowering the Commission to issue Euratom loans for the purpose of contributing to the financing of nuclear power stations (COM(2002) 456 — C5-0570/2002 — 2002/0246(CNS)) — Committee on Industry, External Trade, Research and Energy. Rapporteur: Mrs Breyer (A5-0443/2003).

— Report on the Communication from the Commission on immigration, integration and employment (COM(2003) 336 — C5-0382/2003 — 2003/2147(INI)) — Committee on Employment and Social Affairs. Rapporteur: Mr Moraes (A5-0445/2003).

— *** I Report on the proposal for a European Parliament and Council regulation on promoting gender equality in development cooperation (COM(2003) 465 — C5-0367/2003 — 2003/0176(COD)) — Committee on Women's Rights and Equal Opportunities. Rapporteur: Mrs Zrihen Zaari (A5-0447/2003) (Enhanced cooperation between committees — Rule 162a).

— Report on the implementation of Directive 96/71/EC in the Member States (COM(2003) 458 — C5-0405/2003 — 2003/2168(INI)) — Committee on Employment and Social Affairs. Rapporteur: Mrs Glase (A5-0448/2003).

— *** I Report on the proposal for a European Parliament and Council regulation on official feed and food controls (COM(2003) 052 — C5-0032/2003 — 2003/0030(COD)) — Committee on the Environment, Public Health and Consumer Policy. Rapporteur: Mrs Paulsen (A5-0449/2003).

— Report on petition 842/2001 concerning the effects of discriminatory treatment afforded to persons with Multiple Sclerosis, within the European Union — 2003/2173(INI)) — Committee on Petitions. Rapporteur: Mrs Aaltonen (A5-0451/2003).

— *** Recommendation on the proposal for a Council regulation establishing a Cohesion Fund (codified version) (COM(2003) 352 — C5-0291/2003 — 2003/0129(AVC)) — Committee on Legal Affairs and the Internal Market. Rapporteur: Mr Gargani (A5-0454/2003) (Simplified procedure — Rule 158(1).

— Report on the proposal for a decision of the European Parliament and of the Council on the mobilisation of the flexibility instrument in favour of the rehabilitation and reconstruction of Iraq according to point 24 of the Interinstitutional Agreement of 6 May 1999 (COM(2003) 576 — C5-0455/2003 — 2003/0225(ACI)) — Committee on Budgets. Rapporteur: Mr Colom i Naval (A5-0456/2003).

— * Report on the proposal for a Council regulation on conclusion of an Agreement in the form of an exchange of letters extending to the period 1 July 2003 to 30 June 2004 the validity of the Protocol setting fishing opportunities and a financial contribution as provided for in the Agreement between the European Economic Community and the Republic of Côte d'Ivoire on fishing off the coast of Côte d'Ivoire (COM(2003) 556 — C5-0458/2003 — 2003/0219(CNS)) — Committee on Fisheries. Rapporteur: Mr Stevenson (A5-0459/2003).

— * Report on the proposal for a Council regulation derogating from Regulation (EC) No 1251/1999 as regards the set-aside requirement for the 2004/2005 marketing year (COM(2003) 691 — C5-0559/2003 — 2003/0271(CNS)) — Committee on Agriculture and Rural Development. Rapporteur: Mr Daul (A5-0460/2003) (Simplified procedure — Rule 158(1).

— * Report on the proposal for a Council regulation amending Regulation (EEC) No 2075/92 on the common organisation of the market in raw tobacco (COM(2003) 633 — C5-0517/2003 — 2003/0251(CNS)) — Committee on Agriculture and Rural Development. Rapporteur: Mr Daul (A5-0462/2003) (Simplified procedure — Rule 158(1).

— Report on Arctic agriculture (2003/2051(INI)) — Committee on Agriculture and Rural Development. Rapporteur: Mr Pesälä (A5-0463/2003).

— Report on coexistence between genetically modified crops and conventional and organic crops — 2003/2098(INI)) — Committee on Agriculture and Rural Development. Rapporteur: Mr Graefe zu Baringdorf (A5-0465/2003).

— *** I Report on the proposal for a European Parliament and Council directive amending Directive 77/799/EEC concerning mutual assistance by the competent authorities of the Member States in the field of direct and indirect taxation (COM(2003) 446 — C5-0370/2003 — 2003/0170(COD)) — Committee on Economic and Monetary Affairs. Rapporteur: Mrs Kauppi (A5-0466/2003).

— * Report on the proposal for a Council directive amending Directive 77/388/EEC as regards value added tax on services provided in the postal sector (COM(2003) 234 — C5-0227/2003 — 2003/0091(CNS)) — Committee on Economic and Monetary Affairs. Rapporteur: Mr Schmidt (A5-0467/2003).

— *** I Report on the proposal for a European Parliament and Council directive on measures and procedures to ensure the enforcement of intellectual property rights (COM(2003) 046 — C5-0055/2003 — 2003/0024(COD)) — Committee on Legal Affairs and the Internal Market. Rapporteur: Mrs Fourtou (A5-0468/2003).

— *** I Report on the proposal for a European Parliament and Council directive on takeover bids (COM(2002) 534 — C5-0481/2002 — 2002/0240(COD)) — Committee on Legal Affairs and the Internal Market. Rapporteur: Mr Lehne (A5-0469/2003) (Enhanced cooperation between committees — Rule 162a).

— *** I Report on the proposal for a European Parliament and Council directive on the recognition of professional qualifications (COM(2002) 119 — C5-0113/2002 — 2002/0061(COD)) — Committee on Legal Affairs and the Internal Market. Rapporteur: Mr Zappalà (A5-0470/2003).

— Report on the Communication from the Commission entitled "The operating framework for the European Regulatory Agencies" (COM(2002) 718 — C5-0203/2003 — 2003/2089(INI)) — Committee on Constitutional Affairs. Rapporteur: Mrs Almeida Garrett (A5-0471/2003).

— * Report on the proposal for a Council directive amending Directive 90/435/EEC on the common system of taxation applicable in the case of parent companies and subsidiaries of different Member States (COM(2003) 462 — C5-0427/2003 — 2003/0179(CNS)) — Committee on Economic and Monetary Affairs. Rapporteur: Mr Karas (A5-0472/2003).

Monday 15 December 2003

— Report on the draft general budget of the European Union for the year 2004 as modified by the Council (all sections) (11357/2003 — C5-0600/2003 — 2003/2001(BUD) — 2003/2002(BUD)) and Letters of amendment Nos 1/2004 (14837/2003 — C5-0570/2003), 2/2004 (14838/2003 — C5-0571/2003) and 3/2004 (14839/2003 — C5-0572/2003) to the draft general budget of the European Union for the financial year 2004, Section I — European Parliament, Section II — Council, Section III — Commission, Section IV — Court of Justice, Section V — Court of Auditors, Section VI — Economic and Social Committee, Section VII — Committee of the Regions, Section VIII (A) — European Ombudsman, Section VIII (B) — European Data Protection Supervisor (2003/2001(BUD)) — Committee on Budgets. Rapporteur: Mr Mulder (A5-0473/2003).

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 amending Directive 2001/82/EC on the Community code relating to veterinary medicinal products [10951/3/2003 — C5-0465/2003 – 2001/0254(COD)] — Committee on the Environment, Public Health and Consumer Policy. Rapporteur: Mrs Grossetête (A5-0444/2003).

— *** II Recommendation for second reading on the common position adopted by the Council with a view to adopting a European Parliament and Council directive amending Directive 2001/83/EC on the Community code relating to medicinal products for human use [10950/3/2003 — C5-0464/2003 – 2001/0253(COD)] — Committee on the Environment, Public Health and Consumer Policy. Rapporteur: Mrs Grossetête (A5-0446/2003).

— *** II Recommendation for second reading on the common position adopted by the Council with a view to adopting a European Parliament and Council directive amending, as regards traditional herbal medicinal products, Directive 2001/83/EC on the Community code relating to medicinal products for human use [12754/1/2003 — C5-0519/2003 – 2002/0008(COD)] — Committee on the Environment, Public Health and Consumer Policy. Rapporteur: Mr Nisticò (A5-0452/2003).

— *** II Recommendation for second reading on the common position adopted by the Council with a view to adopting a European Parliament and Council regulation on detergents [10595/3/2003 — C5-0521/2003 – 2002/0216(COD)] — Committee on the Environment, Public Health and Consumer Policy. Rapporteur: Mr Nobilia (A5-0455/2003).

— *** 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 the promotion of cogeneration based on a useful heat demand in the internal energy market and amending Directive 92/42/EEC [10345/2/2003 — C5-0444/2003 – 2002/0185(COD)] — Committee on Industry, External Trade, Research and Energy. Rapporteur: Mr Glante (A5-0457/2003).

— *** 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 measuring instruments [9681/4/2003 — C5-0417/2003 – 2000/0233(COD)] — Committee on Industry, External Trade, Research and Energy. Rapporteur: Mr Chichester (A5-0458/2003).

— *** 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 environmental liability with regard to the prevention and remedying of environmental damage [10933/5/2003 — C5-0445/2003 – 2002/0021(COD)] — Committee on Legal Affairs and the Internal Market. Rapporteur: Mr Manders (A5-0461/2003).

Monday 15 December 2003

3) *from Members:*

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

— Nogueira Román Camilo, Alavanos Alexandros, Posselt Bernd, Martínez Martínez Miguel Angel, Bushill-Matthews Philip, Cappato Marco, Bergaz Conesa María Luisa, Izquierdo Rojo María, Zacharakis Christos, Medina Ortega Manuel, Newton Dunn Bill, Seppänen Esko Olavi, Casaca Paulo, Dupuis Olivier, Busk Niels, Souladakis Ioannis, De Rossa Proinsias, Kratsa-Tsagaropoulou Rodi, Patakis Ioannis, Alyssandrakis Konstantinos, Korakas Efstratios, Martin Hans-Peter, Sacrédeus Lennart- Newton Dunn Bill, Zabell Theresa, Martin Hans-Peter, Posselt Bernd, Hedkvist Petersen Ewa, Bowis John, Zorba Myrsini, McKenna Patricia, Staes Bart, Turmes Claude, Nogueira Román Camilo, Alavanos Alexandros, Ebner Michl, Bushill-Matthews Philip, Thors Astrid, Moraes Claude, Dhaene Jan, de Roo Alexander, Ortuondo Larrea Josu, Karamanou Anna, Purvis John, Martínez Martínez Miguel Angel, Folias Christos, Patakis Ioannis, Cappato Marco, Izquierdo Rojo María, Malmström Cecilia, Medina Ortega Manuel, Seppänen Esko Olavi, Martin David W., Casaca Paulo, Dupuis Olivier, Mantovani Mario, Paulsen Marit, Grönfeldt Bergman Lisbeth, Marinos Ioannis, Alyssandrakis Konstantinos, Herranz García María Esther, Souladakis Ioannis, De Rossa Proinsias, Pérez Álvarez Manuel, Kratsa-Tsagaropoulou Rodi, Riis-Jørgensen Karin, Ayuso González María del Pilar, Paasilinna Reino, Sacrédeus Lennart, Garriga Polledo Salvador, Redondo Jiménez Encarnación

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

— Cristiana Muscardini on an indication of origin for imported goods (B5-0533/2003)

referred to responsible ITRE
opinion JURI

— Franz Turchi on promotion, protection and support for therapy and rehabilitation through horse-riding (hippotherapy) (B5-0542/2003)

referred to responsible ENVI

3.3) *proposed amendments to the Rules of Procedure (Rule 181):*

— Caroline Jackson on the insertion of a new Rule 53a (B5-0534/2003)

referred to responsible AFCO

4) *from the Conciliation Committee:*

— Joint Text approved by the Conciliation Committee for a Regulation of the European Parliament and of the Council establishing common rules on compensation and assistance to air passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 (PE-CONS 3676/2003 — C5-0518/2003 – 2001/0305(COD))

— Joint Text approved by the Conciliation Committee on the Regulation of the European Parliament and of the Council establishing a transitional points system applicable to heavy goods vehicles travelling through Austria for 2004 within the framework of a sustainable transport policy (PE-CONS 3689/2003 — C5-0562/2003 — 2001/0310(COD))

5) *from the Parliament Delegation to the Conciliation Committee:*

— *** III Report on the Joint Text approved by the Conciliation Committee for a Regulation of the European Parliament and of the Council establishing common rules on compensation and assistance to air passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 [PE-CONS 3676/2003 — C5-0518/2003 – 2001/0305(COD)]. Rapporteur: Mr Lisi (A5-0464/2003)

Monday 15 December 2003

— *** III Report on the Joint Text approved by the Conciliation Committee on the Regulation of the European Parliament and of the Council establishing a transitional points system applicable to heavy goods vehicles travelling through Austria for 2004 within the framework of a sustainable transport policy [PE-CONS 3689/2003 — C5-0562/2003 – 2001/0310(COD)]. Rapporteur: Mr Costa (A5-0475/2003)

5. Texts of agreements forwarded by the Council

The Council had forwarded certified true copies of the following documents:

— Procès-verbal of rectification to the Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part

— Cooperation agreement on a civil global navigation satellite system (GNSS) — GALILEO between the European Community and its Member States and the People's Republic of China

— Agreement between the European Community and the Republic of Latvia laying down a procedure for the provision of information in the field of technical regulations and of rules of information society services

— Agreement renewing the Agreement on cooperation in science and technology between the European Community and the Government of the Russian Federation

— Agreement between the European Community and the Principality of Monaco on the application of certain Community acts on the territory of the Principality of Monaco

— Agreement on the participation of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the European Economic Area.

6. 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):

2 December 2003

by Mr Nikolaos Polychronidis (No 1178/2003);

by Mr Javier Vidaur Otegui (No 1179/2003);

by Mr Fernando García Granell (No 1180/2003);

by Mr Christian Alberto Juan Saladino (No 1181/2003);

by Mr Mouloud Talbi (No 1182/2003);

by Mrs Nerea Iturriaga Arregi (No 1183/2003);

by Mr Isaac Ibáñez García (No 1184/2003);

by Mr Ernesto Aurelio Vandama Puentes (Asociación Cubana Española (ACE) de Madrid y Ámbito Nacional) (No 1185/2003);

by Mrs Brigitte Verhauwaert (No 1186/2003);

by Mrs Marie-France Chinault (Coordination des Collectifs Marée Noire) (No 1187/2003);

by Mr Jacques Bourdot (No 1188/2003);

by Mr Israel Marek Andrzej (No 1189/2003);

by Mrs Jennifer Chevereau (ECPM) (No 1190/2003);

by Mr Gérard Peyre (No 1191/2003);

by Mrs Annick Van Verckhove (No 1192/2003);

by Mr Paul Schweitzer (No 1193/2003);

by Mr Bernard Abt (No 1194/2003);

by Mr Paolo Sanviti (Centrio Prevenzione Crisi Socioculturali) (No 1195/2003);

by Mr Paolo Sanviti (Centro Prevenzione Crisi Socioculturali) (No 1196/2003);

by Mr Paolo Sanviti (Centro Prevenzione Crisi Socioculturali) (No 1197/2003);

by Mrs Cristina Amoroso (INARS Ciociaria) (No 1198/2003);

by Mrs Ana Grilo (No 1199/2003);

by Mrs Gabriele Lang (Tierhilfe & Verbraucherschutz international e.V.) (No 1200/2003);

by Mr Markus Meyer (No 1201/2003);

by Mrs Brigitte Peter (No 1202/2003);

by Mr Am Phy (No 1203/2003);

by Mrs Ingeborg Heide (No 1204/2003);

by Mr Gerhard Bayer (Bundeverband Deutscher Eisenbahn-Freunde e.V.) (No 1205/2003);

by Mr Bernhard Sachse (No 1206/2003);

by Mr Paolo Uricchio (No 1207/2003);

by Mr Harald Kornberger (No 1208/2003);

by Mr Guenther Reichert (No 1209/2003);

by Mr Alfred Tadros Youssef (No 1210/2003);

by Mr Bernhard Bockenkamp (No 1211/2003);

by Mr Heinz Meinke (Heinz Meinke & Co. Immobilienmakler) (No 1212/2003);

by Isabel Dykes and Ioannis Mylonopoulos (No 1213/2003);

by Mr Brian Francis Hannon (Association of Lough Neagh Fisher Families) (No 1214/2003);

by Mrs Loretta Oke (No 1215/2003);

by Mr Theo Gevers (No 1216/2003);

by Mrs Sandra Edwards (Voice 4 dogs Animal Welfare Organisation) (plus 242 signatures) (No 1217/2003);

by Mr John Benson (No 1218/2003);

by Mr Brian O'Connell (No 1219/2003);

by Mr Kartar S. Badsha (Environmental Law Centre) (No 1220/2003);

by Mr Jouni Ahokangas (No 1221/2003);

by Mr B. Dekker (No 1222/2003);

by Mrs Monica Refinetti (No 1223/2003);

by Mr Kaj Nyman (No 1224/2003);

by Evangelische Kirchengemeinde Eupen/Neu-Moresnet (with 43 signatures) (No 1225/2003);

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12 December 2003

by Mr Spiros Karpouzis (No 1226/2003);

by Mr Vassilis Papadopoulos (No 1227/2003);

by Mr Theodore Panayiotopoulos (No 1228/2003);

by Mr Dimitris Antonio Karlovassitis (No 1229/2003);

by Mr Stefanos Kouniados (Ecologiki Kinisi Kalamatas) (No 1230/2003);

by Mrs Minas Simeonidis (No 1231/2003);

by Mr Vasilios Panagiotidis (No 1232/2003);

by Mr Ioannis Lambrou (No 1233/2003);

by Mr Marios Kypriotakis (No 1234/2003);

by Mr Eleftherios Tsiolis Gourmentzas (No 1235/2003);

by Mr Stavros Pappas (No 1236/2003);

by Mrs Panagiota Evangelopoulou (No 1237/2003);

by Mrs Panagiota Evangelopoulou (No 1238/2003);

by Mr Nilkos. A. Kyrtatos (No 1239/2003);

by Mr Vladimiros Damianidis (No 1240/2003);

by Mr Alexandros Choyroyzidis (No 1241/2003);

by Mr Dimitrios Podidas (No 1242/2003);

by Mr Georgios Prassas (No 1243/2003);

by Mr Alfonso Garnelo Mariñas (No 1244/2003);

by Mr José Luis Ferrer Galve (No 1245/2003);

by Mr Michel Berthélémy (No 1246/2003);

by Mr Raymond Chaumont (Génération Ecologie) (No 1247/2003);

by Mr Alexandre Siegwald (No 1248/2003);

by Mr Abdellah Derradj (No 1249/2003);

by Mrs Odile Wattel De Croizant (No 1250/2003);

by Mr Maurizio Adamo Braccini (No 1251/2003);

by Mr Paolo Sanviti (Centro Prevenzione Crisi Socioculturali) (No 1252/2003);

by Mr Paolo Santivi (Centro Prevenzione Crisi Socioculturali) (No 1253/2003);

by Mr Paolo Sanviti (Centro Prevenzione Crisi Socioculturali) (No 1254/2003);

by Mrs Annamaria Caserini (DS) (No 1255/2003);

by Mrs Ornella Erminio (No 1256/2003);

by Mr Mario Vogna (No 1257/2003);

by Mr Filippo A. Di Quattro (Engelhard Italiana S.p.A.) (No 1258/2003);

by Mr Rocco Margapoti (Comitati di Quartiere di Case Rosse e Settecamini) (No 1259/2003);

by Mr Jorge Miguel Fernandes Vilela (No 1260/2003);

by Mr José Rui Mendes De Brito (No 1261/2003);

by Mrs Michaela Carl-Hohenbalken (No 1262/2003);

by Mrs Helene Nolte (No 1263/2003);

by Mr Johannes Brinkrolf (No 1264/2003);

by Mr Johannes Brinkrolf (No 1265/2003);

by Mr Peter Lintner (No 1266/2003);

by Mr Peter Knoll (No 1267/2003);

by Mr A.G. Dekker (No 1268/2003);

by Mrs Julia Schmildt Bolgar (No 1269/2003);

by Mr Martin Hecher (No 1270/2003);

by Mrs Bernhild Müller (No 1271/2003);

by Mr Sevket Yilmaz (No 1272/2003);

by Mrs Cornelia Haak (No 1273/2003);

by Mr Fritz Hablitzel (No 1274/2003);

by Martina und Jürgen Gerlach (No 1275/2003);

by Mrs Anny Wolf (No 1276/2003);

by Mrs Margaret Pryke (plus 4300 signatures) (No 1277/2003);

by Mrs Margot Selin (No 1278/2003);

by Mr Mark Duchamp (Asociación cultural y ecologista de Calpe) (No 1279/2003);

by Mr Jer Cronin (No 1280/2003);

by Mrs Annie McNamara (No 1281/2003);

by Mr John Duffy (No 1282/2003);

by Mr Timo Jalkanen (No 1283/2003);

by Mr Cees J. Freeke (No 1284/2003);

by Mr Bert Snijder (No 1285/2003);

by Mr Ulrik Bergman (No 1286/2003);

by Mr Tony Constable (No 1287/2003).

7. Transfers of appropriations

The Committee on Budgets had considered proposal for transfer of appropriations 34/2003 (C5-0523/2003 — SEC(2003)1256 final).

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It had decided not to authorise the proposed transfer, pursuant to Articles 24(3) and 181(1) of the Financial Regulation of 25 June 2002.

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The Committee on Budgets had considered proposal for transfer of appropriations 36/2003(C5-0524/2003 — SEC(2003)1257 final).

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 B5-82 — Judicial and police cooperation — measures to combat crime		
— Article B5-820 — Training, exchange and cooperation programmes in the fields of justice and home affairs	PA	– 1 400 000 EUR
Chapter B5-85 — Respect for fundamental rights in the European Union		
— Article B5-850 — Research and evaluation programme on respect for fundamental rights	PA	– 50 000 EUR
TO:		
Chapter B5-80 — Measures to combat instances of discrimination, exclusion and mistreatment		
— Article B5-802 — Measures for combating violence against children, adolescents and women	PA	1 450 000 EUR

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The Committee on Budgets had considered proposal for transfer of appropriations 38/2003(C5-0569/2003 — SEC(2003)1373 final).

After noting the Council's opinion, 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 B0-23 — Guarantee reserve		
— Article B0-230 — Reserve for loans and loan guarantees to and in non-member countries	NDA	– 2 250 000 EUR
TO:		
Chapter B0-24 — Payments to the Guarantee Fund		
— Article B0-240 — Payments to the Guarantee Fund in respect of new operations	NDA	2 250 000 EUR

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The Committee on Budgets had considered proposal for transfer of appropriations 39/2003(C5-0546/2003 — SEC(2003)1323 final).

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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 B5-70 — Transport networks		
— Article B5-700 — Financial support for projects of common interest in the trans-European transport network	CA	– 18 000 000 EUR
	PA	– 18 000 000 EUR
TO:		
Chapter B5-73 — Participation in risk-capital funds		
— Article B5-730 — Participation in risk-capital funds for trans-European networks	CA	18 000 000 EUR
	PA	18 000 000 EUR

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The Committee on Budgets had considered proposal for transfer of appropriations 40/2003(C5-0540/2003 — SEC(2003)1282 final).

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 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	– 4 000 000 EUR
TO:		
Chapter B5-84 Integration of the Schengen *acquis*		
— Article B5-840 Schengen	CA	4 000 000 EUR

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The Committee on Budgets had considered proposal for transfer of appropriations 42/2003(C5-0552/2003 — SEC(2003)1324 final).

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 — Provisions		
— Article B4-303 — Protection of forests	CA	– 13 000 000 EUR
	PA:	– 7 500 000 EUR
TO:		
Chapter B4-30 — Action on the environment		
— Article B4-303 Protection of forests	CA	13 000 000 EUR
	PA	7 500 000 EUR

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The Committee on Budgets had considered proposal for transfer of appropriations 43/2003(C5-0553/2003 — SEC(2003)1337 final).

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 — Provisions		
— Article B5-331 — Information society	CA	– 8 000 000 EUR
TO:		
Chapter B5-33 — Promotion of an information society: measures to assist citizens		
— Article B5-331 — Information society	CA	8 000 000 EUR

8. Order of business

The next item was the order of business.

The final draft agenda for the December 2003 II part-session (PE 338.624/PDOJ) had been distributed.

Sittings of 15 to 18 December 2003

— no changes

Mihail Papayannakis, on behalf of the GUE/NGL Group, asked for the Manders recommendation for second reading (A5-0461/2003) *(Item 6 of PDOJ)*, which was due to be voted on Tuesday, to be put to the vote on Thursday (the President pointed out that he should have submitted this request within the deadlines laid down in Rule 111(1)).

The following spoke on this request: Johannes (Hannes) Swoboda, on behalf of the PSE Group, Malcolm Harbour, on behalf of the PPE-DE Group, and Toine Manders, rapporteur, who proposed the vote should be taken on Wednesday rather than Thursday.

Françoise Grossetête spoke on the second reading votes scheduled for voting time on Thursday.

The President established that there were no objections to the rapporteur's suggestion and decided to include the recommendation for second reading among Wednesday's votes.

The order of business was thus established.

9. Official welcome

On behalf of Parliament, the President welcomed members of a delegation from the Romanian Senate, led by Mr Nicolae Pătru, Chairman of its Committee on Agriculture, who had taken their seats in the official gallery.

Monday 15 December 2003

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:

Martin Schulz, Christopher J.P. Beazley, Olga Zrihen, Charles Tannock, Joan Vallvé, Robert J.E. Evans, Neil MacCormick, Niall Andrews, Giacomo Santini, Ilda Figueiredo, Françoise Grossetête, Martine Roure, the last two on the remarks made by Robert J.E. Evans, Roger Helmer, Véronique De Keyser, David Sumberg, Konstantinos Alyssandrakis, Roy Perry, Efstratios Korakas, the latter on the remarks made by Christopher J.P. Beazley, Koldo Gorostiaga Atxalandabaso and Marcelino Oreja Arburúa.

11. Human tissues and cells ***II (debate)

Recommendation for second reading on the common position of the Council with a view to adopting a directive of the European Parliament and of the Council on setting standards of quality and safety for the donation, procurement, testing, processing, 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: Peter Liese (A5-0387/2003).

Peter Liese introduced the recommendation for second reading.

David Byrne (Member of the Commission) spoke.

The following spoke: Eija-Riitta Anneli Korhola, on behalf of the PPE-DE Group, David Robert Bowe, on behalf of the PSE Group, and Frédérique Ries, on behalf of the ELDR Group.

IN THE CHAIR: James L.C. PROVAN

Vice-President

The following spoke: Gérard Caudron, on behalf of the GUE/NGL Group, Seán Ó Neachtain, on behalf of the UEN Group, Johannes (Hans) Blokland, on behalf of the EDD Group, Caroline F. Jackson (ENVI Committee chairman), Minerva Melpomeni Malliori and David Byrne.

The debate closed.

Vote: *Minutes of 16.12.2003, Item 23*

12. Takeover bids ***I (debate)

Report on the proposal for a directive of the European Parliament and of the Council on takeover bids [COM(2002) 534 — C5-0481/2002 — 2002/0240(COD)] — Committee on Legal Affairs and the Internal Market. Rapporteur: Klaus-Heiner Lehne (A5-0469/2003). Draftsman of the opinion (Rule 162a): Christopher Huhne, ECON Committee.

Frits Bolkestein (Member of the Commission) spoke.

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Klaus-Heiner Lehne introduced the report.

The following spoke: Christopher Huhne (draftsman of the opinion of the ECON Committee), Ieke van den Burg (draftsman of the opinion of the EMPL Committee), Giles Bryan Chichester (draftsman of the opinion of the ITRE Committee), Francesco Fiori, on behalf of the PPE-DE Group, Luis Berenguer Fuster, on behalf of the PSE Group, Willy C.E.H. De Clercq, on behalf of the ELDR Group, Herman Schmid, on behalf of the GUE/NGL Group, Neil MacCormick, on behalf of the Verts/ALE Group, and William Abitbol, on behalf of the EDD Group.

IN THE CHAIR: Alonso José PUERTA

Vice-President

The following spoke: Benedetto Della Vedova, Non-attached Member, Inglewood, Evelyne Gebhardt, Olle Schmidt, Ilda Figueiredo, Theodorus J.J. Bouwman, Rijk van Dam, Bruno Gollnisch, Renato Brunetta, Lisbeth Grönfeldt Bergman and Frits Bolkestein.

The debate closed.

Vote: *Minutes of 16.12.2003, Item 24*

13. VAT on postal services * (debate)

Report on the proposal for a Council directive amending Directive 77/388/EEC as regards value added tax on services provided in the postal sector [COM(2003) 234 — C5-0227/2003 — 2003/0091(CNS)] — Committee on Economic and Monetary Affairs. Rapporteur: Olle Schmidt (A5-0467/2003).

Frits Bolkestein (Member of the Commission) spoke.

Olle Schmidt introduced the report.

The following spoke: Markus Ferber (draftsman of the opinion of the RETT Committee), Astrid Lulling, on behalf of the PPE-DE Group, Erik Meijer, on behalf of the GUE/NGL Group, Manuel António dos Santos and Arlette Laguiller.

IN THE CHAIR: José PACHECO PEREIRA

Vice-President

Astrid Lulling put a question to the Commission which Frits Bolkestein answered.

The debate closed.

Vote: *Minutes of 16.12.2003, Item 25*

14. Environmental liability ***II (debate)

Recommendation for second reading on the common position of the Council with a view to adopting a directive of the European Parliament and of the Council on environmental liability with regard to the prevention and remedying of environmental damage [10933/5/2003 — C5-0445/2003 — 2002/0021(COD)] — Committee on Legal Affairs and the Internal Market. Rapporteur: Toine Manders (A5-0461/2003).

Toine Manders introduced the recommendation for second reading.

Frits Bolkestein (Member of the Commission) spoke.

The following spoke: Angelika Niebler, on behalf of the PPE-DE Group, Evelyne Gebhardt, on behalf of the PSE Group, Astrid Thors, on behalf of the ELDR Group, Mihail Papayannakis, on behalf of the GUE/NGL Group, Paul A.A.J.G. Lannoye, on behalf of the Verts/ALE Group, Bent Hindrup Andersen, on behalf of the EDD Group, Ward Beysen, Non-attached Member, Giuseppe Gargani, Bill Miller, Neil MacCormick, Georges Berthu, Marcelino Oreja Arburúa, Ioannis Koukiadis, Alexander de Roo, Ian Twinn, Othmar Karas and Marianne L.P. Thyssen.

IN THE CHAIR: Alejo VIDAL-QUADRAS ROCA

Vice-President

The following spoke: Cristina García-Orcoyen Tormo, Paolo Bartolozzi and Frits Bolkestein.

The debate closed.

Vote: *Minutes of 17.12.2003, Item 17*

15. Motor vehicles: seats, their anchorages and head restraints ***I (debate)

Report on the proposal for a directive of the European Parliament and of the Council amending Council Directive 74/408/EEC relating to motor vehicles with regards to the seats, their anchorages and head restraints [COM(2003) 361 — C5-0283/2003 — 2003/0128(COD)] — Committee on Regional Policy, Transport and Tourism. Rapporteur: Dieter-Lebrecht Koch (A5-0418/2003).

Erkki Liikanen (Member of the Commission) spoke.

Dieter-Lebrecht Koch introduced the report.

Mark Francis Watts spoke on behalf of the PSE Group.

The debate closed.

Vote: *Minutes of 17.12.2003, Item 13*

16. Agenda for next sitting

The President referred Members to the document 'Agenda' PE 338.624/OJMA.

17. Closure of sitting

The sitting closed at 21.30.

Julian Priestley	Alejo Vidal-Quadras Roca
Secretary-General	*Vice-President*

Monday 15 December 2003

ATTENDANCE REGISTER

The following signed:

Aaltonen, Abitbol, Adam, Nuala Ahern, Ainardi, Alyssandrakis, Andersen, Andersson, Andreasen, André-Léonard, Andrews, Andria, Angelilli, Aparicio Sánchez, Arvidsson, Atkins, Auroi, Averoff, Avilés Perea, Ayuso González, Bakopoulos, Balfe, Baltas, Banotti, Barón Crespo, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Belder, Berend, Berenguer Fuster, Berès, van den Berg, Berger, Berlato, Bernié, Berthu, Bertinotti, Beysen, Bigliardo, Blak, Blokland, Böge, Bösch, von Boetticher, Bonde, Boogerd-Quaak, Booth, Bordes, van den Bos, Boselli, Boudjenah, Boumediene-Thiery, Bourlanges, Bouwman, Bowe, Bowis, Bradbourn, Bremmer, Brie, Brok, Brunetta, Buitenweg, Bullmann, van den Burg, Bushill-Matthews, Butel, Callanan, Calò, Camisón Asensio, Campos, Camre, Cappato, Cardoso, Carlotti, Carnero González, Carrilho, Casaca, Caudron, Caullery, Cauquil, Cederschiöld, Celli, Cercas, Ceyhun, Chichester, Claeys, Coelho, Cohn-Bendit, Collins, Colom i Naval, Corbett, Corbey, Cornillet, Corrie, Cox, Crowley, Cushnahan, van Dam, Darras, Dary, Daul, De Clercq, Decourrière, De Keyser, Dell'Alba, Della Vedova, De Mita, Deprez, De Rossa, De Sarnez, Descamps, Désir, Deva, De Veyrac, Dhaene, Di Lello Finuoli, Dillen, Dimitrakopoulos, Doorn, Dover, Doyle, Dührkop Dührkop, Duff, Duhamel, Duin, Dupuis, Dybkjær, Echerer, El Khadraoui, Elles, Eriksson, Esclopé, Ettl, Jillian Evans, Jonathan Evans, Robert J.E. Evans, Färm, Farage, Ferber, Fernández Martín, Ferrández Lezaun, Ferrer, Figueiredo, Fiori, Fitzsimons, Flautre, Florenz, Ford, Formentini, Foster, Fourtou, Fraisse, Frassoni, Friedrich, Gahler, Gahrton, Galeote Quecedo, Garaud, García-Orcoyen Tormo, Gargani, Garot, Garriga Polledo, de Gaulle, Gebhardt, Ghilardotti, Gill, Gillig, Gil-Robles Gil-Delgado, Glante, Glase, Gobbo, Goebbels, Goepel, Görlach, Gollnisch, Gomolka, Goodwill, Gorostiaga Atxalandabaso, Gouveia, Graefe zu Baringdorf, Graça Moura, Gröner, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Guy-Quint, Hänsch, Hager, Harbour, Hatzidakis, Haug, Hazan, Heaton-Harris, Hedkvist Petersen, Helmer, Hermange, Hernández Mollar, Herranz García, Herzog, Honeyball, Hortefeux, Howitt, Huhne, van Hulten, Hume, Hyland, Iivari, Imbeni, Inglewood, Isler Béguin, Izquierdo Collado, Izquierdo Rojo, Jackson, Jean-Pierre, Jeggle, Jensen, Jöns, Jonckheer, Jové Peres, Karamanou, Karas, Karlsson, Katiforis, Kaufmann, Keppelhoff-Wiechert, Keßler, Khanbhai, Kindermann, Glenys Kinnock, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korakas, Korhola, Koukiadis, Koulourianos, Krarup, Kreissl-Dörfler, Krivine, Kronberger, Kuckelkorn, Kuhne, Lage, Lagendijk, Laguiller, Lalumière, Lamassoure, Lambert, Lang, Lange, Langen, Langenhagen, Lannoye, de La Perriere, Lavarra, Lehne, Leinen, Liese, Linkohr, Lipietz, Lisi, Lulling, Lynne, Maaten, McAvan, McCarthy, McCartin, MacCormick, McKenna, McNally, Malliori, Malmström, Manders, Manisco, Erika Mann, Thomas Mann, Marchiani, Marinho, Marini, Marinos, Markov, Marques, David W. Martin, Hans-Peter Martin, Martinez, Martínez Martínez, Mastorakis, Mathieu, Matikainen-Kallström, Mauro, Hans-Peter Mayer, Xaver Mayer, Mayol i Raynal, Medina Ortega, Meijer, Mendiluce Pereiro, Menéndez del Valle, Menrad, Messner, Miguélez Ramos, Miller, Miranda de Lage, Mombaur, Monsonís Domingo, Moraes, Morgan, Morillon, Müller, Mulder, Murphy, Muscardini, Mussa, Musumeci, Myller, Naïr, Napoletano, Napolitano, Naranjo Escobar, Nassauer, Newton Dunn, Nicholson of Winterbourne, Niebler, Nisticò, Nobilia, Nogueira Román, Nordmann, Obiols i Germà, Ojeda Sanz, Ó Neachtain, Onesta, Oreja Arburúa, Ortuondo Larrea, Paasilinna, Pacheco Pereira, Pack, Papayannakis, Pastorelli, Patakis, Paulsen, Pérez Álvarez, Pérez Royo, Perry, Pesälä, Pex, Piecyk, Piétrasanta, Piscarreta, Pisicchio, Podestà, Poettering, Pohjamo, Poignant, Pomés Ruiz, Poos, Posselt, Prets, Procacci, Pronk, Provan, Puerta, Purvis, Queiró, Radwan, Randzio-Plath, Rapkay, Raymond, Redondo Jiménez, Ribeiro e Castro, Ries, Riis-Jørgensen, Ripoll y Martínez de Bedoya, Rodríguez Ramos, de Roo, Roth-Behrendt, Rothe, Rothley, Roure, Rovsing, Rübig, Rühle, Ruffolo, Sacconi, Sacrédeus, Saint-Josse, Sakellariou, Salafranca Sánchez-Neyra, Sandberg-Fries, Sandbæk, Santer, Santini, dos Santos, Sauquillo Pérez del Arco, Sbarbati, Scapagnini, Scarbonchi, Schaffner, Scheele, Schleicher, Gerhard Schmid, Herman Schmid, Olle Schmidt, Schmitt, Schnellhardt, Jürgen Schröder, Schulz, Schwaiger, Segni, Seppänen, Sichrovsky, Simpson, Sjöstedt, Skinner, Smet, Soares, Sörensen, Souchet, Souladakis, Sousa Pinto, Speroni, Staes, Stauner, Stenmarck, Sterckx, Stihler, Stockmann, Stockton, Sturdy, Sudre, Sumberg, Suominen, Swiebel, Swoboda, Sørensen, Tajani, Tannock, Theato, Theorin, Thomas-Mauro, Thorning-Schmidt, Thors, Thyssen, Titford, Titley, Torres Marques, Trakatellis, Trentin, Tsatsos, Turchi, Turmes, Twinn, Uca, Väyrynen, Valdivielso de Cué, Vallvé, Van Hecke, Van Orden, Varaut, Varela Suanzes-Carpegna, Vatanen, Vattimo, Veltroni, van Velzen, Vermeer, Vidal-Quadras Roca, Villiers, Virrankoski, Voggenhuber, Volcic, Wachtmeister, Wallis, Walter, Watson, Watts, Weiler, Wenzel-Perillo, Whitehead, von Wogau, Wuermeling, Wuori, Wurtz, Wyn, Wynn, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener, Zorba, Zrihen.

Observers

Bekasovs, Biela, Bielan, Bonnici, Chronowski, Zbigniew Chrzanowski, Cybulski, Drzęźla, Filipek, Grzebisz-Nowicka, Ilves, Iwiński, Jakič, Kiršteins, Kłopotek, Klukowski, Kowalska, Kriščiūnas, Daniel Kroupa, Kuzmickas, Kvietkauskas, Landsbergis, Laštůvka, Lepper, Libicki, Litwiniec, Lydeka, Łyżwiński, Maldeikis, Matsakis, Alojz Peterle, Pospíšil, Protasiewicz, Janno Reiljan, Rutkowski, Savi, Siekierski, Szczygło, Tomaka, Tomczak, Vaculík, Valys, Vella, Wiśniowska, Wittbrodt, Zahradil, Żenkiewicz.

Tuesday 16 December 2003

(2004/C 91 E/02)

MINUTES

PROCEEDINGS OF THE SITTING

IN THE CHAIR: Pat COX

President

1. Opening of sitting

The sitting opened at 09.10.

2. 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. GEORGIA

— Anne André-Léonard, on behalf of the ELDR Group, on Georgia: presidential and parliamentary elections (B5-0547/2003),

— Demetrio Volcic and Margrietus J. van den Berg, on behalf of the PSE Group, on Georgia: presidential and parliamentary elections (B5-0550/2003),

— Bastiaan Belder, on behalf of the EDD Group, on Georgia: presidential and parliamentary elections (B5-0554/2003),

— Helmuth Markov, on behalf of the GUE/NGL Group, on Georgia (B5-0556/2003),

— Per Gahrton, Marie Anne Isler Béguin and Miquel Mayol i Raynal, on behalf of the Verts/ALE Group, on Georgia: (B5-0560/2003),

— Marielle De Sarnez, Bernd Posselt and Ursula Schleicher, on behalf of the PPE-DE Group, on Georgia: presidential and parliamentary elections (B5-0566/2003);

II. PHILIPPINES: END OF THE MORATORIUM ON THE DEATH PENALTY

— Bob van den Bos, on behalf of the ELDR Group, on the end of the moratorium on the death penalty in the Philippines (B5-0545/2003),

— Margrietus J. van den Berg, on behalf of the PSE Group, on the end of the moratorium on the death penalty in the Philippines (B5-0551/2003),

— Giuseppe Di Lello Finuoli and Lucio Manisco, on behalf of the GUE/NGL Group, on the end of the moratorium on the death penalty in the Philippines (B5-0557/2003),

— Patricia McKenna and Matti Wuori, on behalf of the Verts/ALE Group, on the end of the moratorium on the death penalty in the Philippines (B5-0562/2003),

— Bernd Posselt and Ilkka Suominen, on behalf of the PPE-DE Group, on the end of the moratorium on the death penalty in the Philippines (B5-0567/2003),

— Cristiana Muscardini and Luís Queiró, on behalf of the UEN Group, on the end of the moratorium on the death penalty in the Philippines (B5-0569/2003).

III. MOLDOVA

— Ole Andreasen, Anne André-Léonard and Bob van den Bos, on behalf of the ELDR Group, on Moldova (B5-0546/2003),

— Bastiaan Belder, on behalf of the EDD Group, on Moldova (B5-0555/2003),

— Giuseppe Di Lello Finuoli and Helmuth Markov, on behalf of the GUE/NGL Group, on Moldova (B5-0558/2003),

— Jan Marinus Wiersma, on behalf of the PSE Group, on the political situation in Moldova (B5-0559/2003),

— Marie Anne Isler Béguin and Elisabeth Schroedter, on behalf of the Verts/ALE Group, on the political situation in Moldova (B5-0561/2003),

— Michael Gahler, Bernd Posselt, Lennart Sacrédeus and Charles Tannock, on behalf of the PPE-DE Group, on Moldova (B5-0568/2003).

Speaking time would be allocated in accordance with Rule 120.

3. **European Council/IGC/Italian presidency** (statements followed by debate)

European Council report and Commission statement: European Council (Brussels, 12/13 December 2003)

Council and Commission statements: Meeting of heads of state and/or government on the IGC (Brussels, 12/13 December 2003)

Statement by the President-in-Office of the Council: The work of the Italian presidency

The President of Parliament reported briefly on the questions he had raised on behalf of Parliament at the European Council and the Intergovernmental Conference.

Silvio Berlusconi (President-in-Office of the Council) and Romano Prodi (President of the Commission) made the statements.

The following spoke: Hans-Gert Poettering, on behalf of the PPE-DE Group, Enrique Barón Crespo, on behalf of the PSE Group, Graham R. Watson, on behalf of the ELDR Group, Francis Wurtz, on behalf of the GUE/NGL Group, Monica Frassoni, on behalf of the Verts/ALE Group, Cristiana Muscardini, on behalf of the UEN Group, William Abitbol, on behalf of the EDD Group, Marco Pannella, Non-attached Member, Jonathan Evans, Giorgio Napolitano, Andrew Nicholas Duff, Fausto Bertinotti, Johannes Voggenhuber, Charles Pasqua, Jens-Peter Bonde, Francesco Enrico Speroni, Elmar Brok, Klaus Hänsch, Francesco Rutelli, Sylvia-Yvonne Kaufmann, Josu Ortuondo Larrea, Georges Berthu, Gerardo Galeote Quecedo, Richard Corbett, Giorgio Calò, Camilo Nogueira Román, Íñigo Méndez de Vigo, Martin Schulz, Francesco Fiori, Pervenche Berès, Ilkka Suominen, Johannes (Hannes) Swoboda, Othmar Karas, Carlos Carnero González, Markus Ferber, Carlos Lage, Philippe Morillon, Giorgos Katiforis, Antonio Tajani, Pasqualina Napoletano, Silvio Berlusconi, Monica Frassoni, who put a question to the Commission, and Romano Prodi, who began by answering Monica Frassoni's question.

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

a) IGC:

— Jonathan Evans, Robert Atkins, Richard A. Balfe, Christopher J.P. Beazley, John Bowis, Philip Charles Bradbourn, Philip Bushill-Matthews, Martin Callanan, John Alexander Corrie, Nirj Deva, Den Dover, James E.M. Elles, Jacqueline Foster, Robert Goodwill, Daniel J. Hannan, Malcolm Harbour, Christopher Heaton-Harris, Roger Helmer, Caroline F. Jackson, Bashir Khanbhai, Timothy Kirkhope, Edward H.C. McMillan-Scott, James Nicholson, Neil Parish, James L.C. Provan, Struan Stevenson, Stockton, Robert William Sturdy, David Sumberg, Charles Tannock, Geoffrey Van Orden and Theresa Villiers, on the meeting of heads of state and/or government on the IGC (Brussels, 12/13 December 2003) (B5-0535/2003),

— Enrique Barón Crespo, Klaus Hänsch, Giorgio Napolitano and Richard Corbett, on behalf of the PSE Group, on the outcome of the Intergovernmental Conference (B5-0573/2003),

— Hans-Gert Poettering, Francesco Fiori, Elmar Brok and Íñigo Méndez de Vigo, on behalf of the PPE-DE Group, on the outcome of the Intergovernmental Conference (B5-0574/2003),

— Andrew Nicholas Duff, on behalf of the ELDR Group, on the meeting of the Intergovernmental Conference (IGC) in Brussels on 12-13 December 2003 (B5-0575/2003),

— Johannes Voggenhuber, Monica Frassoni and Neil MacCormick, on behalf of the Verts/ALE Group, on the outcome of the IGC (B5-0576/2003),

— Francis Wurtz, on behalf of the GUE/NGL Group, on the outcome of the IGC (B5-0579/2003),

— Charles Pasqua, Cristiana Muscardini and Luís Queiró, on behalf of the UEN Group, on the Heads of State and Government Summit on the IGC (B5-0581/2003).

b) European Council:

— Daniel Marc Cohn-Bendit, Monica Frassoni and Nelly Maes, on behalf of the Verts/ALE Group, on the outcome of the European Council in Brussels, 12 December 2003 (B5-0570/2003),

— Enrique Barón Crespo, on behalf of the PSE Group, on the outcome of the European Council in Brussels, 12-13 December 2003 (B5-0577/2003),

— Francis Wurtz, on behalf of the GUE/NGL Group, on the conclusions of the European Council of 12 and 13 December 2003 (B5-0578/2003),

— Andrew Nicholas Duff and Cecilia Malmström, on behalf of the ELDR Group, on the outcome of the European Council (Brussels 12-13 December 2003) (B5-0580/2003),

— Charles Pasqua, Cristiana Muscardini, Gerard Collins and Luís Queiró, on behalf of the UEN Group, on the Brussels European Council of 12 and 13 December 2003 (B5-0582/2003),

— Hans-Gert Poettering, Ilkka Suominen, Othmar Karas, Philippe Morillon, Arie M. Oostlander and Hubert Pirker, on behalf of the PPE-DE Group, on the outcome of the European Council in Brussels, 12-13 December 2003 (B5-0583/2003).

The debate closed.

Vote: *Minutes of 18.12.2003, Items 15 and 20.*

4. **Data protection** (appointment of a European Supervisor and Deputy Supervisor)

The President announced that, pursuant to Article 286 of the EC Treaty and to Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000, the Conference of Presidents, at its meeting of 11 December 2003, following the deliberations of the LIBE Committee, had approved the joint appointment by Parliament and the Council of Peter Johan Hustinx, as Supervisor, and Joaquin Bayo Delgado, as Deputy Supervisor.

5. Signature of the Interinstitutional Agreement on better lawmaking

The President made a short statement in which he recalled the negotiations leading up to the conclusion of the Interinstitutional Agreement, and its objectives.

*

* *

President Pat Cox, Franco Frattini (President-in-Office of the Council) and Romano Prodi (President of the Commission) then signed the document in the presence of Johannes (Hannes) Swoboda, Giuseppe Gargani, Monica Frassoni and Nicholas Clegg, who had conducted the negotiations on behalf of Parliament, and of Loyola de Palacio (Vice-President of the Commission) and Silvio Berlusconi (Council).

Caroline F. Jackson asked the President to communicate his proposals for implementing the agreement (the President replied that the process would come into place gradually).

IN THE CHAIR: James L.C. PROVAN

Vice-President

VOTING TIME

Details of voting (amendments, separate and split votes, etc.) appear in Annex 1 to the Minutes.

6. **Request for the defence of Mr Gargani's parliamentary immunity and privileges** (Rule 110a) (vote)

Report on the request for defence of parliamentary immunity and privileges submitted by Giuseppe Gargani [2003/2182(IMM)] — Committee on Legal Affairs and the Internal Market. Rapporteur: (A5-0421/2003).

(Simple majority)

(Voting record: Annex 1, Item 1)

DRAFT DECISION

Adopted by single vote *(P5_TA(2003)0553)*

The following spoke:

— Bruno Gollnisch, who stated that Members who had submitted requests for defence of their parliamentary immunity should be able to address the House; he announced his intention of tabling a proposal to amend the Rules of Procedure to this end.

7. Request for the defence of Mr Dupuis' parliamentary immunity and privileges (Rule 110a) (vote)

Report on the request for defence of parliamentary immunity and privileges made by Olivier Dupuis [2003/2059(IMM)] — Committee on Legal Affairs and the Internal Market. Rapporteur: (A5-0450/2003).

(Simple majority)

(Voting record: Annex 1, Item 2)

DRAFT DECISION

Adopted by single vote *(P5_TA(2003)0554)*

8. Cohesion Fund *** (Rule 110a) (vote)

Recommendation on the proposal for a Council regulation establishing a Cohesion Fund (codified version) [COM(2003) 352 — C5-0291/2003 — 2003/0129(AVC)] — Committee on Legal Affairs and the Internal Market. Rapporteur: (A5-0454/2003).

(Simple majority)

(Voting record: Annex 1, Item 3)

DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote *(P5_TA(2003)0555)*

9. Aid rates in the seeds sector for 2004/05 * (Rule 110a) (vote)

Report on the proposal for a Council regulation setting aid rates in the seeds sector for the 2004/05 marketing year [COM(2003) 552 — C5-0459/2003 — 2003/0212(CNS)] — Committee on Agriculture and Rural Development. Rapporteur: (A5-0416/2003).

(Simple majority)

(Voting record: Annex 1, Item 4)

DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote *(P5_TA(2003)0556)*

10. Milk and milk products in the Azores * (Rule 110a) (vote)

Report on the proposal for a Council regulation amending Regulation (EC) No 1453/2001 introducing specific measures for certain agricultural products for the Azores and Madeira and repealing Regulation (EEC) No 1600/92 (POSEIMA) with respect to the application of the supplementary levy in the milk and milk products sector in the Azores [COM(2003) 617 — C5-0500/2003 — 2003/0244(CNS)] — Committee on Agriculture and Rural Development. Rapporteur: (A5-0415/2003).

(Simple majority)

(Voting record: Annex 1, Item 5)

DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote *(P5_TA(2003)0557)*

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11. Set-aside 2004/5 * (Rule 110a) (vote)

Report on the proposal for a Council regulation derogating from Regulation (EC) No 1251/1999 as regards the set-aside requirement for the 2004/2005 marketing year [COM(2003) 691 — C5-0559/2003 — 2003/0271(CNS)] — Committee on Agriculture and Rural Development. Rapporteur: (A5-0460/2003).

(Simple majority)

(Voting record: Annex 1, Item 6)

DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote *(P5_TA(2003)0558)*

12. COM in raw tobacco * (Rule 110a) (vote)

Report on the proposal for a Council regulation amending Regulation (EEC) No 2075/92 on the common organisation of the market in raw tobacco [COM(2003) 633 — C5-0517/2003 — 2003/0251(CNS)] — Committee on Agriculture and Rural Development. Rapporteur: (A5-0462/2003).

(Simple majority)

(Voting record: Annex 1, Item 7)

DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote *(P5_TA(2003)0559)*

13. EC-USA scientific and technical cooperation agreement * (Rule 110a) (vote)

Report on the proposal for a Council decision concerning the conclusion of an agreement aimed at renewing the Agreement for scientific and technological cooperation between the European Community and the Government of the United States of America [COM(2003) 569 — C5-0503/2003 — 2003/0223(CNS)] — Committee on Industry, External Trade, Research and Energy. Rapporteur: (A5-0436/2003).

(Simple majority)

(Voting record: Annex 1, Item 8)

DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote *(P5_TA(2003)0560)*

14. N1 vehicle carbon dioxide emissions and fuel consumption ***II (Rule 110a) (vote)

Recommendation for second reading on the common position of the Council with a view to adopting a directive of the European Parliament and of the Council amending Council Directives 70/156/EEC and 80/1268/EEC as regards the measurement of carbon dioxide emissions and fuel consumption of N1 vehicles [5997/1/2003 — C5-0491/2003 — 2001/0255(COD)] — Committee on the Environment, Public Health and Consumer Policy. Rapporteur: (A5-0432/2003).

(Simple majority)

(Voting record: Annex 1, Item 9)

DRAFT LEGISLATIVE RESOLUTION

Declared approved *(P5_TA(2003)0561)*

15. Drug precursors ***II (Rule 110a) (vote)

Recommendation for second reading on the common position of the Council with a view to adopting a regulation of the European Parliament and of the Council on drug precursors [9732/1/2003 — C5-0462/2003 — 2002/0217(COD)] — Committee on Citizens' Freedoms and Rights, Justice and Home Affairs. Rapporteur: (A5-0430/2003).

(Simple majority)

(Voting record: Annex 1, Item 10)

DRAFT LEGISLATIVE RESOLUTION

Declared approved *(P5_TA(2003)0562)*

16. 'Culture 2000' programme ***I (Rule 110a) (vote)

Report on the proposal for a decision of the European Parliament and of the Council amending Decision No 508/2000/EC of 14 February 2000 establishing the 'Culture 2000' programme [COM(2003) 187 — C5-0178/2003 — 2003/0076(COD)] — Committee on Culture, Youth, Education, the Media and Sport. Rapporteur: (A5-0417/2003).

(Simple majority)

(Voting record: Annex 1, Item 11)

COMMISSION PROPOSAL, AMENDMENTS and DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote *(P5_TA(2003)0563)*

17. Statistics on trade in goods ***I (Rule 110a) (vote)

Report on the proposal for a European Parliament and Council regulation on the statistics relating to the trading of goods between Member States [COM(2003) 364 — C5-0285/2003 — 2003/0126(COD)] — Committee on Economic and Monetary Affairs. Rapporteur: (A5-0426/2003).

(Simple majority)

(Voting record: Annex 1, Item 12)

COMMISSION PROPOSAL, AMENDMENTS and DRAFT LEGISLATIVE RESOLUTION

Astrid Lulling (rapporteur) made a statement pursuant to Rule 110a(4).

Adopted by single vote *(P5_TA(2003)0564)*

18. Convention: discharge 2002 *** (Rule 110a) (vote)

Recommendation on the decision of the Representatives of the Governments of the Member States concerning the discharge to be granted to the Secretary-General of the Convention in respect of the implementation of its budget for the financial year 2002 [C5-0406/2003 — 2003/0903(AVC)] — Committee on Budgetary Control. Rapporteur: (A5-0414/2003).

(Simple majority)

(Voting record: Annex 1, Item 13)

MOTION FOR A RESOLUTION

Adopted by single vote *(P5_TA(2003)0565)*

19. VAT implementing powers and derogations * (Rule 110a) (vote)

Report on the proposal for a Council directive amending Directive 77/388/CEE concerning the common system of value added tax, as regards conferment of implementing powers and the procedure for adopting derogations [COM(2003) 335 — C5-0281/2003 — 2003/0120(CNS)] — Committee on Economic and Monetary Affairs. Rapporteur: (A5-0427/2003).

(Simple majority)

(Voting record: Annex 1, Item 14)

COMMISSION PROPOSAL, AMENDMENTS and DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote *(P5_TA(2003)0566)*

20. Taxation of parent companies and subsidiaries of different Member States * (Rule 110a) (vote)

Report on the proposal for a Council directive amending Directive 90/435/EEC on the common system of taxation applicable in the case of parent companies and subsidiaries of different Member States [COM(2003) 462 — C5-0427/2003 — 2003/0179(CNS)] — Committee on Economic and Monetary Affairs. Rapporteur: (A5-0472/2003).

(Simple majority)

(Voting record: Annex 1, Item 15)

COMMISSION PROPOSAL, AMENDMENTS and DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote *(P5_TA(2003)0567)*

21. Controls on fishing in the Antarctic * (Rule 110a) (vote)

Report on the amended proposal for a Council regulation laying down certain control measures applicable to fishing activities in the area covered by the Convention on the conservation of Antarctic marine living resources [COM(2003) 384 — C5-0430/2003 — 2002/0137(CNS)] — Committee on Fisheries. Rapporteur: (A5-0440/2003).

(Simple majority)

(Voting record: Annex 1, Item 16)

COMMISSION PROPOSAL, AMENDMENTS and DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote *(P5_TA(2003)0568)*

22. Technical measures applicable to fishing activities in the Antarctic * (Rule 110a) (vote)

Report on the amended proposal for a Council regulation laying down certain technical measures applicable to fishing activities in the area covered by the Convention on the conservation of Antarctic marine living resources [COM(2003) 384 — C5-0431/2003 — 2002/0138(CNS)] — Committee on Fisheries. Rapporteur: (A5-0437/2003).

(Simple majority)

(Voting record: Annex 1, Item 17)

COMMISSION PROPOSAL, AMENDMENTS and DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote *(P5_TA(2003)0569)*

23. Human tissues and cells ***II (vote)

Recommendation for second reading on the common position of the Council with a view to adopting a directive of the European Parliament and of the Council on setting standards of quality and safety for the donation, procurement, testing, processing, 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: (A5-0387/2003).

(Qualified majority)

(Voting record: Annex 1, Item 18)

COMMON POSITION OF THE COUNCIL

Declared approved as amended *(P5_TA(2003)0570)*

The following spoke:

— Peter Liese (rapporteur) on amendments 38 and 58.

24. Takeover bids ***I (vote)

Report on the proposal for a directive of the European Parliament and of the Council on takeover bids [COM(2002) 534 — C5-0481/2002 — 2002/0240(COD)] — Committee on Legal Affairs and the Internal Market. Rapporteur: (A5-0469/2003).

(Simple majority)

(Voting record: Annex 1, Item 20)

COMMISSION PROPOSAL

Approved as amended *(P5_TA(2003)0570)*

DRAFT LEGISLATIVE RESOLUTION

Adopted *(P5_TA(2003)0571)*

The following spoke:

— Rocco Buttiglione (President-in-Office of the Council), who expressed his satisfaction with the result of the vote.

25. VAT on postal services * (vote)

Report on the proposal for a Council directive amending Directive 77/388/EEC as regards value added tax on services provided in the postal sector [COM(2003) 234 — C5-0227/2003 — 2003/0091(CNS)] — Committee on Economic and Monetary Affairs. Rapporteur: (A5-0467/2003).

(Simple majority)

(Voting record: Annex 1, Item 21)

COMMISSION PROPOSAL

Rejected

António Vitorino (Member of the Commission) stated that he had taken note of the result of the vote and would take up the matter with the Commission; Parliament would then be informed of the Commission's position. The President established on the basis of these remarks that the Commission was not withdrawing its proposal and therefore referred the matter back to the committee responsible pursuant to Rule 68(3).

26. Market regulation and competition rules for the liberal professions (vote)

Motions for resolution B5-0430, 0431 and 0432/2003

(Simple majority)

(Voting record: Annex 1, Item 22)

JOINT MOTION FOR A RESOLUTION RC-B5-0430/2003

(replacing B5-0430, 0431 and 0432/2003):

tabled by the following Members:

— Klaus-Heiner Lehne, Othmar Karas, Giuseppe Gargani, Marianne L.P. Thyssen, Stefano Zappalà, on behalf of the PPE-DE Group,

— Manuel Medina Ortega, on behalf of the PSE Group,

— Willy C.E.H. De Clercq, on behalf of the ELDR Group

Adopted *(P5_TA(2003)0572)*

27. 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 Lehne — A5-0469/2003

— Carlo Fatuzzo

Report Olle Schmidt — A5-0467/2003

— Carlo Fatuzzo

28. Corrections to votes

Corrections to votes were submitted by the following Members:

Report Liese — A5-0387/2003

— amendment 38
for: Caroline Lucas, Christopher J.P. Beazley
against: Michel Rocard, Thierry Cornillet
abstention: Efstratios Korakas

— amendment 58
for: Charlotte Cederschiöld, Hans-Gert Poettering

Report Lehne — A5-0469/2003

— amended proposal
for: Helle Thorning-Schmidt
abstention: Hans-Peter Martin

— legislative resolution
for: Helle Thorning-Schmidt

Arlette Laguiller, Armonia Bordes and Chantal Cauquil had been present but had not taken part in the votes on amendments 34, 36, 43, 37, 44, 39, 45 and 38 to the Lehne report (A5-0469/2003).

END OF VOTING TIME

(The sitting was suspended at 13.05 and resumed at 15.00.)

IN THE CHAIR: Alejo VIDAL-QUADRAS ROCA

Vice-President

29. Approval of Minutes of previous sitting

Emma Bonino had informed the Presidency that she had been present but that her name was not on the attendance register.

Ioannis Patakis announced that he had wanted to make a one-minute speech under Rule 121a the previous day, and asked to be allowed to make it at that moment (the President replied that this was not possible under the Rules but undertook to forward the matter to the President of Parliament).

The Minutes of the previous sitting were approved.

30. Draft 2004 budget as modified by the Council and Letters of Amendment 1,2 & 3/2004 (debate)

Report on the draft general budget of the European Union for the year 2004 as modified by the Council (all sections)
[11357/2003 — C5-0600/2003 — 2003/2001(BUD) — 2003/2002(BUD)]
and Letters of Amendment Nos 1, 2 and 3/2004
[14837/2003 — C5-0570/2003, 14838/2003 — C5-0571/2003, 14839/2003 — C5-0572/2003
to the draft general budget of the European Union for the financial year 2004
Section I — European Parliament
Section II — Council
Section III — Commission
Section IV — Court of Justice
Section V — Court of Auditors

Section VI — Economic and Social Committee
Section VII — Committee of the Regions
Section VIII(A) — European Ombudsman
Section VII(B) — European Data Protection Supervisor — Committee on Budgets. Rapporteurs: Jan Mulder and Neena Gill (A5-0473/2003).

Jan Mulder and Neena Gill introduced the report.

Michaele Schreyer (Member of the Commission) spoke.

The following spoke: Salvador Garriga Polledo, on behalf of the PPE-DE Group, Terence Wynn, on behalf of the PSE Group, Kyösti Tapio Virrankoski, on behalf of the ELDR Group, Esko Olavi Seppänen, on behalf of the GUE/NGL Group, Kathalijne Maria Buitenweg, on behalf of the Verts/ALE Group, Franz Turchi, on behalf of the UEN Group, Rijk van Dam, on behalf of the EDD Group, James E.M. Elles and Ralf Walter.

IN THE CHAIR: Gérard ONESTA

Vice-President

The following spoke: Anne Elisabet Jensen, Liam Hyland, Den Dover, Bárbara Dührkop Dührkop, Johan Van Hecke, Markus Ferber, Catherine Guy-Quint, Juan Andrés Naranjo Escobar, Göran Färm, Gianfranco Dell'Alba, Bartho Pronk, Giovanni Pittella, John Joseph McCartin, Edward H.C. McMillan-Scott, Armin Laschet and Jan Mulder (general rapporteur for the budget).

The debate closed.

Vote: *Minutes of 18.12.2003, Item 10*

(The sitting was suspended at 16.55 pending Question Time and resumed at 17.30.)

IN THE CHAIR: Alonso José PUERTA

Vice-President

31. **Question Time** (Council)

Parliament considered a number of questions to the Council (B5-0416/2003).

Question 1 by Camilo Nogueira Román: European Union commitments in Iraq.

Roberto Antonione (President-in-Office of the Council) answered the question and a supplementary by Josu Ortuondo Larrea.

The following spoke: Josu Ortuondo Larrea and Camilo Nogueira Román.

Question 2 by Alexandros Alavanos: Greek seamen held in Pakistan.

Roberto Antonione answered the question.

Alexandros Alavanos.

Questions 3 and 4 by Bernd Posselt and Dana Rosemary Scallon: Reproductive health.

Roberto Antonione answered the questions and supplementaries by Bernd Posselt and Dana Rosemary Scallon.

Bruno Gollnisch pointed out that in Rule 43, this item was entitled 'Question Time with the Council and the Commission'; he complained that the Commission was not present (the President took note of his remarks).

Question 5 by Miguel Angel Martínez Martínez: Keys to the differing EU policies on China and Cuba.

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

Question 6 by Philip Bushill-Matthews: Drivers' hours.

Roberto Antonione answered the question.

Philip Bushill-Matthews put a supplementary which Roberto Antonione undertook to forward to the Council.

Question 7 by Marco Cappato: Homophobic decision of the Greek National Radio and Television Council.

Roberto Antonione answered the question and a supplementary by Maurizio Turco (deputising for the author).

Question 8 by María Luisa Bergaz Conesa: Human rights violations in the USA.

Roberto Antonione answered the question.

Pedro Marset Campos (deputising for the author) put a supplementary which Roberto Antonione undertook to answer in detail at a later date.

Konstantinos Alyssandrakis and Miguel Angel Martínez Martínez put supplementaries which Roberto Antonione answered.

Question 9 by María Izquierdo Rojo: Migration policy and temporary migration.

Roberto Antonione answered the question and a supplementary by María Izquierdo Rojo.

Question 10 by Christos Zacharakis: Measures to secure democracy in Albania.

Roberto Antonione answered the question.

Christos Zacharakisspoke.

Question 11 by Manuel Medina Ortega: Agreements with third countries on controlling immigration.

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

Question 12 by Bill Newton Dunn: Statistics on crime across the Union.

Roberto Antonione answered the question.

Bill Newton Dunnspoke.

John Hume and Paul Rübig put supplementaries which Roberto Antonione answered.

Question 13 by Esko Olavi Seppänen: Food Safety Authority.

Roberto Antonione answered the question.

Esko Olavi Seppänenspoke.

Question 14 by Paulo Casaca: Waiver of fines for exceeding the reference quantities for milk production.

Roberto Antonione answered the question.

Paulo Casaca put a supplementary which Roberto Antonione undertook to answer in detail at a later date.

Question 15 by Olivier Dupuis: Georgia.

Roberto Antonione answered the question and a supplementary by Olivier Dupuis.

Question 16 by Niels Busk: State aid to Italian milk producers.

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

Question 17 by Ioannis Souladakis: Relations between the European Union and the countries of the Caucasus.

Roberto Antonione answered the question.

Ioannis Souladakisspoke.

Question 18 by Proinsias De Rossa: Torture Equipment Regulation.

Roberto Antonione answered the question.

Proinsias De Rossa put a supplementary which Roberto Antonione undertook to answer in detail at a later date. Ioannis Souladakis spoke.

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

Council Question Time closed.

(The sitting was suspended at 19.00 and resumed at 21.00.)

IN THE CHAIR: Giorgos DIMITRAKOPOULOS

Vice-President

32. European Medicines Agency ***II — Community code on medicinal products for human use ***II — Community code on veterinary medicinal products ***II (debate)

Recommendation for second reading on the common position of the Council with a view to adopting a regulation of the European Parliament and of the Council laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency [10949/2/2003 — C5-0463/2003 — 2001/0252(COD)] — Committee on the Environment, Public Health and Consumer Policy. Rapporteur: (A5-0425/2003).

Recommendation for second reading on the common position of the Council with a view to adopting a directive of the European Parliament and of the Council amending Directive 2001/83/EC on the Community code relating to medicinal products for human use [10950/3/2003 — C5-0464/2003 — 2001/0253(COD)] — Committee on the Environment, Public Health and Consumer Policy. Rapporteur: (A5-0446/2003)

Recommendation for second reading on the common position of the Council with a view to adopting a directive of the European Parliament and of the Council amending Directive 2001/82/EC on the Community code relating to veterinary medicinal products [10951/3/2003 — C5-0465/2003 — 2001/0254(COD)] — Committee on the Environment, Public Health and Consumer Policy. Rapporteur: (A5-0444/2003)

Rosemarie Müller introduced the recommendation for second reading (A5-0425/2003).

Françoise Grossetête introduced the recommendations for second reading (A5-0446/2003 and A5-0444/2003).

Erkki Liikanen (Member of the Commission) spoke.

The following spoke: Giuseppe Nisticò, on behalf of the PPE-DE Group, Phillip Whitehead, on behalf of the PSE Group, Frédérique Ries, on behalf of the ELDR Group, Didier Rod, on behalf of the Verts/ALE Group, Johannes (Hans) Blokland, on behalf of the EDD Group, Caroline F. Jackson, Saïd El Khadraoui, Alexander de Roo, Peter Liese, Dorette Corbey, Ria G.H.C. Oomen-Ruijten, Véronique De Keyser, Avril Doyle, Catherine Stihler, Robert William Sturdy, Rosemarie Müller, James Nicholson, Neil Parish, Françoise Grossetête, Erkki Liikanen, Ria G.H.C. Oomen-Ruijten, Dorette Corbey, Avril Doyle, the last three of whom to ask the Commission to answer their questions, which Erkki Liikanen did.

The debate closed.

Vote: *Minutes of 17.12.2003, Items 8, 9 and 10*

33. Traditional herbal medicinal products ***II (debate)

Recommendation for second reading on the common position of the Council with a view to adopting a European Parliament and Council directive amending, as regards traditional herbal medicinal products, Directive 2001/83/EC on the Community code relating to medicinal products for human use [12754/1/2003 — C5-0519/2003 — 2002/0008(COD)] — Committee on the Environment, Public Health and Consumer Policy. Rapporteur: Giuseppe Nisticò (A5-0452/2003).

Giuseppe Nisticò introduced the recommendation for second reading.

Erkki Liikanen (Member of the Commission) spoke.

The following spoke: Avril Doyle, on behalf of the PPE-DE Group, Catherine Stihler, on behalf of the PSE Group, Patricia McKenna, on behalf of the Verts/ALE Group, Bent Hindrup Andersen, on behalf of the EDD Group, Graham H. Booth and Nuala Ahern.

The debate closed.

Vote: *Minutes of 17.12.2003, Item 11*

34. Measuring instruments ***II (debate)

Recommendation for second reading on the common position of the Council with a view to adopting a directive of the European Parliament and of the Council on measuring instruments [9681/4/2003 — C5-0417/2003 — 2000/0233(COD)] — Committee on Industry, External Trade, Research and Energy. Rapporteur: Giles Bryan Chichester (A5-0458/2003).

Giles Bryan Chichester introduced the recommendation for second reading.

Erkki Liikanen (Member of the Commission) spoke.

The following spoke: Norbert Glante, on behalf of the PSE Group, Eryl Margaret McNally, Hans-Peter Martin and Erkki Liikanen.

The debate closed.

Vote: *Minutes of 17.12.2003, Item 12*

35. Agenda for next sitting

The President referred Members to the document 'Agenda' PE 338.624/OJME.

36. Closure of sitting

The sitting closed at 23.30.

Julian Priestley	Joan Colom i Naval
Secretary-General	*Vice-President*

Tuesday 16 December 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, Bertinotti, Beysen, Bigliardo, Blokland, Bodrato, Böge, Bösch, von Boetticher, Bonde, Bonino, Boogerd-Quaak, Booth, Bordes, Borghezio, van den Bos, Boselli, Boudjenah, Boumediene-Thiery, Bourlanges, Bouwman, Bowe, Bowis, Bradbourn, Bremmer, Breyer, Brie, 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, Caullery, Cauquil, Cederschiöld, Celli, Cercas, Cerdeira Morterero, Ceyhun, Chichester, Claeys, Clegg, Cocilovo, Coelho, Cohn-Bendit, Collins, Corbett, Corbey, Cornillet, Corrie, Paolo Costa, Cox, Crowley, Cushnahan, van Dam, Darras, Dary, Daul, Davies, De Clercq, Decourrière, Dehousse, De Keyser, Dell'Alba, Della Vedova, Dell'Utri, 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, Echerer, El Khadraoui, Elles, Eriksson, Esclopé, Ettl, Jillian Evans, Jonathan Evans, Robert J.E. Evans, Färm, Farage, Fatuzzo, Fava, Ferber, Fernández Martín, Ferrández Lezaun, Ferrer, Ferri, Fiebiger, Figueiredo, Fiori, Fitzsimons, Flautre, Flesch, 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, Gebhardt, Ghilardotti, Gill, Gillig, Gil-Robles Gil-Delgado, Glante, Glase, Gobbo, Goebbels, Goepel, Görlach, Gollnisch, Gomolka, Goodwill, Gorostiaga Atxalandabaso, Gouveia, Graefe zu Baringdorf, Graça Moura, Gröner, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Guy-Quint, Hänsch, Hager, Hannan, Hansenne, Harbour, Hatzidakis, Haug, Hazan, Heaton-Harris, Hedkvist Petersen, Helmer, Hermange, Hernández Mollar, Herranz García, Herzog, Hieronymi, Honeyball, Hortefeux, Howitt, Hudghton, Hughes, Huhne, van Hulten, Hume, Hyland, Iivari, Ilgenfritz, Imbeni, Inglewood, Isler Béguin, Izquierdo Collado, Izquierdo Rojo, Jackson, Jarzembowski, Jeggle, Jensen, Jöns, Jonckheer, Jové Peres, Junker, Karamanou, Karas, Karlsson, Kastler, Katiforis, Kaufmann, Keppelhoff-Wiechert, Keßler, Khanbhai, Kindermann, Glenys Kinnock, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korakas, Korhola, Koukiadis, Koulourianos, Krarup, Krehl, Kreissl-Dörfler, Krivine, Kronberger, Kuckelkorn, Kuhne, Lage, Lagendijk, Laguiller, Lalumière, Lamassoure, Lambert, Lang, Lange, Langen, Langenhagen, Lannoye, de La Perriere, Laschet, Lavarra, Lechner, Lehne, Leinen, Liese, Linkohr, Lipietz, Lisi, Lombardo, Lucas, Lulling, Lund, Lynne, Maat, Maaten, McAvan, McCarthy, McCartin, MacCormick, McKenna, McMillan-Scott, McNally, Malliori, Malmström, Manders, Manisco, Erika Mann, Thomas Mann, Mantovani, Marchiani, Marinho, Marini, Marinos, Markov, Marques, Marset Campos, Martens, David W. Martin, Hans-Peter Martin, Hugues Martin, Martinez, Martínez Martínez, Mastorakis, Mathieu, Matikainen-Kallström, Mauro, Hans-Peter Mayer, Xaver Mayer, Mayol i Raynal, Medina Ortega, Meijer, Méndez de Vigo, Mendiluce Pereiro, Menéndez del Valle, Mennitti, Menrad, Messner, Miller, Miranda de Lage, Modrow, Mombaur, Monsonís Domingo, Montfort, Moraes, Morgan, Morgantini, Morillon, Müller, Mulder, Murphy, Muscardini, 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, Oreja Arburúa, Ortuondo Larrea, O'Toole, Paasilinna, Pacheco Pereira, Pack, Paisley, Pannella, Papayannakis, Parish, Pasqua, Pastorelli, Patakis, Paulsen, Pérez Álvarez, Pérez Royo, Perry, Pesälä, Pex, Piecyk, Piétrasanta, Pirker, Piscarreta, Pisicchio, Pittella, Podestà, Poettering, Pohjamo, Poignant, Poli Bortone, 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, de Roo, Roth-Behrendt, Rothe, Rothley, Roure, Rovsing, Rübig, Rühle, Ruffolo, Rutelli, Sacconi, Sacrédeus, Saint-Josse, Sakellariou, Salafranca Sánchez-Neyra, Sandberg-Fries, Sandbæk, Sanders-ten Holte, Santer, Santini, dos Santos, Sartori, Sauquillo Pérez del Arco, Savary, Sbarbati, Scallon, Scapagnini, Scarbonchi, Schaffner, Scheele, Schierhuber, Schleicher, Herman Schmid, Olle Schmidt, Schmitt, Schnellhardt, Schörling, Ilka Schröder, Jürgen Schröder, Schroedter, Schulz, Schwaiger, Segni, Seppänen, Sichrovsky, Simpson, Sjöstedt, Skinner, Smet, Soares, Sörensen, Sommer, Sornosa Martínez, Souchet, Souladakis, Sousa Pinto, Speroni, Staes, Stauner, Stenmarck, Stenzel, Sterckx, Stevenson, Stihler, Stirbois, Stockmann, Stockton, Sturdy, Sudre, Sumberg, Suominen, Swiebel, Swoboda, Sørensen, Tajani, Tannock, Theato, Theorin, Thomas-Mauro, Thorning-Schmidt, Thors, Thyssen, Titford, Titley, Torres Marques, Trakatellis, Trentin, Tsatsos, Turchi, Turco,

Turmes, Twinn, Uca, Vachetta, Väyrynen, Valdivielso de Cué, Valenciano Martínez-Orozco, Vallvé, Van Hecke, Van Lancker, Van Orden, Varaut, Varela Suanzes-Carpegna, Vatanen, Vattimo, Veltroni, van Velzen, Vermeer, de Veyrinas, Vidal-Quadras Roca, Villiers, Vinci, Virrankoski, Vlasto, Voggenhuber, Volcic, Wachtmeister, Wallis, Walter, Watson, Watts, Weiler, Wenzel-Perillo, Whitehead, Wiersma, von Wogau, Wuermeling, Wuori, Wurtz, Wyn, Wynn, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener, Zorba, Zrihen.

Observers

Bagó, Balsai, Bastys, Biela, Bielan, Bonnici, Chronowski, Zbigniew Chrzanowski, Cilevičs, Cybulski, Demetriou, Didžiokas, Drzęźla, Fazakas, Filipek, Ilves, Iwiński, Jakič, Kelemen, Kiršteins, Klich, Kłopotek, Klukowski, Kriščiūnas, Daniel Kroupa, Kuzmickas, Kvietkauskas, Lachnit, Laštůvka, Lepper, Libicki, Litwiniec, Lydeka, Łyżwiński, Maldeikis, Mallotová, Manninger, Matsakis, Őry, Alojz Peterle, Pieniążek, Plokšto, Podgórski, Pospíšil, Protasiewicz, Janno Reiljan, Rutkowski, Savi, Siekierski, Smorawiński, Surján, Szabó, Szájer, Szczygło, Tabajdi, Tomczak, Vaculík, Valys, Vastagh, Vella, Vėsaitė, Veteška, Wiśniowska, Wittbrodt, Zahradil, Zenkiewicz, Žiak.

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ANNEX 1

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. Request for the defence of Mr Gargani's parliamentary immunity and privileges

Report: MACCORMICK (A5-0421/2003)

Subject	RCV, etc.	Vote	RCV/EV — remarks
single vote		+	

2. Request for the defence of Mr Dupuis' parliamentary immunity and privileges

Report: MACCORMICK (A5-0450/2003)

Subject	RCV, etc.	Vote	RCV/EV — remarks
single vote		+	

3. Cohesion Fund ***

Recommendation: GARGANI (A5-0454/2003)

Subject	RCV, etc.	Vote	RCV/EV — remarks
single vote		+	

4. Aid rates in the seeds sector for 2004/2005 *

Report: DAUL (A5-0416/2003)

Subject	RCV, etc.	Vote	RCV/EV — remarks
single vote	RCV	+	515, 12, 23

Requests for roll-call votes:

PPE-DE: single vote

5. Milk and milk products in the Azores *

Report: DAUL (A5-0415/2003)

Subject	RCV, etc.	Vote	RCV/EV — remarks
single vote		+	

6. Set-aside 2004/2005 *

Report: DAUL (A5-0460/2003)

Subject	RCV, etc.	Vote	RCV/EV — remarks
single vote		+	

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7. COM in raw tobacco *

Report: DAUL (A5-0462/2003)

Subject	RCV, etc.	Vote	RCV/EV — remarks
single vote		+	

8. EC-USA scientific and technical cooperation agreement *

Report: BERENGUER FUSTER (A5-0436/2003)

Subject	RCV, etc.	Vote	RCV/EV — remarks
single vote		+	

9. N1 vehicle carbon dioxide emissions and fuel consumption ***II

Recommendation for second reading: GOODWILL (A5-0432/2003)

Subject	
approval without vote	***declared approved***

10. Drug precursors ***II

Recommendation for second reading: PIRKER (A5-0430/2003)

Subject	
approval without vote	***declared approved***

11. 'Culture 2000' programme ***I

Report: ROCARD (A5-0417/2003)

Subject	RCV, etc.	Vote	RCV/EV — remarks
single vote		+	

12. Statistics on trade in goods ***I

Report: LULLING (A5-0426/2003)

Subject	RCV, etc.	Vote	RCV/EV — remarks
single vote		+	

13. Convention: discharge 2002 ***

Recommendation: KUHNE (A5-0414/2003)

Subject	RCV, etc.	Vote	RCV/EV — remarks
single vote		+	

14. VAT implementing powers and derogations *

Report: BLOKLAND (A5-0427/2003)

Subject	RCV, etc.	Vote	RCV/EV — remarks
single vote		+	

15. Taxation of parent companies and subsidiaries of different Member States *

Report: KARAS (A5-0472/2003)

Subject	RCV, etc.	Vote	RCV/EV — remarks
single vote		+	

16. Controls on fishing in the Antarctic *

Report: STEVENSON (A5-0440/2003)

Subject	RCV, etc.	Vote	RCV/EV — remarks
single vote		+	

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17. Technical measures applicable to fishing activities in the Antarctic *

Report: STEVENSON (A5-0437/2003)

Subject	RCV, etc.	Vote	RCV/EV — remarks
single vote		+	

18. Human tissues and cells ***II

Recommendation for second reading: LIESE (A5-0387/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
text as a whole	block 1	***committee***		+	
	block 2	PPE-DE, ELDR, UEN, Verts/ALE, GUE/NGL		+	
	block3	***committee***		↓	
art 15 and rec 11	38	***committee***	RCV	-	88, 446, 19
	58	PPE-DE, ELDR, UEN, GUE/NGL	RCV	+	503, 42, 12
remainder of text	block 4	***committee***		-	

Block 1 = compromise 'part A' (amendments 4, 6, 12, 23, 25, 27, 37 and 45)

Block 2 = compromise 'part B' (amendments 57 and 59 to 77)

Block 3 = Environment Committee (amendments 1, 3, 10, 11, 13, 16, 22, 24, 26, 28, 29, 31, 33, 34, 36, 41, 43, 44, 46, 47, 48 and 52)

Block 4 = Environment Committee (amendments 2, 5, 7, 8, 9, 14, 15, 17, 18, 19, 20, 21, 30, 32, 35, 39, 40, 42, 49, 50, 51 and 53)

Other information

Verts/ALE had not signed am 58.

Requests for roll-call votes

Verts/ALE: am 58, 38

Tuesday 16 December 2003

19. Takeover bids ***I

Report: LEHNE (A5-0469/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
amendments by committee responsible — block vote	1-5 7 8 10-26 28-30	***committee***		+	
art 4, § 2, point (e)	33	GUE/NGL		-	
art 6, after § 1	34 = 36 = 43 =	GUE/NGL PSE Verts/ALE	RCV	-	260, 288, 3
art 9, § 5	31 = 37 = 44 =	GUE/NGL PSE Verts/ALE	RCV	-	268, 281, 2
art 18	39	PPE-DE + ELDR	RCV	+	486, 58, 9
	27	***committee***		↓	
recital 20	35	PSE		-	
	45	Verts/ALE	RCV	-	265, 290, 1
	6	***committee***		+	
	32	GUE/NGL		-	
recital 26	38	PPE-DE + ELDR	RCV	+	358, 197, 1
	9	***committee***		↓	
vote: amended proposal			RCV	+	325, 221, 7
vote: legislative resolution			RCV	+	321, 219, 9

Requests for roll-call votes

PPE-DE: ams 39, 38, amdended proposal and final vote
ELDR: final vote
Verts/ALE: ams 43, 44, 45

Other information

Ams 40, 41 and 42 had been withdrawn.

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20. VAT on postal services *

Report: OLLE SCHMIDT (A5-0467/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
text as a whole	1-13	ELDR + PPE-DE	EV	-	253, 278, 12
vote: proposal				-	
vote: legislative resolution					***referred back to committee (Rule 68)***

21. Market regulations and competition rules for the liberal professions

Motions for resolutions: B5-0430, 0431, 0432/2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
joint motion for a resolution RC5-0430/2003 (PPE-DE, PSE, ELDR)					
§ 3		***original text***	split		
			1	+	
			2	+	
§ 4		***original text***	sep	+	
vote: resolution (as a whole)			RCV	+	457, 60, 18
motions for resolutions by political groups					
B5-0430/2003		ELDR		↓	
B5-0431/2003		PSE		↓	
B5-0432/2003		PPE-DE		↓	

Requests for split votes

ELDR

§ 3

1st part: up to 'looked at separately'
2nd part: remainder

Requests for roll-call votes

PPE-DE: resolution (joint resolution)

Requests for separate vote

ELDR: § 4

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ANNEX II

RESULT OF ROLL-CALL VOTES

Daul report A5-0416/2003
Resolution

For: 515

EDD: Abitbol, Belder, Bernié, Blokland, van Dam, Esclopé, Mathieu, Saint-Josse

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Huhne, Jensen, Lynne, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Pesälä, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sbarbati, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vachetta, Vinci, Wurtz

NI: Berthu, Beysen, Claeys, Dillen, Garaud, de Gaulle, Gollnisch, Gorostiaga Atxalandabaso, Hager, Lang, de La Perriere, Martinez, Sichrovsky, Souchet, Stirbois, 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, Brok, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Decourrière, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Folias, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hortefeux, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langenhagen, Laschet, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marini, Marinos, Marques, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Sturdy, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, Berger, Bösch, Boselli, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cercas, Ceyhun, Corbett, Darras, Dehousse, De Keyser, De Rossa, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay,

Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Torres Marques, Trentin, Tsatsos, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wynn, Zorba, Zrihen

UEN: Andrews, Angelilli, Berlato, Bigliardo, Camre, Collins, Crowley, Hyland, Marchiani, Muscardini, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 12

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

PSE: Andersson, van den Berg, Corbey, van Hulten, Thorning-Schmidt, Wiersma

Abstention: 23

ELDR: Paulsen, Schmidt

NI: Bonino, Borghezio, Cappato, Dell'Alba, Della Vedova, Gobbo, Kronberger, Pannella, Speroni, Turco

PPE-DE: Callanan, Foster, Heaton-Harris, Helmer, Nicholson, Parish, Stockton, Sumberg, Tannock, Twinn, Van Orden

Liese recommendation A5-0387/2003
Amendment 38

For: 88

EDD: Abitbol, Belder, Blokland, van Dam

NI: Berthu, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Lang, de La Perriere, Martinez, Souchet, Speroni, Stirbois, Varaut

PPE-DE: Cornillet, De Mita, Deva, Dover, Evans Jonathan, Florenz, Heaton-Harris, Hermange, Karas, Kirkhope, Korhola, Marques, Pirker, Posselt, Rack, Rübig, Sacrédeus, Scallon, Schierhuber, Stenzel, Stockton, Twinn

PSE: Kuckelkorn, Martin Hans-Peter

UEN: Andrews, Angelilli, Berlato, Bigliardo, Caullery, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Musumeci, Nobilia, Ó Neachtain, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Ahern, Auroi, Boumediene-Thiery, Breyer, Celli, Evans Jillian, Flautre, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lambert, Lannoye, Lipietz, McKenna, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, Schörling, Turmes, Wuori, Wyn

Against: 446

EDD: Mathieu

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Huhne, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bergaz Conesa, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vachetta, Vinci, Wurtz

NI: Beysen, Bonino, Cappato, Dell'Alba, Della Vedova, Gorostiaga Atxalandabaso, Hager, Pannella, Sichrovsky, Turco

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Bodrato, von Boetticher, Bourlanges, Bowis, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cushnahan, Daul, Decourrière, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Helmer, Hernández Mollar, Herranz García, Hortefeux, Inglewood, Jackson, Jarzembowski, Jeggle, Kastler, Keppelhoff-Wiechert, Khanbhai, Klamt, Klaß, Knolle, Koch, Konrad, Lamassoure, Langenhagen, Laschet, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marini, Marinos, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Pronk, Purvis, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Salafranca Sánchez-Neyra, Santer, Santini, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stevenson, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Boselli, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cercas, Ceyhun, Corbett, Corbey, Darras, Dehousse, De Keyser, De Rossa, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Tsatsos, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre, Pasqua

Verts/ALE: Aaltonen, Bouwman, Buitenweg, Lagendijk, MacCormick, Messner, de Roo, Schroedter, Sörensen, Staes, Voggenhuber

Abstention: 19

EDD: Andersen, Bernié, Bonde, Booth, Esclopé, Farage, Sandbæk, Titford

GUE/NGL: Alyssandrakis, Patakis

NI: Kronberger

PPE-DE: Bradbourn

PSE: Rocard

UEN: Collins

Verts/ALE: Dhaene, Echerer, Ferrández Lezaun, Lucas, Rühle

Liese recommendation A5-0387/2003
Amendment 58

For: 503

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

ELDR: Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Huhne, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bertinotti, Blak, Boudjenah, Brie, Caudron, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vachetta, Vinci, Wurtz

NI: Berthu, Beysen, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Gorostiaga Atxalandabaso, Hager, Lang, de La Perriere, Martinez, Sichrovsky, Souchet, Speroni, Stirbois, Varaut

PPE-DE: Almeida Garrett, Andria, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bowis, Bremmer, Brok, Brunetta, Callanan, Camisón Asensio, Cardoso, Cocilovo, Coelho, Cornillet, Daul, Decourrière, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Florenz, Folias, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grosch, Grossetête, Hansenne, Harbour, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hortefeux, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langenhagen, Laschet, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marini, Marinos, Marques, Martens, Martin Hugues, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Pisicchio, Pomés Ruiz, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stockton, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Boselli, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cercas, Ceyhun, Corbett, Corbey, Darras, De Keyser, De Rossa, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, Malliori, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Pérez Royo, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Tsatsos, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Zorba, Zrihen

UEN: Andrews, Angelilli, Berlato, Bigliardo, Camre, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Musumeci, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Breyer, Celli, Dhaene, Echerer, Evans Jillian, Flautre, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lambert, Lannoye, Lipietz, Lucas, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, Rühle, Schörling, Schroedter, Turmes, Voggenhuber, Wuori, Wyn

Against: 42

ELDR: André-Léonard

GUE/NGL: Bordes, Cauquil, Laguiller

NI: Bonino, Cappato, Dell'Alba, Della Vedova, Pannella, Turco

PPE-DE: Arvidsson, Atkins, Balfe, Bushill-Matthews, Chichester, Cushnahan, Fiori, Foster, Grönfeldt Bergman, Hannan, Heaton-Harris, Helmer, Inglewood, Jackson, Khanbhai, Matikainen-Kallström, Purvis, Stevenson, Sturdy, Van Orden, Villiers

PSE: Dehousse, Goebbels, Medina Ortega, Poos

Verts/ALE: Bouwman, Buitenweg, Lagendijk, MacCormick, de Roo, Sörensen, Staes

Abstention: 12

EDD: Booth, Farage, Titford

NI: Kronberger

PPE-DE: Bradbourn, Nicholson, Podestà

PSE: McNally, Wynn

Verts/ALE: Cohn-Bendit, Ferrández Lezaun, Frassoni

Lehne report A5-0469/2003
Amendments 34+36+43

For: 260

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

ELDR: Calò, Di Pietro, Procacci

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bertinotti, Boudjenah, Brie, Caudron, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vachetta, Vinci, Wurtz

NI: Claeys, Dillen, de Gaulle, Gollnisch, Gorostiaga Atxalandabaso, Lang, Martinez, Stirbois

PPE-DE: Bodrato, Cocilovo, Cushnahan, Sacrédeus

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cercas, Ceyhun, Corbett, Corbey, Darras, Dehousse, De Keyser, De Rossa, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Tsatsos, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Ahern, Auroi, Boumediene-Thiery, Bouwman, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 288

EDD: Abitbol, Booth, Farage, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Clegg, Costa Paolo, Davies, De Clercq, Duff, Dybkjær, Flesch, Formentini, Huhne, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Rutelli, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Blak

NI: Berthu, Beysen, Bonino, Borghezio, Cappato, Dell'Alba, Della Vedova, Garaud, Gobbo, Hager, Kronberger, de La Perriere, Pannella, Sichrovsky, Souchet, Speroni, Turco, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Coelho, Cornillet, Daul, Decourrière, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Fiori, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, 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, Herranz García, Hortefeux, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langenhagen, Laschet, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Scallon, Scapagnini, Schaffner, Schierhuber, Schmitt, Schnellhardt, 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, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

Tuesday 16 December 2003

UEN: Andrews, Angelilli, Berlato, Bigliardo, Camre, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Musumeci, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Breyer

Abstention: 3

PPE-DE: De Mita, Schleicher

PSE: Carraro

Lehne report A5-0469/2003
Amendments 31+37+44

For: 268

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

ELDR: Calò, Di Pietro, Procacci, Rutelli

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bertinotti, Bordes, Boudjenah, Brie, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vachetta, Vinci, Wurtz

NI: Claeys, Dillen, de Gaulle, Gollnisch, Gorostiaga Atxalandabaso, Lang, Martinez, Stirbois

PPE-DE: Bodrato, Cocilovo, Cushnahan, Marques, Menrad, Sacrédeus

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cercas, Ceyhun, Corbett, Corbey, Darras, Dehousse, De Keyser, De Rossa, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, 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, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Berlato

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Tuesday 16 December 2003

Against: 281

EDD: Booth, Farage, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Davies, De Clercq, Duff, Dybkjær, Flesch, Formentini, Huhne, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Blak

NI: Berthu, Beysen, Bonino, Borghezio, Cappato, Dell'Alba, Della Vedova, Gobbo, Hager, de La Perriere, Pannella, Sichrovsky, Souchet, Speroni, Turco, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Coelho, Cornillet, Daul, Decourrière, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, 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, Herranz García, Hortefeux, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langenhagen, Laschet, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marini, Marinos, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Mombaur, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, 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, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

UEN: Andrews, Angelilli, Bigliardo, Camre, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Musumeci, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Abstention: 2

GUE/NGL: Korakas

NI: Garaud

Lehne report A5-0469/2003
Amendment 39

For: 486

EDD: Belder, Blokland, van Dam

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Huhne, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Rutelli, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

NI: Berthu, Beysen, Bonino, Borghezio, Cappato, Dell'Alba, Della Vedova, Gobbo, Hager, de La Perriere, Pannella, Sichrovsky, Souchet, Speroni, Turco, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bodrato, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Decourrière, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hernández Mollar, Herranz García, Hortefeux, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langenhagen, Laschet, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, 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, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Boselli, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cercas, Ceyhun, Corbett, Corbey, Darras, Dehousse, De Keyser, De Rossa, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Tsatsos, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Angelilli, Berlato, Bigliardo, Camre, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Musumeci, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 58

EDD: Abitbol, Andersen, Bernié, Bonde, Booth, Esclopé, Farage, Mathieu, Saint-Josse, Sandbæk, Titford

ELDR: Procacci

Tuesday 16 December 2003

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bertinotti, Blak, Boudjenah, Brie, Caudron, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vachetta, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso

PPE-DE: Dimitrakopoulos, Hermange, Mennitti

Abstention: 9

NI: Claeys, Dillen, Garaud, de Gaulle, Gollnisch, Kronberger, Lang, Martinez, Stirbois

Lehne report A5-0469/2003
Amendment 45

For: 265

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

ELDR: Calò, Di Pietro, Procacci

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bertinotti, Boudjenah, Brie, Caudron, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vachetta, Vinci, Wurtz

NI: Claeys, Dillen, de Gaulle, Gollnisch, Gorostiaga Atxalandabaso, Lang, Martinez, Stirbois

PPE-DE: Bodrato, Valdivielso de Cué

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Boselli, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cercas, Ceyhun, Corbett, Corbey, Darras, Dehousse, De Keyser, De Rossa, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Tsatsos, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Tuesday 16 December 2003

Against: 290

EDD: Booth, Farage, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Clegg, Costa Paolo, Davies, De Clercq, Duff, Dybkjær, Flesch, Formentini, Huhne, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Rutelli, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Blak

NI: Berthu, Beysen, Bonino, Borghezio, Cappato, Dell'Alba, Della Vedova, Garaud, Gobbo, Hager, Kronberger, de La Perriere, Pannella, Sichrovsky, Souchet, Speroni, Turco, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Decourrière, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, 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, Herranz García, Hortefeux, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langenhagen, Laschet, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, 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, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

UEN: Angelilli, Berlato, Bigliardo, Camre, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Musumeci, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Abstention: 1

EDD: Abitbol

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Amendment 38

For: 358

EDD: Belder, Blokland, van Dam

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Huhne, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Rutelli, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

NI: Beysen, Bonino, Borghezio, Cappato, Dell'Alba, Della Vedova, Garaud, Gobbo, Hager, Kronberger, de La Perriere, Pannella, Sichrovsky, Speroni, Turco, 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, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Decourrière, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, 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, Herranz García, Hortefeux, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langenhagen, Laschet, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, 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, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Andersson, Bullmann, van den Burg, Dehousse, Duin, Ettl, Färm, Gebhardt, Hedkvist Petersen, Karlsson, Keßler, Kindermann, Krehl, Kreissl-Dörfler, Kuckelkorn, Martin Hans-Peter, Müller, Piecyk, Pittella, Sandberg-Fries, Sornosa Martínez, Theorin

UEN: Andrews, Angelilli, Berlato, Bigliardo, Camre, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Musumeci, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 197

EDD: Abitbol, Andersen, Bernié, Bonde, Booth, Esclopé, Farage, Mathieu, Saint-Josse, Sandbæk, Titford

ELDR: Procacci

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bertinotti, Blak, Boudjenah, Brie, Caudron, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vachetta, Vinci, Wurtz

NI: Berthu, Claeys, Dillen, de Gaulle, Gollnisch, Gorostiaga Atxalandabaso, Lang, Martinez, Souchet, Stirbois

PPE-DE: Suominen

PSE: Adam, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Boselli, Bowe, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cercas, Ceyhun, Corbett, Corbey, Darras, De Keyser, De Rossa, Dührkop Dührkop, Duhamel, El Khadraoui, Evans Robert J.E., Fava, Ford, Fruteau, Garot, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kinnock, Koukiadis, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez,

Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Pérez Royo, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Roure, Ruffolo, Sacconi, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soares, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Thorning-Schmidt, Torres Marques, Trentin, Tsatsos, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Abstention: 1

PSE: Rothley

Lehne report A5-0469/2003
Commission proposal

For: 325

EDD: Belder, Blokland, van Dam

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Huhne, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Rutelli, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Blak, Frahm

NI: Beysen, Bonino, Borghezio, Cappato, Dell'Alba, Della Vedova, Garaud, Gobbo, Hager, Kronberger, Pannella, Sichrovsky, Speroni, Turco, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Coelho, Cornillet, Cushnahan, Daul, Decourrière, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hortefeux, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langenhagen, Laschet, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, 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, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Corbett, Färm, Ford, Gill, Hedkvist Petersen, Honeyball, Howitt, Karlsson, Kinnock, Linkohr, McAvan, McCarthy, Mann Erika, Marinho, Martin David W., Miller, Moraes, Morgan, Murphy, O'Toole, Sandberg-Fries, Skinner, Stihler, Theorin, Watts, Whitehead, Wynn

UEN: Andrews, Angelilli, Berlato, Bigliardo, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Musumeci, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Ahern, Breyer, Echerer, Ferrández Lezaun, MacCormick, Mayol i Raynal, Nogueira Román, Ortuondo Larrea, Rühle

Tuesday 16 December 2003

Against: 221

EDD: Abitbol, Andersen, Bernié, Bonde, Booth, Esclopé, Farage, Mathieu, Saint-Josse, Sandbæk, Titford

ELDR: Procacci

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bertinotti, Bordes, Boudjenah, Brie, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vachetta, Vinci, Wurtz

NI: Claeys, Dillen, de Gaulle, Gollnisch, Gorostiaga Atxalandabaso, Lang, Martinez, Stirbois

PPE-DE: Inglewood, Sacrédeus

PSE: Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Boselli, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cercas, Corbey, Darras, Dehousse, De Keyser, De Rossa, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Fava, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, McNally, Malliori, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Müller, Napoletano, Napolitano, Paasilinna, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Simpson, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stockmann, Swiebel, Swoboda, Thorning-Schmidt, Torres Marques, Trentin, Tsatsos, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Weiler, Wiersma, Zorba, Zrihen

UEN: Camre

Verts/ALE: Aaltonen, Auroi, Boumediene-Thiery, Bouwman, Buitenweg, Celli, Cohn-Bendit, Dhaene, Evans Jillian, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, McKenna, Messner, Onesta, Piétrasanta, Rod, de Roo, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 7

NI: Berthu, de La Perriere, Souchet

PPE-DE: Bodrato, Cocilovo

PSE: Rothley, Schulz

Lehne report A5-0469/2003
Resolution

For: 321

EDD: Belder, Blokland, van Dam

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Clegg, Costa Paolo, Davies, De Clercq, Duff, Dybkjær, Flesch, Formentini, Huhne, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Rutelli, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Blak, Frahm

NI: Beysen, Bonino, Borghezio, Cappato, Dell'Alba, Della Vedova, Garaud, Gobbo, Hager, Kronberger, Pannella, Sichrovsky, Speroni, Turco, Varaut

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Bremmer, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Decourrière, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Herranz García, Hortefeux, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langenhagen, Laschet, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, 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, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Corbett, Färm, Ford, Gill, Hedkvist Petersen, Honeyball, Howitt, Karlsson, Kinnock, Linkohr, McAvan, McCarthy, Mann Erika, Martin David W., Miller, Moraes, Murphy, O'Toole, Sandberg-Fries, Skinner, Stihler, Theorin, Thorning-Schmidt, Watts, Whitehead, Wynn

UEN: Andrews, Angelilli, Berlato, Bigliardo, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Musumeci, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Breyer, Echerer, MacCormick, Mayol i Raynal, Nogueira Román, Ortuondo Larrea, Rühle

Against: 219

EDD: Abitbol, Andersen, Bernié, Bonde, Booth, Esclopé, Farage, Mathieu, Saint-Josse, Sandbæk, Titford

ELDR: Calò, Di Pietro, Procacci

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bertinotti, Bordes, Boudjenah, Brie, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vachetta, Vinci, Wurtz

NI: Claeys, Dillen, de Gaulle, Gollnisch, Gorostiaga Atxalandabaso, Lang, Martinez, Stirbois

PPE-DE: Sacrédeus

PSE: Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Boselli, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cercas, Ceyhun, Corbey, Darras, Dehousse, De Keyser, De Rossa, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Fava, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hughes, van Hulten, Hume, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, McNally, Malliori, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Müller, Napoletano, Paasilinna, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Simpson, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stockmann, Swiebel, Swoboda, Torres Marques, Tsatsos, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Weiler, Wiersma, Zorba, Zrihen

Tuesday 16 December 2003

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Buitenweg, Celli, Cohn-Bendit, Dhaene, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, McKenna, Messner, Onesta, Piétrasanta, Rod, de Roo, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori

Abstention: 9

NI: Berthu, de La Perriere, Souchet

PPE-DE: Bodrato

PSE: Martin Hans-Peter, Morgan, Rothley, Schulz

UEN: Camre

RC — B5-0430/2003 — Market regulation and competition rules for the liberal professions Resolution

For: 457

EDD: Belder, Blokland, van Dam

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Formentini, Huhne, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

NI: Beysen, Borghezio, Garaud, Gobbo, Speroni

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, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Decourrière, Dell'Utri, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, 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, 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, Herranz García, Hortefeux, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langenhagen, Laschet, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Mann Thomas, Mantovani, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Morillon, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, 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, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Boselli, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cercas, Ceyhun, Corbett, Corbey, Darras, De Rossa, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière,

Lange, Lavarra, Leinen, Linkohr, 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, O'Toole, Paasilinna, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn

UEN: Andrews, Angelilli, Berlato, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Musumeci, Nobilia, Ó Neachtain, Poli Bortone, Queiró, Ribeiro e Castro, Turchi

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Celli, Cohn-Bendit, Dhaene, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Wuori, Wyn

Against: 60

EDD: Abitbol, Andersen, Bernié, Bonde, Booth, Esclopé, Farage, Mathieu, Saint-Josse, Sandbæk, Titford

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

NI: Claeys, Dillen, de Gaulle, Gollnisch, Gorostiaga Atxalandabaso, Kronberger, Lang, Martinez, Stirbois

PPE-DE: Podestà

PSE: De Keyser

Abstention: 18

NI: Berthu, Bonino, Cappato, Dell'Alba, Della Vedova, Dupuis, de La Perriere, Pannella, Souchet, Turco, Varaut

PSE: Dehousse, Zrihen

UEN: Camre, Caullery, Pasqua, Thomas-Mauro

Verts/ALE: Rod

Tuesday 16 December 2003

TEXTS ADOPTED

P5_TA(2003)0553

Request for the defence of Mr Gargani's parliamentary immunity and privileges

European Parliament decision on the request for defence of parliamentary immunity and privileges submitted by Giuseppe Gargani (2003/2182(IMM))

The European Parliament,

— having regard to a request for defence of his immunity in connection with legal proceedings pending before Investigating Judge Rosa at the Court of Milan, Section I, submitted by Giuseppe Gargani and announced in plenary sitting on 25 September 2003,

— having regard to Article 9 of the Protocol on the Privileges and Immunities of the European Communities of 8 April 1965, and to Article 4(2) of the Act concerning the Election of Representatives to the European Parliament by direct universal suffrage of 20 September 1976,

— having regard to the judgements of the Court of Justice of the European Communities of 12 May 1964 and 10 July 1986 [1],

— having regard to Rules 6 and 6a of its Rules of Procedure,

— having regard to the report of the Committee on Legal Affairs and the Internal Market (A5-0421/2003),

A. whereas Giuseppe Gargani was elected to the European Parliament in the fifth elections held from 10 to 13 June 1999, and whereas his credentials were verified by Parliament on 15 December 1999 [2],

B. whereas Members of the European Parliament may not be subject to any form of inquiry, detention or legal proceedings in respect of opinions expressed or votes cast by them in the performance of their duties [3],

C. whereas the immunity from legal proceedings enjoyed by Members of the European Parliament also covers immunity from civil proceedings,

D. whereas Members of the European Parliament have a responsibility to participate in political affairs within their own constituency, and accordingly when they publish articles in journals and newspapers on controversial topics they are properly deemed to be engaged in the performance of their duties as MEPs,

1. Decides to defend the immunity and privileges of Giuseppe Gargani;

2. Proposes, on the grounds of Article 9 of the aforementioned protocol and with due respect to the procedures in the Member State concerned, to hold that in the case in question proceedings may not be pursued and invites the Court to draw the necessary conclusions;

3. Instructs its President immediately to forward this decision and the report of its committee to Section I of the Court of Milan.

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[1] See Case 101/63: Wagner v Fohrmann and Krier [1964] ECR English special edition, 195 and Case 149/85: Wybot v Faure [1986] ECR 2391.

[2] European Parliament Decision on the verification of credentials of Members following the fifth direct elections to the European Parliament on 10 to 13 June 1999, (OJ C 296, 18.10.2000, p. 93).

[3] Article 9 of the Protocol on the Privileges and Immunities of the European Communities.

Tuesday 16 December 2003

P5_TA(2003)0554

Request for the defence of Mr Dupuis' parliamentary immunity and privileges

European Parliament decision on the request for defence of parliamentary immunity and privileges made by Olivier Dupuis (2003/2059(IMM))

The European Parliament,

— having regard to a request for defence of his immunity in connection with criminal proceedings pending before an Italian court submitted by Olivier Dupuis on 7 March 2003 and announced in plenary sitting on 26 March 2003,

— having regard to Articles 9 and 10 of the Protocol on the Privileges and Immunities of the European Communities of 8 April 1965, and to Article 4(2) of the Act of 20 September 1976 concerning the Election of Representatives to the European Parliament by direct universal suffrage,

— having regard to the judgements of the Court of Justice of the European Communities of 12 May 1964 and 10 July 1986 ([1]),

— having regard to Rules 6 and 6a of its Rules of Procedure,

— having regard to the report of the Committee on Legal Affairs and the Internal Market (A5-0450/2003),

A. whereas Article 10(a) of the Protocol confers on Members of the European Parliament in their own state immunity from legal proceedings equivalent to that of a Member of the Parliament of that state,

B. whereas Olivier Dupuis was elected as a Member of Parliament from Italy, notwithstanding that he is a Belgian citizen,

C. whereas Olivier Dupuis has been subjected to legal proceedings in Italy, in connection with public actions concerning the use of prohibited drugs,

D. whereas such actions were clearly a part of his political activity carried on in good faith and involving collective acts of symbolic law-breaking,

E. whereas, however, it appears that Members of the Italian Parliament do not enjoy parliamentary immunity in respect of legal proceedings in such circumstances,

F. whereas on the evidence provided, Mr Dupuis is not protected by parliamentary immunity in respect of the legal proceedings which have been drawn to the attention of the President of the European Parliament,

1. Decides that it would not be appropriate to take any action to raise questions concerning Mr Dupuis' political activity with the Italian authorities.

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

P5_TA(2003)0555

Cohesion Fund ***

European Parliament legislative resolution on the proposal for a Council regulation establishing a Cohesion Fund (codified version) (COM(2003) 352 — C5-0291/2003 — 2003/0129(AVC))

(Assent procedure)

The European Parliament,

— having regard to the proposal for a Council regulation (COM(2003) 352) ([1]),

— having regard to the request for assent submitted by the Council pursuant to Article 300(3), second subparagraph, in conjunction with Article 161 of the EC Treaty (C5-0291/2003),

— having regard to Rule 86(1) and 158(1) of its Rules of Procedure,

— having regard to the recommendation of the Committee on Legal Affairs and the Internal Market (A5-0454/2003),

1. Gives its assent to proposal for a Council regulation;

2. Instructs its President to forward its position to the Council and the Commission.

([1]) Not yet published in OJ.

P5_TA(2003)0556

Aid rates in the seeds sector for 2004/2005 *

European Parliament legislative resolution on the proposal for a Council regulation setting aid rates in the seeds sector for the 2004/05 marketing year (COM(2003) 552 — C5-0459/2003 — 2003/0212(CNS))

(Consultation procedure)

The European Parliament,

— having regard to the Commission proposal to the Council (COM(2003) 552) ([1]),

— having regard to Article 37 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0459/2003),

— 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 (A5-0416/2003),

([1]) Not yet published in OJ.

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.

P5_TA(2003)0557

Milk and milk products sector in the Azores *

European Parliament legislative resolution on the proposal for a Council regulation amending Regulation (EC) No 1453/2001 introducing specific measures for certain agricultural products for the Azores and Madeira and repealing Regulation (EEC) No 1600/92 (POSEIMA) with respect to the application of the supplementary levy in the milk and milk products sector in the Azores (COM(2003) 617 — C5-0500/2003 — 2003/0244(CNS))

(Consultation procedure)

The European Parliament,

— having regard to the Commission proposal to the Council (COM(2003) 617) ([1]),

— having regard to Article 299(2) of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0500/2003),

— having regard to Rules 67 and 158(1) of its Rules of Procedure,

— having regard to the report of the Committee on Agriculture and Rural Development (A5-0415/2003),

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.

([1]) Not yet published in OJ.

Tuesday 16 December 2003

P5_TA(2003)0558

Set-aside 2004/2005 *

European Parliament legislative resolution on the proposal for a Council regulation derogating from Regulation (EC) No 1251/1999 as regards the set-aside requirement for the 2004/2005 marketing year (COM(2003) 691 — C5-0559/2003 — 2003/0271(CNS))

(Consultation procedure)

The European Parliament,

— having regard to the Commission proposal to the Council (COM(2003) 691) ([1]),

— having regard to Articles 36 and 37 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0559/2003),

— having regard to Rules 67 and 158(1) of its Rules of Procedure,

— having regard to the report of the Committee on Agriculture and Rural Development (A5-0460/2003),

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 the Commission.

([1]) Not yet published in OJ.

P5_TA(2003)0559

COM in raw tobacco *

European Parliament legislative resolution on the proposal for a Council regulation amending Regulation (EEC) No 2075/92 on the common organisation of the market in raw tobacco (COM(2003) 633 — C5-0517/2003 — 2003/0251(CNS))

(Consultation procedure)

The European Parliament,

— having regard to the Commission proposal to the Council (COM(2003) 633) ([1]),

— having regard to Article 37 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0517/2003),

— having regard to Rules 67 and 158(1) of its Rules of Procedure,

— having regard to the report of the Committee on Agriculture and Rural Development (A5-0462/2003),

([1]) Not yet published in OJ.

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.

P5_TA(2003)0560

EC-USA scientific and technical cooperation agreement *

European Parliament legislative resolution on the proposal for a Council decision concerning the conclusion of an Agreement aimed at renewing the Agreement for scientific and technological cooperation between the European Community and the Government of the United States of America (COM(2003) 569 — C5-0503/2003 — 2003/0223(CNS))

(Consultation procedure)

The European Parliament,

— having regard to the proposal for a Council decision (COM(2003) 569) [1],

— having regard to Articles 170 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 (C5-0503/2003),

— having regard to Rules 67, 97(7) and 158(1) of its Rules of Procedure,

— having regard to the report of the Committee on Industry, External Trade, Research and Energy (A5-0436/2003),

1. Approves conclusion of the agreement;

2. Instructs its President to forward its position to the Council and Commission, and the governments and parliaments of the Member States and the United States of America.

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[1] Not yet published in OJ.

Tuesday 16 December 2003

P5_TA(2003)0561

N1 vehicle carbon dioxide emissions and fuel consumptions ***II

European Parliament legislative resolution on the Council common position adopting a European Parliament and Council directive on amending Council Directives 70/156/EEC and 80/1268/EEC as regards the measurement of carbon dioxide emissions and fuel consumption of N1 vehicles (5997/1/2003 — C5-0491/2003 — 2001/0255(COD))

(Codecision procedure: second reading)

The European Parliament,

— having regard to the Council common position (5997/1/2003 — C5-0491/2003) ([1]),

— having regard to its position at first reading ([2]) on the Commission proposal to Parliament and the Council (COM(2001) 543) ([3]),

— having regard to Article 251(2) of the EC Treaty,

— having regard to Rule 78 of its Rules of Procedure,

— having regard to the recommendation for second reading of the Committee on the Environment, Public Health and Consumer Policy (A5-0432/2003),

1. Approves the common position;

2. Notes that the act is adopted in accordance with the common position;

3. Instructs its President to sign the act with the President of the Council pursuant to Article 254(1) of the EC Treaty;

4. Instructs its Secretary-General 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;

5. Instructs its President to forward its position to the Council and Commission.

([1]) Not yet published in OJ.
([2]) OJ C 273 E, 14.11.2003, p. 74.
([3]) OJ C 51, 26.2.2002, p. 317.

P5_TA(2003)0562

Drug precursors ***II

European Parliament legislative resolution on the Council common position adopting a European Parliament and Council regulation on drug precursors (9732/1/2003 — C5-0462/2003 — 2002/0217(COD))

(Codecision procedure: second reading)

The European Parliament,

— having regard to the Council common position (9732/1/2003 — C5-0462/2003) ([1]),

([1]) OJ C 277 E, 18.11.2003, p. 31.

— having regard to its position at first reading ([1]) on the Commission proposal to Parliament and the Council (COM(2002) 494) ([2]),

— having regard to the amended proposal (COM(2003) 304) ([3]),

— having regard toArticle 251(2) of the EC Treaty,

— having regard to Rule 78 of its Rules of Procedure,

— having regard to the recommendation for second reading of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs (A5-0430/2003),

1. Approves the common position;

2. Notes that the act is adopted in accordance with the common position;

3. Instructs its President to sign the act with the President of the Council pursuant to Article 254(1) of the EC Treaty;

4. Instructs its Secretary-General 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;

5. Instructs its President to forward its position to the Council and Commission.

([1]) *Texts Adopted*, 11.3.2003, P5_TA(2003)0069.
([2]) OJ C 20 E, 28.1.2003, p. 160.
([3]) Not yet published in OJ.

P5_TA(2003)0563

'Culture 2000' programme ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council decision amending Decision No 508/2000/EC of 14 February 2000 establishing the 'Culture 2000' programme (COM(2003) 187 — C5-0178/2003 — 2003/0076(COD))

(Codecision procedure: first reading)

The European Parliament,

— having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 187) ([1]),

— having regard to Articles 251(2) and 151 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0178/2003),

— having regard to Rule 67 of its Rules of Procedure,

— having regard to the report of the Committee on Culture, Youth, Education, the Media and Sport and the opinion of the Committee on Budgets (A5-0417/2003),

([1]) Not yet published in OJ.

Tuesday 16 December 2003

1. Approves the Commission proposal as amended;

2. 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;

3. 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;

4. Instructs its President to forward its position to the Council and the Commission.

P5_TC1-COD(2003)0076

Position of the European Parliament adopted at first reading on 16 December 2003 with a view to the adoption of Decision No …/2004/EC of the European Parliament and of the Council amending Decision *No 508/2000/EC establishing* the 'Culture 2000' programme

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 151 thereof,

Having regard to the proposal from the Commission [1],

Having regard to the opinion of the Committee of the Regions,

Acting in accordance with the procedure laid down in Article 251 of the Treaty [2],

Whereas:

(1) Decision No 508/2000/EC of the European Parliament and of the Council of 14 February 2000 establishing the 'Culture 2000' programme [3] set up a single financing and programming instrument for cultural cooperation for a period running from 1 January 2000 to 31 December 2004.

(2) It is important to ensure the continuity of Community cultural action in implementation of the *Community's* responsibilities under Article 151 of the *Treaty*.

(3) The Culture 2000 programme should therefore be extended for two years, to 2006.

(4) The revision of the financial perspective in view of enlargement provides for an increased ceiling for heading 3 which must be respected by the legislative authority when extending existing programmes.

(5) It is essential that the Commission provide a full and detailed assessment report on the 'Culture 2000' Programme by 31 December 2005, so as to enable the European Parliament and the Council to consider the proposal for a new framework programme for Community action on culture, announced for 2004 and planned to enter into force in 2007,

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[1] OJ C …, …, p. …
[2] *Position of the European Parliament of 16 December 2003.*
[3] OJ L 63, 10.3.2000, p. 1.

HAVE DECIDED AS FOLLOWS:

Article 1

Decision No 508/2000/EC is hereby amended as follows:

(1) In Article 1, first paragraph, the date of 31 December 2004 is replaced by 31 December 2006.

(2) In Article 3, first paragraph, the amount of EUR 167 million is replaced by EUR 236,5 million.

Article *2*

This Decision shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

It shall apply from 1 January 2005.

Done at …

For the European Parliament
The President

For the Council
The President

P5_TA(2003)0564

Statistics on trade in goods ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council regulation on the statistics relating to the trading of goods between Member States (COM(2003) 364 — C5-0285/2003 — 2003/0126(COD))

(Codecision procedure: first reading)

The European Parliament,

— having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 364) ([1]),

— having regard to Articles 251(2) and 285(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0285/2003),

([1]) Not yet published in OJ.

— having regard to Rule 67 of its Rules of Procedure,

— having regard to the report of the Committee on Economic and Monetary Affairs (A5-0426/2003),

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.

P5_TC1-COD(2003)0126

Position of the European Parliament adopted at first reading on 16 December 2003 with a view to the adoption of Regulation *(EC) No …/2004* of the European Parliament and of the Council on the statistics relating to the trading of goods between Member States

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 285(1) thereof,

Having regard to the proposal from the Commission [1],

Having regard to the opinion of the European Economic and Social Committee [2],

Acting in accordance with the procedure laid down in Article 251 of the Treaty [2],

Whereas:

(1) Council Regulation (EEC) No 3330/91 of 7 November 1991 on the statistics relating to the trading of goods between Member States [3] introduced a completely new system of data collection, which has been simplified on two occasions. In order to improve the transparency of this system and to facilitate comprehension, Regulation (EEC) No 3330/91 should be replaced by this Regulation.

(2) This system should be retained, as a sufficiently detailed level of statistical information is still required for the Community policies involved in the development of the internal market and for European enterprises to analyse their specific markets. Aggregated data also need to be available quickly in order to analyse the development of economic and monetary union. Member States should have the possibility of collecting information which meets their specific needs.

(3) There is, however, a need to improve the wording of the rules on compiling statistics relating to the trading of goods between Member States so that they can be more easily understood by the companies responsible for providing the data, the national services collecting the data and users.

(4) A system of thresholds should be retained, but in a simplified form, in order to provide a satisfactory response to users' needs whilst reducing the burden of response on the parties responsible for providing statistical information, particularly small and medium-sized enterprises.

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[1] OJ C …

[2] *Position of the European Parliament of 16 December 2003.*

[3] OJ L 316, 16.11.1991, p. 1. *Regulation as last amended by European Parliament and Council Regulation (EC) No 1624/2000 (OJ L 187, 26.7.2000, p. 1).*

(5) A close link should be maintained between the system for collecting statistical information and the fiscal formalities which exist in the context of trade of goods between Member States. This link makes it possible, in particular, to check the quality of the information collected.

(6) The quality of the statistical information produced, its evaluation by means of common indicators and transparency in this field are important objectives which call for regulation at Community level.

(7) Since the objectives of the planned action, namely the creation of a common legal framework for the systematic production of *Community* statistics on exchange of goods between Member States, cannot be sufficiently achieved at national level and can 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 required to achieve those objectives.

(8) Council Regulation (EC) No 322/97 of 17 February 1997 on Community statistics [1] provides a reference framework for the provisions of this Regulation. However, the very detailed level of information in the field of statistics relating to the trading of goods requires specific rules with regard to confidentiality.

(9) It is important to ensure the uniform application of this Regulation and, in order to do so, to make provision for a Community procedure to help determine the implementing arrangements within an appropriate timescale and to make the necessary technical adaptations.

(10) The measures necessary for 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 [2],

HAVE ADOPTED THIS REGULATION:

Article 1

Subject-matter

This Regulation establishes a common framework for the systematic production of Community statistics on the trading of goods between Member States.

Article 2

Definitions

For the purpose of this Regulation, the following definitions shall apply:

(a) 'goods': all movable property, including electric current;

(b) 'specific goods or movements': goods or movements which, by their very nature, call for specific provisions, and in particular industrial plant; vessels and aircraft; sea products; goods delivered to vessels and aircraft; staggered consignments; military goods; goods to or from offshore installations; spacecraft; motor vehicle and aircraft parts; and waste products;

(c) 'national authorities': national statistical institutes and other bodies responsible in each Member State for producing Community statistics on trading of goods between Member States;

[1] OJ L 52, 22.2.1997, p. 1. *Regulation as amended by European Parliament and Council Regulation (EC) No 1882/2003 (OJ L 284, 31.10.2003, p. 1).*

[2] OJ L 184, 17.7.1999, p. 23.

(d) 'Community goods':

i) goods entirely obtained in the customs territory of the Community, without addition of goods from non-member countries or territories which are not part of the customs territory of the Community,

ii) goods from countries or territories not forming part of the customs territory of the Community which have been released for free circulation in a Member State,

iii) goods obtained in the customs territory of the Community either from the goods referred to exclusively in point (ii) or from the goods referred to in points (i) and (ii);

(e) 'Member State of dispatch': the Member State as defined by its statistical territory from which goods are dispatched to a destination in another Member State;

(f) 'Member State of arrival': the Member State as defined by its statistical territory in which goods arrive from another Member State;

(g) 'goods in ordinary circulation between Member States': Community goods dispatched from one Member State to another, which on the way to the Member State of destination travel directly through another Member State or stop for reasons related only to the transport of the goods.

Article 3

Scope

1. Statistics on trade between Member States shall cover dispatches and arrivals of goods.

2. Dispatches shall cover the following goods leaving the Member State of dispatch for a destination in another Member State:

(a) Community goods, except goods which are in ordinary circulation between Member States;

(b) goods placed in the Member State of dispatch under the inward processing customs procedure or the processing under customs control procedure.

3. Arrivals shall cover the following goods entering the Member State of arrival which were initially dispatched from another Member State:

(a) Community goods, except goods which are in ordinary circulation between Member States;

(b) goods formerly placed in the Member State of dispatch under the inward processing customs procedure or the processing under customs control procedure which are maintained under the inward processing customs procedure or the processing under customs control procedure or released for free circulation in the Member State of arrival.

4. Different or particular rules, to be determined by the Commission in accordance with the procedure referred to in Article 14(2) may apply to specific goods or movements.

5. Some goods, a list of which shall be drawn up by the Commission in accordance with the procedure referred to in Article 14(2), shall be excluded from the statistics ***for methodological reasons***.

Article 4

Statistical territory

1. The statistical territory of the Member States shall correspond to their customs territory as defined in Article 3 of Council Regulation (EEC) No 2913/92 *of 12 October 1992 establishing the Community Customs Code* [1].

2. By way of derogation from paragraph 1, the statistical territory of Germany shall include Heligoland.

Article 5

Data sources

1. A specific data collection system, hereafter referred to as the 'Intrastat' system, shall apply for the provision of the statistical information on dispatches and arrivals of Community goods which are not the subject of a Single Administrative Document for customs or fiscal purposes.

2. The statistical information on dispatches and arrivals of other goods shall be provided directly by Customs to the national authorities, at least once a month.

3. For specific goods or movements, sources of information other than the Intrastat system or Customs declarations may be used.

4. Each Member State shall organise the way Intrastat data is delivered by the parties responsible for providing information. To facilitate the task of these parties, the conditions for increased use of automatic data processing and electronic data transmission shall be promoted by the Commission (Eurostat) and the Member States.

Article 6

Reference period

The reference period for the information to be provided according to Article 5 shall be the calendar month of dispatch or arrival of the goods.

The reference period may be adapted to take into account the linkage with value added tax (VAT) and Customs obligations pursuant to provisions adopted by the Commission in accordance with the procedure referred to in Article 14(2).

Article 7

Parties responsible for providing information within the Intrastat system

1. The parties responsible for providing the information for the Intrastat system shall be:

a) the natural or legal person registered for VAT in the Member State of dispatch who:

   i) has concluded the contract, with the exception of transport contracts, giving rise to the dispatch of goods or, failing this,

   ii) dispatches or provides for the dispatch of the goods or, failing this,

   iii) is in possession of the goods which are the subject of the dispatch;

[1] OJ L 302, 19.10.1992, p. 1.

b) the natural or legal person registered for VAT in the Member State of arrival who:

i) has concluded the contract, with the exception of transport contracts, giving rise to the delivery of goods or, failing this,

ii) takes delivery or provides for delivery of the goods or, failing this,

iii) is in possession of the goods which are the subject of the delivery.

2. The party responsible for providing information may transfer the task to a third party, but such transfer shall in no way reduce the responsibility of the said party.

3. Failure by any party responsible for providing information to fulfil his obligations under this Regulation shall render him liable to the penalties which the Member States shall lay down.

Article 8

Registers

1. National authorities shall set up and manage a register of intra-Community operators containing at least the consignors, upon dispatch, and the consignees, upon arrival.

2. In order to identify the providers of information referred to in Article 7 and to check the information which is provided, the tax administration responsible in each Member State shall furnish the national authority:

a) at least once a month, with the lists of natural or legal persons who have declared that, during the period in question, they have supplied goods to other Member States or acquired goods from other Member States. The lists shall show the total values of the goods declared by each natural or legal person for fiscal purposes;

b) on its own initiative or at the request of the national authority, with any information provided to comply with tax requirements which could improve the quality of statistics.

The arrangements for the communication of the information shall be determined by the Commission in accordance with the procedure referred to in Article 14(2).

This information shall be treated by the national authority in accordance with the rules applied to it by the tax administration.

3. The tax administration shall bring to the attention of VAT-registered traders the obligations which they may incur as parties responsible for providing the information required by Intrastat.

Article 9

Intrastat information to be collected

1. The following information shall be collected by the national authorities:

a) the identification number allocated to the party responsible for providing information in accordance with Article 22*(1)*(c) of Council Directive 77/388/EEC [1], in the version given in Article 28h thereof;

b) the reference period;

c) the flow (arrival, dispatch);

d) the commodity, identified by the eight-digit code of the Combined Nomenclature as defined in Council Regulation (EEC) No 2658/87 [2];

e) the partner Member State;

f) the value of the goods;

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[1] *Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment* (OJ L 145, 13.6.1977, p. 1). *Directive as last amended by Directive 2003/92/EC (OJ L 260, 11.10.2003, p. 8).*

[2] OJ L 256, 7.9.1987, p. 1. *Regulation as last amended by Commission Regulation (EC) No 2205/2003 (OJ L 330, 18.12.2003, p. 10).*

g) the quantity of the goods;

h) the nature of the transaction.

Definitions of the data referred to in points (e) to (h) of the first subparagraph are given in *the Annex*. Where necessary, the arrangements for the collection of this information, particularly the codes to be employed, shall be determined by the Commission in accordance with the procedure referred to in Article 14(2).

2. Member States may also collect additional information, for example:

a) the identification of the goods, according to a more detailed level than the Combined Nomenclature;

b) the country of origin, on arrival;

c) the region of origin, on dispatch, and the region of destination, on arrival;

d) the delivery terms;

e) the mode of transport;

f) the statistical procedure.

Definitions of the data referred to in points (b) to (f) of the first subparagraph are given in *the Annex*. Where necessary, the arrangements for the collection of this information, particularly the codes to be employed, shall be determined by the *Commission* in accordance with the procedure referred to in Article 14(2).

Article 10

Simplification within the Intrastat system

1. 'In order to satisfy users' needs for statistical information without imposing excessive burdens on economic operators, Member States shall set up each year thresholds expressed in annual values of *intra-Community* trade below which parties are exempted from providing any Intrastat information or have to provide simplified information.

2. The thresholds shall be set up by each Member State, separately for arrivals and dispatches.

3. For defining thresholds below which parties are exempted from providing any Intrastat information, Member States shall ensure that information referred to in Article 9(1), first subparagraph, points (a) to (f), made available by the information providers, is such that at least ***97 %*** of the relevant Member State's total trade expressed in value is covered.

4. Member States may define other thresholds below which parties may benefit from the following simplification:

a) exemption from providing the quantity of the goods;

b) exemption from providing the nature of the transaction;

c) possibility of reporting a maximum of ten of the detailed relevant subheadings of the Combined Nomenclature, that are the most used in term of value, and regroup the other products according to rules determined by the Commission in accordance with the procedure referred to in Article 14(2).

Every Member State applying these thresholds shall ensure that the trade of these parties shall amount to a maximum of 6 % of its total trade.

5. Member States may, under certain conditions ***which meet quality requirements and which are*** defined by the Commission in accordance with the procedure referred to in Article 14(2), simplify the information to be provided for small individual transactions.

6. The information on the thresholds applied by the Member States shall be sent to the Commission (Eurostat) no later than 31 October of the year preceding the year to which they apply.

Article 11

Confidentiality

Where the provider of statistical information so requests***,*** the national authorities ***shall decide whether*** statistical results which make it possible indirectly to identify the said provider shall not be disseminated or shall be amended in such a way that their dissemination shall not prejudice statistical confidentiality.

Article 12

Transmission of data to the Commission

1. Member States shall transmit to the Commission (Eurostat) the monthly results of their statistics on trade between Member States no later than:

a) 40 calendar days after the end of the reference month in the case of aggregated results to be defined by the Commission ***in accordance with the procedure referred to in Article 14(2)***;

b) 70 calendar days after the end of the reference month in the case of detailed results including the information referred to in Article 9(1), first subparagraph, points (b) to (h).

As regards the value of the goods, the results shall include the statistical value only, as defined in the Annex.

Member States shall transmit to the Commission (Eurostat) the data which are confidential.

2. Member States shall provide the Commission (Eurostat) with monthly results which cover their total trade in goods by using estimates, where necessary.

3. Member States shall transmit the data to the Commission (Eurostat) in electronic form, in accordance with an interchange standard.

The practical arrangements for the transmission of data to the Commission shall be determined by the Commission in accordance with the procedure referred to in Article 14(2).

Article 13

Quality

1. Member States shall take all measures necessary to ensure the quality of the data transmitted according to the quality indicators and standards in force.

2. Member States shall supply the Commission (Eurostat) with a yearly report on the quality of the data transmitted.

3. The indicators and standards enabling the quality of the data to be assessed, the structure of the quality reports to be presented by the Member States and any measures necessary for assessing or improving the quality of the data shall be determined by the Commission in accordance with the procedure referred to in Article 14(2).

Article 14

Committee

1. The Commission shall be assisted by a Committee for the statistics on the trading of goods between Member States (the 'Intrastat Committee'), hereinafter referred to as 'the Committee'.

2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. The Committee shall adopt its rules of procedure.

Article 15

Final provisions

Regulation (EEC) No 3330/91 is hereby repealed.

Any references to the repealed Regulation shall be considered as references to this Regulation.

Article 16

Entry into force

This Regulation shall enter into force on the 20th day following that of its publication in the Official Journal of the European Union.

It shall take effect as from [1 January 2005].

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at …

For the European Parliament
The President

For the Council
The President

ANNEX

DEFINITIONS OF STATISTICAL DATA

1. Partner Member State

(a) The partner Member State is the Member State of consignment, on arrival. This means the presumed Member State of dispatch in cases where goods enter directly from another Member State. When, before reaching the Member State of arrival, goods have entered one or more Member States in transit and have been subject in those States to halts or legal operations not inherent in their transport (e.g. change of ownership), the Member State of consignment shall be taken as the last Member State where such halts or operations occurred.

(b) The partner Member State is the Member State of destination, on dispatch. This means the last Member State to which it is known, at the time of dispatch, that the goods are to be dispatched.

2. Quantity of the goods

The quantity of the goods can be expressed in two ways:

a) the net mass which means the actual mass of the goods excluding all packaging;

b) the supplementary units which mean the possible units measuring quantity other than net mass, as detailed in the annual Commission Regulation updating the Combined Nomenclature.

3. Value of the goods

The value of the goods can be expressed in two ways:

a) the taxable amount which is the value to be determined for taxation purposes in accordance with Directive 77/388/EEC;

b) the statistical value which is the value calculated at the national frontier of the Member States. It includes only incidental expenses (freight, insurance) incurred, in the case of dispatches, in the part of the journey located on the territory of the Member State of dispatch and, in the case of arrivals, in the part of the journey located outside the territory of the Member State of arrival. It is said to be an FOB value (free on board), for dispatches, and a CIF value (cost, insurance, freight) for arrivals.

4. Nature of the transaction

The nature of transaction means the different characteristics (purchase/sale, work under contract, etc.) which are deemed to be useful in distinguishing one transaction from another.

5. Country of origin

The country of origin, on arrivals only, means the country where the goods originate.

Goods which are wholly obtained or produced in a country originate in that country.

Goods whose production involved more than one country shall be deemed to originate in the country where they underwent their last, substantial, economically justified processing or working in a company equipped for that purpose and resulting in the manufacture of a new product or representing an important stage of manufacture.

6. Region of origin or destination

(a) The region of origin, on dispatch, means the region of the Member State of dispatch where the goods were produced or were erected, assembled, processed, repaired or maintained; failing this, the region of origin is the region where the goods were dispatched, failing this, the region where the commercial process took place.

(b) The region of destination, on arrival, means the region of the Member State of arrival where the goods are to be consumed or erected, assembled, processed, repaired or maintained; failing this, the region of destination is the region to which the goods are to be dispatched, failing this, the region where the commercial process is to take place.

7. Delivery terms

The delivery terms mean those provisions of the sales contract which lay down the obligations of the seller and the buyer respectively, in accordance with the Incoterms of the International Chamber of Commerce (CIF, FOB, etc.).

8. Mode of transport

The mode of transport is determined by the active means of transport by which the goods are presumed to be going to leave the statistical territory of the Member State of dispatch, on dispatch, and by the active means of transport by which the goods are presumed to have entered the statistical territory of the Member State of arrival, on arrival.

9. Statistical procedure

The statistical procedure means the different characteristics which are deemed to be useful in distinguishing different types of arrivals/dispatches for statistical purposes.

P5_TA(2003)0565

Convention: discharge 2002 ***

European Parliament resolution on the decision of the Representatives of the Governments of the Member States concerning the discharge to be granted to the Secretary-General of the Convention in respect of the implementation of its budget for the financial year 2002 (C5-0406/2003 — 2003/0903(AVC))

(Assent procedure)

The European Parliament,

— having regard to Article 20 of the Decision of the Representatives of the Governments of the Member States meeting within the Council of 21 February 2002 setting up a Fund for the financing of the Convention on the future of the European Union and laying down the financial rules for its management (2002/176/EU) ([1]),

— having regard to the revenue and expenditure account and balance sheet of the Convention for the financial year 2002, forwarded to the European Parliament by letter dated 15 May 2003 (SN 2802/2003 — I5-0016/2003 — C5-0406/2003),

— having regard to the report by the Court of Auditors of 10 April 2003 on the accounts drawn up by the Secretary-General of the Convention on the future of the European Union for the financial year 2002 (started on 21 February 2002 and ended on 31 December 2002), together with the comments of the Secretary-General of the Convention ([2]) (I5-0013/2003),

— having regard to the consultation by the Council (9736/2003),

— having regard to Rule 86(1) of its Rules of Procedure,

([1]) OJ L 60, 1.3.2002, p. 56.
([2]) OJ C 122, 22.5.2003.

— having regard to the recommendation of the Committee on Budgetary Control (A5-0414/2003),

A. whereas the Court of Auditors states in its report that its examination enabled it to obtain reasonable assurance that the Convention's accounts for the financial year ended 31 December 2002 were reliable and that the underlying transactions were, on the whole, legal and regular;

B. whereas the Convention's accounts for the financial year 2002 do not give rise to any matters calling for comment;

1. Gives its assent to the granting of discharge to the Secretary-General of the Convention in respect of the implementation of its budget for the financial year 2002;

2. Instructs its President to forward its resolution to the Council, the Commission, the representatives of the governments of the Member States meeting within the Council and to the Court of Auditors.

P5_TA(2003)0566

VAT implementing powers and derogations *

European Parliament legislative resolution on the proposal for a Council directive amending Directive 77/388/EEC concerning the common system of value added tax, as regards conferment of implementing powers and the procedure for adopting derogations (COM(2003) 335 — C5-0281/2003 — 2003/0120(CNS))

(Consultation procedure)

The European Parliament,

— having regard to the Commission proposal to the Council (COM(2003) 335) [1],

— having regard to Article 93 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0281/2003),

— having regard to Rule 67 of its Rules of Procedure,

— having regard to the report of the Committee on Economic and Monetary Affairs (A5-0427/2003),

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;

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[1] Not yet published in OJ.

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 2	
(2) In the interests of transparency and legal certainty, it is preferable to ensure that every derogation authorised under Article 27 or Article 30 of Directive 77/388/EEC takes the form of an explicit decision adopted by the Council acting on a proposal from the Commission.	(2) In the interests of transparency and legal certainty, it is preferable to ensure that every derogation authorised under Article 27 or Article 30 of Directive 77/388/EEC takes the form of an explicit decision adopted by the Council acting on a proposal from the Commission ***after having informed the European Parliament.***
Amendment 2	
RECITAL 13	
(13) Given the restricted scope of the measures envisaged, measures implementing Directive 77/388/EEC should be adopted by the Council acting unanimously on a proposal from the Commission in accordance with a procedure similar to that laid down by the same Directive in respect of derogations.	(13) Given the restricted scope of the measures envisaged, measures implementing Directive 77/388/EEC should be adopted by the Council acting unanimously on a proposal from the Commission in accordance with a procedure similar to that laid down by the same Directive in respect of derogations. ***However, in order to guarantee the transparency of the process, the European Parliament should be kept fully informed throughout.***
Amendment 3	
ARTICLE 1, POINT 1	
Article 27, paragraph 4 (Directive 77/388/EEC)	
4. Within three months of giving the notification referred to in paragraph 3 the Commission shall present to the Council either an appropriate proposal or, should it object to the derogation requested, a communication setting out its objections.	4. Within three months of giving the notification referred to in paragraph 3 the Commission shall present to the Council either an appropriate proposal or, should it object to the derogation requested, a communication setting out its objections. ***The proposal or communication shall be forwarded for information to the European Parliament at the same time as it is sent to the Council.***
Amendment 4	
ARTICLE 1, POINT 2	
Article 29a (Directive 77/388/EEC)	
The Council, acting unanimously on a proposal from the Commission, shall adopt the measures necessary to implement this Directive.	The Council, acting unanimously on a proposal from the Commission, shall, ***after having informed the European Parliament,*** adopt the measures necessary to implement this Directive.

Tuesday 16 December 2003

TEXT PROPOSED BY THE COMMISSION	AMENDMENTS BY PARLIAMENT
Amendment 5	
ARTICLE 1, POINT 3	
Article 30, paragraph 1, subparagraph 1 (Directive 77/388/EEC)	
1. The Council, acting unanimously on a proposal from the Commission, may authorise any Member State to conclude with a third country or an international organisation an agreement which may contain derogations from this Directive.	1. The Council, acting unanimously on a proposal from the Commission ***and after having informed the European Parliament***, may authorise any Member State to conclude with a third country or an international organisation an agreement which may contain derogations from this Directive.
Amendment 6	
ARTICLE 1, POINT 3	
Article 30, paragraph 3 (Directive 77/388/EEC)	
3. Within three months of giving the notification referred to in paragraph 2 the Commission shall present to the Council either an appropriate proposal or, should it object to the derogation requested, a communication setting out its objections.	3. Within three months of giving the notification referred to in paragraph 2 the Commission shall present to the Council either an appropriate proposal or, should it object to the derogation requested, a communication setting out its objections. ***The proposal or communication shall be forwarded for information to the European Parliament at the same time as it is sent to the Council.***

P5_TA(2003)0567

Taxation of parent companies and subsidiaries of different Member States *

European Parliament legislative resolution on the proposal for a Council directive amending Directive 90/435/EEC on the common system of taxation applicable in the case of parent companies and subsidiaries of different Member States (COM(2003) 462 — C5-0427/2003 — 2003/0179(CNS))

(Consultation procedure)

The European Parliament,

— having regard to the Commission proposal to the Council (COM(2003) 462) ([1]),

— having regard to Article 94 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0427/2003),

— having regard to Rule 67 of its Rules of Procedure,

— having regard to the report of the Committee on Economic and Monetary Affairs and the opinion of the Committee on Legal Affairs and the Internal Market (A5-0472/2003),

([1]) Not yet published in OJ.

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 7	
(7) In order to ***extend the benefits of*** Directive 90/435/EEC, the threshold of the shareholding for one company to be considered a parent and the other as its subsidiary should be lowered from 25 % to ***10 %.***	(7) ***Most Member States do not apply any domestic threshold at all or a very low threshold for the tax treatment of inter-company dividends, and*** in order to ***bring cross-border cases, as covered by*** Directive 90/435/EEC, ***more in line with the treatment of domestic groups***, the threshold of the shareholding for one company to be considered a parent and the other as its subsidiary should be lowered from 25 % to ***5 %***.
Amendment 2	
ARTICLE 1, POINT 1	
Article 1, paragraph 1, indent 3 (Directive 90/435/EEC)	
— to distributions of profits received by permanent establishments situated in that State of companies of other Member States which come from their subsidiaries of a Member State.	— to distributions of profits received by permanent establishments situated in that State of companies of other Member States which come from their subsidiaries of a Member State ***other than the State in which the permanent establishment is situated***.
Amendment 3	
ARTICLE 1, POINT 2	
Article 3, paragraph 1, point (a) (Directive 90/435/EEC)	
(a) the status of parent company shall be attributed at least to any company of a Member State which fulfils the conditions set out in Article 2 and has a minimum holding of ***10 %*** in the capital of a company of another Member State fulfilling the same conditions;	(a) the status of parent company shall be attributed at least to any company of a Member State which fulfils the conditions set out in Article 2 and has a minimum holding of ***5 %*** in the capital of a company of another Member State fulfilling the same conditions;

Tuesday 16 December 2003

TEXT PROPOSED BY THE COMMISSION	AMENDMENTS BY PARLIAMENT

Amendment 4

ARTICLE 1, POINT 3, POINT (a)

Article 4, paragraph 1, indent 2 (Directive 90/435/EEC)

— tax such profits while authorising the parent company and the permanent establishment to deduct from the amount of tax due that fraction of the corporation tax paid by the subsidiary and any lower-tier subsidiary which relates to those profits, up to the limit of the amount of the corresponding tax.	— tax such profits while authorising the parent company and the permanent establishment to deduct from the amount of tax due that fraction of the corporation tax paid by the subsidiary and any lower-tier subsidiary ***fulfilling the same requirements*** which relates to those profits, up to the limit of the amount of the corresponding tax.

Amendment 5

ARTICLE 1, POINT 3, POINT (c)

Article 4, paragraph 2, subparagraph 2 (Directive 90/435/EEC)

The parent company shall be allowed to provide evidence of the real management costs incurred that are to be considered non-deductible.	***Where*** the parent company ***provides*** evidence ***that*** the real management costs incurred that are to be considered non-deductible ***are lower than the flat-rate amount, the non-deductible amount may not exceed the real costs.***

Amendment 6

ARTICLE 1, POINT 4, POINT (a)

Article 5, paragraph 1 (Directive 90/435/EEC)

1. Profits which a subsidiary distributes to its parent company shall, at least where the latter holds a minimum of ***10 %*** of the capital of the subsidiary, be exempt from withholding tax.	1. Profits which a subsidiary distributes to its parent company shall, at least where the latter holds a minimum of ***5 %*** of the capital of the subsidiary, be exempt from withholding tax.

Amendment 7

ANNEX

Annex, point za (new) (Directive 90/435/EEC)

	(za) cooperatives incorporated under Council Regulation (EC) No 1435/2003 of 22 July 2003 on the Statute for a European Cooperative Society (SCE) [1] ***and Council Directive 2003/72/EC of 22 July 2003 supplementing the Statute for a European Cooperative Society with regard to the involvement of employees*** [2].

[1] ***OJ L 207, 18.8.2003, p. 1.***
[2] ***OJ L 207, 18.8.2003, p. 25.***

Tuesday 16 December 2003

P5_TA(2003)0568

Controls on fishing in the Antarctic *

European Parliament legislative resolution on the amended proposal for a Council regulation laying down certain control measures applicable to fishing activities in the area covered by the Convention on the conservation of Antarctic marine living resources (COM(2002) 356 — C5-0356/2002 — COM(2003) 384 — C5-0430/2003 —2002/0137(CNS))

(Consultation procedure)

The European Parliament,

— having regard to the Commission proposal to the Council (COM(2002) 356) ([1]) and the amended proposal (COM(2003) 384) ([2]),

— having regard to Article 37 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0430/2003),

— having regard to Rule 67 of its Rules of Procedure,

— having regard to the report of the Committee on Fisheries (A5-0440/2003),

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

Article 3, paragraph 4a (new)

	4a. Member States shall not issue a special fishing permit to vessels intending to engage in longline fisheries in the Convention area that do not comply with the provisions of Article 8(3), second subparagraph, of Council Regulation (EC) No (…/200…) laying down certain technical measures applicable to fishing activities in the area covered by the Convention on the conservation of Antarctic marine living resources.

([1]) OJ C 262, 29.10.2002, p. 310.
([2]) Not yet published in OJ.

Tuesday 16 December 2003

TEXT PROPOSED BY THE COMMISSION	AMENDMENTS BY PARLIAMENT
Amendment 2	
Article 6, paragraph 1	
1. Fishing in a new fishery in the Convention area shall be prohibited except where it has been authorised in accordance with ***paragraph 4.***	1. Fishing in a new fishery in the Convention area shall be prohibited except where it has been authorised in accordance with ***paragraphs 2 to 5.***
Amendment 3	
Article 7, paragraph 1	
1. Exploratory fishing in the Convention area shall be prohibited except where it has been authorised in accordance with ***paragraphs 2 to 6***.	1. Exploratory fishing in the Convention area shall be prohibited except where it has been authorised in accordance with ***paragraphs 2 to 7***.
Amendment 4	
Article 24, paragraph 6, subparagraphs 1 and 2	
6. If a vessel refuses to stop or otherwise facilitate transfer of an ***observer or*** inspector, or if the master or crew of a vessel interferes with the authorised activities of an ***observer or*** inspector, the ***observer or*** inspector involved shall prepare a detailed report, including a full description of all the circumstances, and provide the report to the designating State to be transmitted in accordance with the relevant provisions of Article 25.	6. If a vessel refuses to stop or otherwise facilitate transfer of an inspector, or if the master or crew of a vessel interferes with the authorised activities of an inspector, the inspector involved shall prepare a detailed report, including a full description of all the circumstances, and provide the report to the designating State to be transmitted in accordance with the relevant provisions of Article 25.
Interference with an ***observer or*** inspector or failure to comply with reasonable requests made by an ***observer or*** inspector in the performance of his duties shall be treated by the flag Member State as if the ***observer or*** inspector were an ***observer or*** inspector of that Member State.	Interference with an inspector or failure to comply with reasonable requests made by an inspector in the performance of his duties shall be treated by the flag Member State as if the inspector were an inspector of that Member State.
Amendment 5	
Article 28, paragraph 2	
2. In the case of Community fishing vessels, references to CCAMLR conservation measures in paragraph 1 shall be understood as references to the relevant provisions of Regulation (EC) (XXX/2003), the provisions of Regulation (EC) 1035/2001, or the provisions of the Regulation fixing each year the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required, implementing such measures.	2. In the case of Community fishing vessels, references to CCAMLR conservation measures in paragraph 1 shall be understood as references to the relevant provisions of ***this Regulation, the provisions*** of Regulation (EC) (XXX/2003), the provisions of Regulation (EC) 1035/2001, or the provisions of the Regulation fixing each year the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks, applicable in Community waters and, for Community vessels, in waters where catch limitations are required, implementing such measures.

TEXT PROPOSED BY THE COMMISSION	AMENDMENTS BY PARLIAMENT

Amendment 6

Article 30a (new)

	Article 30a
	Measures in respect of Contracting Party nationals
	1. Member States shall cooperate and take all necessary measures in accordance with national and Community law, in order to:
	(a) ensure that nationals subject to their jurisdiction do not support or engage in IUU fishing, including engagement on board vessels appearing in the IUU vessel list referred to in Article 29;
	(b) identify those nationals who are the operators or beneficial owners of vessels involved in IUU fishing.
	2. Member States shall ensure that sanctions for IUU fishing applied to nationals under their jurisdiction are of sufficient severity to effectively prevent, deter and eliminate IUU fishing and to deprive offenders of the benefits accruing from such illegal activity.

P5_TA(2003)0569

Technical measures applicable to fishing activities in the Antarctic *

European Parliament legislative resolution on the amended proposal for a Council regulation laying down certain technical measures applicable to fishing activities in the area covered by the Convention on the conservation of Antarctic marine living resources (COM(2002) 355 — C5-0355/2002 — COM(2003) 384 — C5-0431/2003 — 2002/0138(CNS))

(Consultation procedure)

The European Parliament,

— having regard to the Commission proposal to the Council (COM(2002) 355) ([1]) and the amended proposal (COM(2003) 384) ([2]),

— having regard to Article 37 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0431/2003),

([1]) OJ C 262, 29.10.2002, p. 295.
([2]) Not yet published in OJ.

Tuesday 16 December 2003

— having regard to Rule 67 of its Rules of Procedure,

— having regard to the report of the Committee on Fisheries (A5-0437/2003),

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	
Article 8, paragraph 3, subparagraph 2	
Member States shall not issue a special fishing permit to vessels ***which are*** so configured that they ***lack*** on-board offal processing facilities or adequate capacity to retain offal on board, or the ability to discharge offal on the opposite side of the vessel to that where longlines are hauled.	Vessels ***shall be*** so configured that they ***dispose of*** on-board offal processing facilities or adequate capacity to retain offal on board, or the ability to discharge offal on the opposite side of the vessel to that where longlines are hauled.

P5_TA(2003)0570

Human tissues and cells ***II

European Parliament legislative resolution on the Council common position 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))

(Codecision procedure: second reading)

The European Parliament,

— having regard to the Council common position (10133/3/2003 — C5-0416/2003) ([1]),

— having regard to its position at first reading ([2]) on the Commission proposal to Parliament and the Council (COM(2002) 319) ([3]),

— having regard to the amended proposal (COM(2003) 340) ([4]),

([1]) OJ C 240 E, 7.10.2003, p. 12.
([2]) *Texts Adopted*, 10.4.2003, P5_TA(2003)0182.
([3]) OJ C 227 E, 24.9.2002, p. 505.
([4]) Not yet published in the OJ.

— having regard to Article 251(2) of the EC Treaty,

— having regard to Rule 80 of its Rules of Procedure,

— having regard to the recommendation for second reading of the Committee on the Environment, Public Health and Consumer Policy (A5-0387/2003),

1. Amends the common position as follows;

2. Instructs its President to forward its position to the Council and Commission.

P5_TC2-COD(2002)0128

Position of the European Parliament adopted at second reading on 16 December 2003 with a view to the adoption of European Parliament and Council Directive 2004/…/EC on setting standards of quality and safety for the donation, procurement, testing, processing, preservation, storage and distribution of human tissues and cells

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 152(4)(a) thereof,

Having regard to the proposal from the Commission [1],

Having regard to the Opinion of the European Economic and Social Committee [2],

Following consultation of the Committee of the Regions,

Acting in accordance with the procedure laid down in Article 251 of the Treaty [3],

Whereas:

(1) The transplantation of human tissues and cells is a strongly expanding field of medicine offering great opportunities for the treatment of as yet incurable diseases. The quality and safety of these substances should be ensured, particularly in order to prevent the transmission of diseases.

(2) The availability of human tissues and cells used for therapeutic purposes is dependent on Community citizens who are prepared to donate them. In order to safeguard public health and to prevent the transmission of infectious diseases by these tissues and cells, all safety measures need to be taken during their donation, procurement, testing, processing, preservation, storage, distribution and use.

(3) It is necessary to promote information and awareness campaigns at national and European level on the donation of tissues, cells and organs based on the theme 'we are all potential donors'. The aim of these campaigns should be to help European citizens decide to become donors during their lifetime and let their families or legal representatives know their wishes. As there is a need to ensure the availability of tissues and cells for medical treatments, Member States should promote the donation of tissues and cells, including haematopoietic progenitors, of high quality and safety, thereby also increasing self-sufficiency in the Community.

([1]) OJ C 227 E, 24.9.2002, p. 505.
([2]) OJ C 85, 8.4.2003, p. 44.
([3]) Position of the European Parliament of 10 April 2003 (not yet published in the Official Journal), Council Common Position of 22 July 2003 (OJ C 240 E, 7.10.2003, p. 12) and Position of the European Parliament of 16 December 2003.

(4) There is an urgent need for a unified framework in order to ensure high standards of quality and safety with respect to the procurement, testing, processing, storage and distribution of tissues and cells across the Community and to facilitate exchanges thereof for patients receiving this type of therapy each year. It is essential, therefore, that Community provisions ensure that human tissues and cells whatever their intended use are of comparable quality and safety. The establishment of such standards, therefore, will help to reassure the public that human tissues and cells that are procured in another Member State, nonetheless, carry the same guarantees as those in their own country.

(5) As tissue and cell therapy is a field in which an intensive worldwide exchange is taking place, it is desirable to have worldwide standards. The Community should therefore endeavour to promote the highest possible level of protection so as to safeguard public health as regards the quality and safety of tissues and cells. The Commission should include in its report to the European Parliament and the Council information on the progress made in this respect.

(6) Tissues and cells intended to be used for industrially manufactured products, including medical devices, should be covered by this Directive only as far as donation, procurement and testing are concerned, where the processing, preservation, storage and distribution are regulated by other Community legislation. The further manufacturing steps are covered by Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use ([1]).

(7) This Directive should apply to tissues and cells including haematopoietic peripheral blood, umbilical cord (blood) and bone marrow stem cells; reproductive cells (eggs, sperm); foetal tissues and cells, adult and embryonic stem cells.

(8) This Directive excludes blood and blood products (other than haematopoietic progenitor cells), human organs, as well as organs, tissues, or cells of animal origin. Blood and blood products are currently regulated by Directive 2001/83/EC, Directive 2000/70/EC ([2]), Recommendation 98/463/EC ([3]) and Directive 2002/98/EC ([4]). Tissues and cells used as an autologous graft (tissues removed and transplanted back to the same individual), within the same surgical procedure and without being subjected to any banking process, are also excluded from this Directive. The quality and safety considerations associated with this process are completely different.

(9) The use of organs to some extent raises the same issues as the use of tissues and cells, though there are serious differences, and the two subjects should therefore not be covered by one directive.

(10) This Directive covers tissues and cells intended for human applications, including human tissues and cells used for the preparation of cosmetic products. However, in view of the risk of transmission of communicable diseases, the use of human cells, tissues and products in cosmetic products is prohibited by Commission Directive 95/34/EC of 10 July 1995 adapting to technical progress Annexes II, III, VI and VII to Council Directive 76/768/EEC on the approximation of the laws of the Member States relating to cosmetic products ([5]).

([1]) OJ L 311, 28.11.2001, p. 67. Directive as last amended by Commission Directive 2003/63/EC (OJ L 159, 27.6.2003, p. 46).

([2]) Directive 2000/70/EC of the European Parliament and of the Council of 16 November 2000 amending Council Directive 93/42/EEC as regards medical devices incorporating stable derivates of human blood or human plasma (OJ L 313, 13.12.2000, p. 22).

([3]) Council Recommendation of 29 June 1998 on the suitability of blood and plasma donors and the screening of donated blood in the European Community (OJ L 203, 21.7.1998, p. 14).

([4]) Directive 2002/98/EC of the European Parliament and of the Council of 27 January 2003 setting standards of quality and safety for the collection, testing, processing, storage, and distribution of human blood and blood components (OJ L 33, 8.2.2003, p. 30).

([5]) OJ L 167, 18.7.1995, p. 19.

(11) This Directive does not cover research using human tissues and cells, such as when used for purposes other than application to the human body, e.g. in vitro research or in animal models. Only those cells and tissues that in clinical trials are applied to the human body should comply with the quality and safety standards laid down in this Directive.

(12) This Directive should not interfere with decisions made by Member States concerning the use or non-use of any specific type of human cells, including germ cells and embryonic stem cells. If, however, any particular use of such cells is authorised in a Member State, this Directive will require the application of all provisions necessary to protect public health, given the specific risks of these cells, on the basis of scientific knowledge and their particular nature, and guarantee respect for fundamental rights. Moreover, this Directive should not interfere with provisions of Member States defining the legal term 'person' or 'individual'.

(13) The donation, procurement, testing**,** processing, preservation, storage and distribution of human tissues and cells intended for human applications should comply with high standards of quality and safety in order to ensure a high level of health protection in the Community. This Directive should establish standards for each one of the steps in the human tissues and cells application process.

(14) The clinical use of tissues and cells of human origin for human application may be constrained by limited availability. Therefore it would be desirable that the criteria for access to such tissues and cells are defined in a transparent manner, on the basis of an objective evaluation of medical needs.

(15) It is necessary to increase confidence among the Member States in the quality and safety of donated tissues and cells, in the health protection of living donors and respect for deceased donors, and in the safety of the application process.

(16) Tissues and cells used for allogeneic therapeutic purposes can be procured from both living and deceased donors. In order to ensure that the health status of a living donor is not affected by the donation, a prior medical examination should be required. The dignity of the deceased donor should be respected, notably through the reconstruction of the donor's body, so that it is as similar as possible to its original anatomical shape.

(17) The use of tissues and cells for application in the human body can cause diseases and unwanted effects. Most of these can be prevented by careful donor evaluation and the testing of each donation in accordance with rules established and updated according to the best available scientific advice.

(18) As a matter of principle, tissue and cell application programmes should be founded on the philosophy of voluntary and unpaid donation, anonymity of both donor and recipient, altruism of the donor and solidarity between donor and recipient. Member States are urged to take steps to encourage a strong public and non-profit sector involvement in the provision of tissue and cell application services and the related research and development.

(19) Voluntary and unpaid tissue and cell donations are a factor which may contribute to high safety standards for tissues and cells and therefore to the protection of human health.

(20) Any establishment may also be accredited as a tissue and cell establishment provided that it complies with the standards.

(21) With due regard to the principle of transparency, all tissue establishments accredited, designated, authorised or licensed under the provisions of this Directive, including those manufacturing products from human tissues and cells, whether subject or not to other Community legislation, should have access to relevant tissues and cells procured in accordance with the provisions of this Directive, without prejudice to the provisions in force in Member States on the use of tissues and cells.

(22) This Directive respects the fundamental rights and observes the principles reflected in the Charter of Fundamental Rights of the European Union [1] and takes into account as appropriate the Convention for the protection of human rights and dignity of the human being with regard to the application of biology and medicine: Convention on human rights and biomedicine. Neither the Charter nor the Convention makes express provision for harmonisation or precludes Member States from introducing more stringent requirements into their legislation.

(23) All necessary measures need to be taken in order to provide prospective donors of tissues and cells with assurances regarding the confidentiality of any health-related information provided to the authorised personnel, the results of tests on their donations, as well as any future traceability of their donation.

(24) 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 the free movement of such data [2], applies to personal data processed in application of this Directive. Article 8 of that Directive prohibits in principle the processing of data concerning health. Limited exemptions to this prohibition principle are laid down. Directive 95/46/EC provides also for the controller to implement appropriate technical and organisational measures to protect personal data against accidental or unlawful destruction or accidental loss, alteration, unauthorised disclosure or access and against all other unlawful forms of processing.

(25) An accreditation system for tissue establishments and a system for notification of adverse events and reactions linked to the procurement, testing, processing, preservation, storage, and distribution of human tissues and cells should be established in the Member States.

(26) Member States should organise inspections and control measures, to be carried out by officials representing the competent authority, to ensure that tissue establishments comply with the provisions of this Directive. Member States should ensure that the officials involved in inspections and control measures are appropriately qualified and receive adequate training.

(27) Personnel directly involved in the donation, procurement, testing, processing, preservation, storage and distribution of human tissues and cells should be appropriately qualified and provided with timely and relevant training. The provisions laid down in this Directive as regards training should be applicable without prejudice to existing Community legislation on the recognition of professional qualifications.

(28) An adequate system to ensure the traceability of human tissues and cells should be established. This would also make it possible to verify compliance with quality and safety standards. Traceability should be enforced through accurate substance, donor, recipient, tissue establishment and laboratory identification procedures as well as record maintenance and an appropriate labelling system.

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[1] OJ C 364, 18.12.2000, p. 1.

[2] 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).

(29) As a general principle, the identity of the recipient(s) should not be disclosed to the donor or his family and vice versa, without prejudice to legislation in force in Member States on the conditions of disclosure, which could authorise in exceptional cases, notably in the case of gametes donation, the lifting of donor anonymity.

(30) In order to increase the effective implementation of the provisions adopted under this Directive, it is appropriate to provide for penalties to be applied by Member States.

(31) Since the objective of this Directive, namely to set high standards of quality and safety for human tissues and cells throughout the Community, cannot be sufficiently achieved by the Member States and can therefore, by reason of scale and effects, 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 Directive does not go beyond what is necessary in order to achieve that objective.

(32) It is necessary that the best possible scientific advice is available to the Community in relation to the safety of tissues and cells; in particular in order to assist the Commission in adapting the provisions of this Directive to scientific and technical progress in particular in the light of the rapid advance in biotechnology knowledge and practice in the field of human tissues and cells.

(33) The opinions of the Scientific Committee for Medicinal Products and Medical Devices and that of the European Group on Ethics in Science and New Technologies have been taken into account, as well as international experience in this field, and will be sought in the future whenever necessary.

(34) The measures necessary for the implementation of this Directive should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission [1],

HAVE ADOPTED THIS DIRECTIVE:

CHAPTER I

GENERAL PROVISIONS

Article 1

Objective

This Directive lays down standards of quality and safety for human tissues and cells intended for human applications, in order to ensure a high level of protection of human health.

Article 2

Scope

1. This Directive shall apply to the donation, procurement, testing, processing, preservation, storage and distribution of human tissues and cells intended for human applications and of manufactured products derived from human tissues and cells intended for human applications.

[1] OJ L 184, 17.7.1999, p. 23.

Where such manufactured products are covered by other Directives, this Directive shall apply only to donation, procurement and testing.

2. This Directive shall not apply to:

a) tissues and cells used as an autologous graft within the same surgical procedure;

b) blood and blood components as defined by Directive 2002/98/EC;

c) organs or parts of organs if it is their function to be used for the same purpose as the entire organ in the human body.

Article 3

Definitions

For the purposes of this Directive:

(a) 'Cells' means individual human cells or a collection of human cells when not bound by any form of connective tissue;

(b) 'Tissue' means all constituent parts of the human body formed by cells;

(c) 'Donor' means every human source, whether living or deceased, of human cells or tissues;

(d) 'Donation' means donating human tissues or cells intended for human applications;

(e) 'Organ' means a differentiated and vital part of the human body, formed by different tissues, that maintains its structure, vascularisation and capacity to develop physiological functions with an important level of autonomy;

(f) 'Procurement' means a process by which tissue or cells are made available;

(g) 'Processing' means all operations involved in the preparation, manipulation, preservation and packaging of tissues or cells intended for human applications;

(h) 'Preservation' means the use of chemical agents, alterations in environmental conditions or other means during processing to prevent or retard biological or physical deterioration of cells or tissues;

(i) 'Quarantine' means the status of retrieved tissue or cells, or tissue isolated physically or by other effective means, whilst awaiting a decision on their acceptance or rejection;

(j) 'Storage' means maintaining the product under appropriate controlled conditions until distribution;

(k) 'Distribution' means transportation and delivery of tissues or cells intended for human applications;

(l) 'Human application' means the use of tissues or cells on or in a human recipient and extracorporal applications;

(m) 'Serious adverse event' means any untoward occurrence associated with the procurement, testing, processing, storage and distribution of tissues and cells that might lead to the transmission of a communicable disease, to death or life-threatening, disabling, or incapacitating conditions for patients or which might result in, or prolong, hospitalisation or morbidity;

(n) 'Serious adverse reaction' means an unintended response, including a communicable disease, in the donor or in the recipient associated with the procurement or human application of tissues and cells that is fatal, life-threatening, disabling, incapacitating, or which results in, or prolongs, hospitalisation or morbidity;

(o) 'Tissue establishment' means a tissue bank or a unit of a hospital or another body where activities of processing, preservation, storage or distribution of human tissues and cells are undertaken. It may also be responsible for procurement or testing of tissues and cells;

(p) 'Allogeneic use' means cells or tissues removed from one person and applied to another;

(q) 'Autologous use' means cells or tissues removed from and applied in the same person.

Article 4

Implementation

1. Member States shall designate the competent authority or authorities responsible for implementing the requirements of this Directive.

2. This Directive shall not prevent a Member State from maintaining or introducing more stringent protective measures, provided that they comply with the provisions of the Treaty.

In particular, a Member State may introduce requirements for voluntary unpaid donation, which include the prohibition or restriction of imports of human tissues and cells, to ensure a high level of health protection, provided that the conditions of the Treaty are met.

3. This Directive does not affect the decisions of the Member States prohibiting the donation, procurement, testing, processing, preservation, storage, distribution or use of any specific type of human tissues or cells or cells from any specified source, including where those decisions also concern imports of the same type of human tissues or cells.

4. In carrying out the activities covered by this Directive, the Commission may have recourse to technical and/or administrative assistance to the mutual benefit of the Commission and of the beneficiaries, relating to identification, preparation, management, monitoring, audit and control, as well as to support expenditure.

CHAPTER II

OBLIGATIONS ON MEMBER STATES' AUTHORITIES

Article 5

Supervision of human tissue and cell procurement

1. Member States shall ensure that tissue and cell procurement and testing are carried out by persons with appropriate training and experience and that they take place in conditions accredited, designated, authorised or licensed for that purpose by the competent authority or authorities.

2. The competent authority or authorities shall take all necessary measures to ensure that tissue and cell procurement complies with the requirements referred to in Article 28(b), (e) and (f). The tests required for donors shall be carried out by a qualified laboratory accredited, designated, authorised or licensed by the competent authority or authorities.

Article 6

Accreditation, designation, authorisation or licensingof tissue establishments and tissue and cell preparation processes

1. Member States shall ensure that all tissue establishments where activities of testing, processing, preservation, storage or distribution of human tissues and cells intended for human applications are undertaken have been accredited, designated, authorised or licensed by a competent authority for the purpose of those activities.

2. The competent authority or authorities, having verified that the tissue establishment complies with the requirements referred to in Article 28(a), shall accredit, designate, authorise or license the tissue establishment and indicate which activities it may undertake and which conditions apply. It or they shall authorise the tissue and cell preparation processes which the tissue establishment may carry out in accordance with the requirements referred to in Article 28(g). Agreements between tissue establishments and third parties, as referred to in Article 24, shall be examined within the framework of this procedure.

3. The tissue establishment shall not undertake any substantial changes to its activities without the prior written approval of the competent authority or authorities.

4. The competent authority or authorities may suspend or revoke the accreditation, designation**,** authorisation or licensing of a tissue establishment or of a tissue or cell preparation process if inspections or control measures demonstrate that such establishment or process does not comply with the requirements of this Directive.

5. Some specified tissues and cells, which will be determined in accordance with the requirements referred to in Article 28(i), may, with the agreement of the competent authority or authorities, be distributed directly for immediate transplantation to the recipient as long as the supplier is provided with an accreditation, designation, authorisation or license for this activity.

Article 7

Inspections and control measures

1. Member States shall ensure that the competent authority or authorities organise inspections and that tissue establishments carry out appropriate control measures in order to ensure compliance with the requirements of this Directive.

2. Member States shall also ensure that appropriate control measures are in place for the procurement of human tissues and cells.

3. Inspections shall be organised and control measures shall be carried out by the competent authority or authorities on a regular basis. The interval between two inspections shall not exceed two years.

4. Such inspections and control measures shall be carried out by officials, representing the competent authority, who shall be empowered to:

a) inspect tissue establishments and the facilities of any third parties as specified in Article 24;

b) evaluate and verify the procedures and the activities carried out in tissue establishments and the facilities of third parties that are relevant to the requirements of this Directive;

c) examine any documents or other records relating to the requirements of this Directive.

5. Guidelines concerning the conditions of the inspections and control measures, and on the training and qualification of the officials involved, in order to reach a consistent level of competence and performance shall be established in accordance with the procedure referred to in Article 29(2).

6. The competent authority or authorities shall organise inspections and carry out control measures as appropriate whenever there is any serious adverse reaction or serious adverse event. In addition, such an inspection shall be organised and control measures shall be carried out at the duly justified request of the competent authority or authorities in another Member State in any such case.

7. Member States shall, upon the request of another Member State or the Commission, provide information on the results of inspections and control measures carried out in relation to the requirements of this Directive.

Article 8

Traceability

1. Member States shall ensure that all tissues and cells procured, processed, stored or distributed on their territory can be traced from the donor to the recipient and vice versa. This traceability shall also apply to all relevant data relating to products and materials coming into contact with these tissues and cells.

2. Member States shall ensure the implementation of a donor identification system which assigns a unique code to each donation and to each of the products associated with it.

3. All tissues and cells must be identified with a label that contains the information or references allowing a link to the information referred to in Article 28(f) and (h).

4. Tissue establishments shall keep the data necessary to ensure traceability at all stages. Data required for full traceability shall be kept for a minimum of 30 years after clinical use. Data storage may also be in electronic form.

5. The traceability requirements for tissues and cells, as well as for products and materials coming into contact with tissues and cells and having an effect on their quality and safety, shall be established by the Commission in accordance with the procedure referred to in Article 29(2).

6. The procedures for ensuring traceability at Community level shall be established by the Commission in accordance with the procedure referred to in Article 29(2).

Article 9

Import/export of human tissues and cells

1. Member States shall take all necessary measures to ensure that all imports of tissues and cells from third countries are undertaken by tissue establishments accredited, designated, authorised or licensed for the purpose of those activities, and that imported tissues and cells can be traced from the donor to the recipient and vice versa in accordance with the procedures referred to in Article 8. Member States and tissue establishments that receive such imports from third countries shall ensure that they meet standards of quality and safety equivalent to the ones laid down in this Directive.

2. Member States shall take all necessary measures to ensure that all exports of tissues and cells to third countries are undertaken by tissue establishments accredited, designated, authorised or licensed for the purpose of those activities. Those Member States that send such exports to third countries shall ensure that the exports comply with the requirements of this Directive.

3. (a) The import or export of tissues and cells referred to in Article 6(5) may be authorised directly by the competent authority or authorities.

(b) In case of emergency, the import or export of certain tissues and cells may be authorised directly by the competent authority or authorities.

(c) The competent authority or authorities shall take all necessary measures to ensure that imports and exports of tissues and cells referred to in subparagraphs (a) and (b) meet quality and safety standards equivalent to those laid down in this Directive.

4. The procedures for verifying the equivalent standards of quality and safety in accordance with paragraph 1 shall be established by the Commission in accordance with the procedure referred to in Article 29(2).

Article 10

Register of tissue establishments and reporting obligations

1. Tissue establishments shall keep a record of their activities, including the types and quantities of tissues and/or cells procured, tested, preserved, processed, stored and distributed, or otherwise disposed of, and on the origin and destination of the tissues and cells intended for human applications, in accordance with the requirements referred to in Article 28(f). They shall submit to the competent authority or authorities an annual report on these activities. This report shall be publicly accessible.

2. The competent authority or authorities shall establish and maintain a publicly accessible register of tissue establishments specifying the activities for which they have been accredited, designated**,** authorised or licensed.

3. Member States and the Commission shall establish a network linking the national tissue establishment registers.

Article 11

Notification of serious adverse events and reactions

1. Member States shall ensure that there is a system in place to report, investigate, register and transmit information about serious adverse events and reactions which may influence the quality and safety of tissues and cells and which may be attributed to the procurement, testing, processing, storage and distribution of tissues and cells, as well as any serious adverse reaction observed during or after clinical application which may be linked to the quality and safety of tissues and cells.

2. All persons or establishments using human tissues and cells regulated by this Directive shall report any relevant information to establishments engaged in the donation, procurement, testing, processing, storage and distribution of human tissues and cells in order to facilitate traceability and ensure quality and safety control.

3. The responsible person referred to in Article 17 shall ensure that the competent authority or authorities is or are notified of any serious adverse events and reactions referred to in paragraph 1 and is or are provided with a report analysing the cause and the ensuing outcome.

4. The procedure for notifying serious adverse events and reactions shall be established by the Commission in accordance with the procedure referred to in Article 29(2).

5. Each tissue establishment shall ensure that an accurate, rapid and verifiable procedure is in place which will enable it to recall from distribution any product which may be related to an adverse event or reaction.

CHAPTER III

DONOR SELECTION AND EVALUATION

Article 12

Principles governing tissue and cell donation

1. Member States shall endeavour to ensure voluntary and unpaid donations of tissues and cells.

Donors may receive compensation, which is strictly limited to making good the expenses and inconveniences related to the donation. In that case, Member States define the conditions under which compensation may be granted.

Member States shall report to the Commission on these measures before … (*) and thereafter every three years. On the basis of these reports the Commission shall inform the European Parliament and the Council of any necessary further measures it intends to take at Community level.

2. Member States shall take all necessary measures to ensure that any promotion and publicity activities in support of the donation of human tissues and cells comply with guidelines or legislative provisions laid down by the Member States. Such guidelines or legislative provisions shall include appropriate restrictions or prohibitions on advertising the need for, or availability of, human tissues and cells with a view to offering or seeking financial gain or comparable advantage.

Member States shall endeavour to ensure that the procurement of tissues and cells as such is carried out on a non-profit basis.

Article 13

Consent

The procurement of human tissues or cells shall be authorised only after all mandatory consent or authorisation requirements in force in the Member State concerned have been met.

Member States shall, in keeping with their national legislation, take all necessary measures to ensure that donors, their relatives or any persons granting authorisation on behalf of the donors are provided with all appropriate information as referred to in the Annex.

Article 14

Data protection and confidentiality

1. Member States shall take all necessary measures to ensure that all data, including genetic information, collated within the scope of this Directive and to which third parties have access, have been rendered anonymous so that neither donors nor recipients remain identifiable.

(*) Two years after the entry into force of this Directive.

2. For that purpose, they shall ensure that:

a) data security measures are in place, as well as safeguards against any unauthorised data additions, deletions or modifications to donor files or deferral records, and transfer of information;

b) procedures are in place to resolve data discrepancies; and

c) no unauthorised disclosure of information occurs, whilst guaranteeing the traceability of donations.

3. Member States shall take all necessary measures to ensure that the identity of the recipient(s) is not disclosed to the donor or his family and vice versa, without prejudice to legislation in force in Member States on the conditions for disclosure, notably in the case of gametes donation.

Article 15

Selection, evaluation and procurement

1. The activities related to tissue procurement shall be carried out in such a way as to ensure that donor evaluation and selection is carried out in accordance with the requirements referred to in Article 28(d) and (e) and that the tissues and cells are procured, packaged and transported in accordance with the requirements referred to in Article 28(f).

2. In the case of an autologous donation, the suitability criteria shall be established in accordance with the requirements referred to in Article 28(d).

3. The results of the donor evaluation and testing procedures shall be documented and any major anomalies shall be reported in accordance with the Annex.

4. The competent authority or authorities shall ensure that all activities related to tissue procurement are carried out in accordance with the requirements referred to in Article 28(f).

CHAPTER IV

PROVISIONS ON THE QUALITY AND SAFETY OF TISSUES AND CELLS

Article 16

Quality management

1. Member States shall take all necessary measures to ensure that each tissue establishment puts in place and updates a quality system based on the principles of good practice.

2. The Commission shall establish the Community standards and specifications referred to in Article 28(c) for activities relating to a quality system.

3. Tissue establishments shall take all necessary measures to ensure that the quality system includes at least the following documentation:

— Standard Operating Procedures,

— guidelines,

— training and reference manuals,

— reporting forms,

— donor records,

— information on the final destination of tissues or cells.

4. Tissue establishments shall take all necessary measures to ensure that this documentation is available for inspection by the competent authority or authorities.

5. Tissue establishments shall keep the data necessary to ensure traceability in accordance with Article 8.

Article 17

Responsible person

1. Every tissue establishment shall designate a responsible person who shall at least fulfil the following conditions and have the following qualifications:

a) possession of a diploma, certificate or other evidence of formal qualifications in the field of medical or biological sciences awarded on completion of a university course of study or a course recognised as equivalent by the Member State concerned;

b) at least two years' practical experience in the relevant fields.

2. The person designated under paragraph 1 shall be responsible for:

a) ensuring that human tissues and cells intended for human applications in the establishment for which that person is responsible are procured, tested, processed, stored and distributed in accordance with this Directive and with the laws in force in the Member State;

b) providing information to the competent authority or authorities as required in Article 6;

c) implementing the requirements of Articles 7, 10, 11, 15, 16 and 18 to 24 within the tissue establishment.

3. Tissue establishments shall inform the competent authority or authorities of the name of the responsible person referred to in paragraph 1. Where the responsible person is permanently or temporarily replaced, the tissue establishment shall immediately inform the competent authority of the name of the new responsible person and the date on which the duties of that person commence.

Article 18

Personnel

Personnel directly involved in activities relating to the procurement, processing, preservation, storage and distribution of tissues and cells in a tissue establishment shall be qualified to perform such tasks and shall be provided with the training referred to in Article 28(c).

Article 19

Tissue and cell reception

1. Tissue establishments shall ensure that all donations of human tissues and cells are subjected to tests in accordance with the requirements referred to Article 28(e) and that the selection and acceptance of tissues and cells comply with the requirements referred to in Article 28(f).

2. Tissue establishments shall ensure that human tissue and cells and associated documentation comply with the requirements referred to in Article 28(f).

3. Tissue establishments shall verify and record the fact that the packaging of human tissue and cells received complies with the requirements referred to in Article 28(f). All tissues and cells that do not comply with those provisions shall be discarded.

4. The acceptance or rejection of received tissues/cells shall be documented.

5. Tissue establishments shall ensure that human tissues and cells are correctly identified at all times. Each delivery or batch of tissues or cells shall be assigned an identifying code, in accordance with Article 8.

6. Tissue and cells shall be held in quarantine until such time as the requirements relating to donor testing and information have been met in accordance with Article 15.

Article 20

Tissue and cell processing

1. Tissue establishments shall include in their Standard Operating Procedures all processes that affect quality and safety and shall ensure that they are carried out under controlled conditions. Tissue establishments shall ensure that the equipment used, the working environment, and process design, validation and control conditions are in compliance with the requirements referred to in Article 28(h).

2. Any modifications to the processes used in the preparation of tissues and cells shall also meet the criteria laid down in paragraph 1.

3. Tissue establishments shall include in their Standard Operating Procedures special provisions for the handling of tissues and cells to be discarded, in order to prevent the contamination of other tissues or cells, the processing environment, or personnel.

Article 21

Tissue and cell storage conditions

1. Tissue establishments shall ensure that all procedures associated with the storage of tissues and cells are documented in the Standard Operating Procedures and that the storage conditions comply with the requirements referred to in Article 28(h).

2. Tissue establishments shall ensure that all storage processes are carried out under controlled conditions.

3. Tissue establishments shall establish and apply procedures for the control of packaging and storage areas, in order to prevent any situation arising that might adversely affect the functioning or integrity of tissues and cells.

4. Processed tissues or cells shall not be distributed until all the requirements laid down in this Directive have been met.

5. Member States shall ensure that tissue establishments have agreements and procedures in place to ensure that, in the event of termination of activities for whatever reason, stored tissues and cells shall be transferred, according to the consent pertaining to them, to other tissue establishment or establishments accredited, designated, authorised or licensed in accordance with Article 6, without prejudice to Member States' legislation concerning the disposal of donated tissues or cells.

Article 22

Labelling, documentation and packaging

Tissue establishments shall ensure that labelling, documentation and packaging conform to the requirements referred to in Article 28(f).

Article 23

Distribution

Tissue establishments shall ensure the quality of tissues and cells during distribution. Distribution conditions shall comply with the requirements referred to in Article 28(h).

Article 24

Relations between tissue establishments and third parties

1. Tissue establishments shall establish written agreements with a third party each time an external activity takes place which influences the quality and safety of tissues and cells processed in cooperation with a third party, and in particular in the following circumstances:

a) where a tissue establishment entrusts one of the stages of tissue or cell processing to a third party;

b) where a third party provides goods and services that affect tissue or cell quality and safety assurance, including their distribution;

c) where a tissue establishment provides services to a tissue establishment which is not accredited;

d) where a tissue establishment distributes tissue or cells processed by third parties.

2. Tissue establishments shall evaluate and select third parties on the basis of their ability to meet the standards laid down in this Directive.

3. Tissue establishments shall keep a complete list of the agreements referred to in paragraph 1 that they have established with third parties.

4. Agreements between tissue establishments and third parties shall specify the responsibilities of the third parties and detailed procedures.

5. Tissue establishments shall provide copies of agreements with third parties at the request of the competent authority or authorities.

CHAPTER V

EXCHANGE OF INFORMATION, REPORTS AND PENALTIES

Article 25

Coding of information

1. Member States shall establish a system for the identification of human tissues and cells, in order to ensure the traceability of all human tissues and cells pursuant to Article 8.

2. The Commission, in cooperation with the Member States, shall design a single European coding system to provide information on the main characteristics and properties of tissues and cells.

Article 26

Reports

1. Member States shall send the Commission, before … (*) and every three years thereafter, a report on the activities undertaken in relation to the provisions of this Directive, including an account of the measures taken in relation to inspection and control.

2. The Commission shall transmit to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions the reports submitted by the Member States on experience gained in implementing this Directive.

3. Before … (**) and every three years thereafter, the Commission shall transmit to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions a report on the implementation of the requirements of this Directive, in particular as regards inspection and monitoring.

Article 27

Penalties

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 … (***) and shall notify it without delay of any subsequent amendments affecting them.

CHAPTER VI

CONSULTATION OF COMMITTEES

Article 28

Technical requirements and their adaptation to scientific and technical progress

The following technical requirements and their adaptation to scientific and technical progress shall be decided in accordance with the procedure referred to in Article 29(2):

(a) Requirements for the accreditation, designation, authorisation or licensing of tissue establishments;

(b) Requirements for the procurement of human tissues and cells;

(c) Quality system, including training;

(d) Selection criteria for the donor of tissues and/or cells;

(e) Laboratory tests required for donors;

(f) Cell and/or tissue procurement procedures and reception at the tissue establishment;

(g) Requirements for the tissue and cell preparation process;

(h) Tissue and cell processing, storage and distribution;

(i) Requirements for the direct distribution to the recipient of specific tissues and cells.

(*) Five years after the entry into force of this Directive.
(**) Four years after the entry into force of this Directive.
(***) Two years after the entry into force of this Directive.

Article 29

Committee

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 referred to in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. The Committee shall adopt its rules of procedure.

Article 30

Consultation of one or more Scientific Committees

The Commission may consult the relevant Scientific Committee(s) when defining or adapting the technical requirements referred to in Article 28 to scientific and technical progress.

CHAPTER VII

FINAL PROVISIONS

Article 31

Transposition

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than … (*). They shall forthwith inform the Commission thereof.

When Member States adopt these measures they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by the Member States.

2. Member States may decide for one year after the date laid down in the first subparagraph of paragraph 1 not to apply the requirements of this Directive to tissue establishments bound by national provisions before the entry into force of this Directive.

3. Member States shall communicate to the Commission the texts of the provisions of national law that they have already adopted or which they adopt in the field governed by this Directive.

Article 32

Entry into force

This Directive shall enter into force on the day of its publication in the Official Journal of the European Union.

(*) 24 months after the date of entry into force of this Directive.

Article 33

Addressees

This Directive is addressed to the Member States.

Done at …,

For the European Parliament
The President

For the Council
The President

ANNEX

INFORMATION TO BE PROVIDED ON THE DONATION OF CELLS AND/OR TISSUES

A. LIVING DONORS

1. The person in charge of the donation process shall ensure that the donor has been properly informed of at least those aspects relating to the donation and procurement process outlined in paragraph 3. Information must be given prior to the procurement.

2. The information must be given by a trained person able to transmit it in an appropriate and clear manner, using terms that are easily understood by the donor.

3. The information must cover: the purpose and nature of the procurement, its consequences and risks, analytical tests, if they are performed, recording and protection of donor data, medical confidentiality, therapeutic purpose and potential benefits, and information on the applicable safeguards intended to protect the donor.

4. The donor must be informed that he has the right to receive the confirmed results of any analytical tests clearly explained.

5. Information must be given on the necessity for requiring the applicable mandatory consent, certification, and authorisation in order that the tissue and/or cell procurement can be carried out.

B. DECEASED DONORS

1. All information must be given and all necessary consents and authorisations must be obtained in accordance with the legislation in force in Member States.

2. The confirmed results of the donor's evaluation must be communicated, and clearly explained to the relevant persons in accordance with the legislation in Member States.

Tuesday 16 December 2003

P5_TA(2003)0571

Takeover bids ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council directive on takeover bids (COM(2002) 534 — C5-0481/2002 — 2002/0240(COD))

(Codecision procedure: first reading)

The European Parliament,

— having regard to the Commission proposal to the European Parliament and the Council (COM(2002) 534) ([1]),

— having regard to Article 251(2) and Article 44(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0481/2002),

— 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 and the opinions of the Committee on Economic and Monetary Affairs, the Committee on Employment and Social Affairs and the Committee on Industry, External Trade, Research and Energy (A5-0469/2003),

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 the Commission.

([1]) OJ C 45 E, 25.2.2003, p. 1.

P5_TC1-COD(2002)0240

Position of the European Parliament adopted at first reading on 16 December 2003 with a view to the adoption of European Parliament and Council Directive 2004/…/EC on takeover bids

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 44(1) thereof,

Having regard to the proposal from the Commission ([1]),

Having regard to the opinion of the European Economic and Social Committee ([2]),

Acting in accordance with the procedure laid down in Article 251 of the Treaty ([3]),

([1]) OJ C 45 E, 25.2.2003, p. 1.
([2]) OJ C 208, 3.9.2003, p. 55.
([3]) Position of the European Parliament of 16 December 2003.

Whereas:

(1) In accordance with Article 44(2)(g) of the Treaty, it is necessary to coordinate certain safeguards which, for the protection of the interests of members and others, Member States require of companies governed by the law of a Member State the securities of which are admitted to trading on a regulated market in a Member State, with a view to making such safeguards equivalent throughout the Community.

(2) It is necessary to protect the interests of holders of the securities of companies governed by the law of a Member State when those companies are the subject of takeover bids or of changes of control and at least some of their securities are admitted to trading on a regulated market in a Member State.

(3) It is necessary to create Community-wide clarity and transparency in respect of legal issues to be settled in the event of takeover bids and to prevent patterns of corporate restructuring within the Community from being distorted by arbitrary differences in governance and management cultures.

(4) In view of the public-interest purposes served by the central banks of the Member States, it seems inconceivable that they should be the targets of takeover bids. Since, for historical reasons, the securities of some of those central banks are listed on regulated markets in Member States, it is necessary to exclude them explicitly from the scope of this Directive.

(5) Each Member State should designate an authority or authorities to supervise those aspects of bids that are governed by this Directive and to ensure that parties to takeover bids comply with the rules made pursuant to this Directive. All those authorities should cooperate with one another.

(6) In order to be effective, takeover regulation should be flexible and capable of dealing with new circumstances as they arise and should accordingly provide for the possibility of exceptions and derogations. However, in applying any rules or exceptions laid down or in granting any derogations, supervisory authorities should respect certain general principles.

(7) Self-regulatory bodies should be able to exercise supervision.

(8) In accordance with general principles of Community law, and in particular the right to a fair hearing, decisions of a supervisory authority should in appropriate circumstances be susceptible to review by an independent court or tribunal. However, Member States should be left to determine whether rights are to be made available which may be asserted in administrative or judicial proceedings, either in proceedings against a supervisory authority or in proceedings between parties to a bid.

(9) Member States should take the necessary steps to protect the holders of securities, in particular those with minority holdings, when control of their companies has been acquired. The Member States should ensure such protection by obliging the person who has acquired control of a company to make an offer to all the holders of that company's securities for all of their holdings at an equitable price in accordance with a common definition. Member States should be free to establish further instruments for the protection of the interests of the holders of securities, such as the obligation to make a partial bid where the offeror does not acquire control of the company or the obligation to announce a bid at the same time as control of the company is acquired.

(10) The obligation to make a bid to all the holders of securities should not apply to those controlling holdings already in existence on the date on which the national legislation transposing this Directive enters into force.

(11) The obligation to launch a bid should not apply in the case of the acquisition of securities which do not carry the right to vote at ordinary general meetings of shareholders. Member States should, however, be able to provide that the obligation to make a bid to all the holders of securities relates not only to securities carrying voting rights but also to securities which carry voting rights only in specific circumstances or which do not carry voting rights.

(12) To reduce the scope for insider dealing, an offeror should be required to announce his decision to launch a bid as soon as possible and to inform the supervisory authority of the bid.

(13) The holders of securities should be properly informed of the terms of a bid by means of an offer document. Appropriate information should also be given to the representatives of the company's employees or, failing that, to the employees directly.

(14) The time allowed for the acceptance of a bid should be regulated.

(15) To be able to perform their functions satisfactorily, supervisory authorities should at all times be able to require the parties to a bid to provide information concerning themselves and should cooperate and supply information in an efficient and effective manner without delay to other authorities supervising capital markets.

(16) In order to prevent operations which could frustrate a bid, the powers of the board of an offeree company to engage in operations of an exceptional nature should be limited without unduly hindering the offeree company in carrying on its normal business activities.

(17) The board of an offeree company should be required to make public a document setting out its opinion of the bid and the reasons on which that opinion is based, including its views on the effects of implementation on all the company's interests and specifically on employment.

(18) In order to reinforce the effectiveness of existing provisions concerning the freedom to deal in the securities of companies covered by this Directive and the freedom to exercise voting rights, it is essential that the defensive structures and mechanisms envisaged by such companies be transparent and that they be regularly presented in reports to general meetings of shareholders.

(19) Member States should take the necessary measures to afford any offeror the possibility of acquiring majority interests in other companies and of fully exercising control of them. To that end, restrictions on the transfer of securities, restrictions on voting rights, extraordinary appointment rights and multiple voting rights should be removed or suspended during the time allowed for the acceptance of a bid and when the general meeting of shareholders decides on defensive measures, on amendments to the articles of association or on the removal or appointment of board members at the first general meeting of shareholders following closure of the bid. Where the holders of securities have suffered losses as a result of the removal of rights, equitable compensation should be provided for in accordance with the technical arrangements laid down by Member States.

(20) All special rights held by Member States in companies should be viewed in the framework of the free movement of capital and the relevant provisions of the Treaty. Special rights held by Member States in companies which are provided for in private or public national law should be exempted from the 'breakthrough' rule if they are compatible with the Treaty.

(21) Taking into account existing differences in Member States' company law mechanisms and structures, Member States should be allowed not to require companies established within their territories to apply the provisions of this Directive limiting the powers of the board of an offeree company during the time allowed for the acceptance of a bid and those rendering ineffective barriers provided for in the articles of association or in specific agreements. In that event Member States should at least allow companies established within their territories to make the choice, which must be reversible, to apply those provisions. Without prejudice to international agreements to which the European Community is a Party, Member States should be allowed not to require companies which apply those provisions in accordance with the optional arrangements to apply them when they become the subject of offers launched by companies which do not apply the same provisions as a consequence of the use of those optional arrangements.

(22) Member States should lay down rules to cover the possibility of a bid's lapsing, the offeror's right to revise his bid, the possibility of competing bids for a company's securities, the disclosure of the result of a bid, the irrevocability of a bid and the conditions permitted.

(23) The disclosure of information to and the consultation of representatives of the employees of the offeror and the offeree company should be governed by the relevant national provisions, in particular those adopted pursuant to Council Directive 94/45/EC of 22 September 1994 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees ([1]), Council Directive 98/59/EC of 20 July 1998 on the approximation of the laws of the Member States relating to collective redundancies ([2]), Council Directive 2001/86/EC of 8 October 2001 supplementing the statute for a European Company with regard to the involvement of employees ([3]) and Directive 2002/14/EC of the European Parliament and of the Council of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community ([4]). The employees of the companies concerned, or their representatives, should nevertheless be given an opportunity of stating their views on the foreseeable effects of the bid on employment. Without prejudice to the rules of Directive 2003/6/EC of the European Parliament and of the Council of 28 January 2003 on insider dealing and market manipulation (market abuse) ([5]), Member States may always apply or introduce national provisions concerning the disclosure of information to and the consultation of representatives of the employees of the offeror before an offer is launched.

(24) Member States should take the necessary measures to enable an offeror who, following a takeover bid, has acquired a certain percentage of a company's capital carrying voting rights to require the holders of the remaining securities to sell him their securities. Likewise, where, following a takeover bid, an offeror has acquired a certain percentage of a company's capital carrying voting rights, the holders of the remaining securities should be able to require him to buy their securities. These squeeze-out and sell-out procedures should apply only under specific conditions linked to takeover bids. Member States may continue to apply national rules to squeeze-out and sell-out procedures in other circumstances.

([1]) OJ L 254, 30.9.1994, p. 64. Directive as amended by Directive 97/74/EC (OJ L 10, 16.1.1998, p. 22).
([2]) OJ L 225, 12.8.1998, p. 16.
([3]) OJ L 294, 10.11.2001, p. 22.
([4]) OJ L 80, 23.3.2002, p. 29.
([5]) OJ L 96, 12.4.2003, p. 16.

(25) Since the objectives of the action envisaged, namely to establish minimum guidelines for the conduct of takeover bids and ensure an adequate level of protection for holders of securities throughout the Community, cannot be sufficiently achieved by the Member States because of the need for transparency and legal certainty in the case of cross-border takeovers and acquisitions of control, 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 Directive does not go beyond what is necessary to achieve those objectives.

(26) The adoption of a Directive is the appropriate procedure for the establishment of a framework consisting of certain common principles and a limited number of general requirements which Member States are to implement through more detailed rules in accordance with their national systems and their cultural contexts.

(27) Member States should, however, provide for sanctions for any infringement of the national measures transposing this Directive.

(28) Technical guidance and implementing measures for the rules laid down in this Directive may from time to time be necessary, to take account of new developments on financial markets. For certain provisions, the Commission should accordingly be empowered to adopt implementing measures, provided that these do not modify the essential elements of this Directive and the Commission acts in accordance with the principles set out in this Directive, after consulting the European Securities Committee established by Commission Decision 2001/528/EC [1]. The measures necessary for the implementation of this Directive 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 [2] and with due regard to the declaration made by the Commission in the European Parliament on 5 February 2002 concerning the implementation of financial services legislation. For the other provisions, it is important to entrust a contact committee with the task of assisting Member States and the supervisory authorities in the implementation of this Directive and of advising the Commission, if necessary, on additions or amendments to this Directive. In so doing the contact committee may make use of the information which Member States are to provide on the basis of this Directive concerning takeover bids that have taken place on their regulated markets.

(29) The Commission should facilitate movement towards the fair and balanced harmonisation of rules on takeovers in the European Union. To that end the Commission should be able to submit proposals for the timely revision of this Directive,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Scope

1. This Directive lays down measures coordinating the laws, regulations, administrative provisions, codes of practice and other arrangements of the Member States, including arrangements established by organisations officially authorised to regulate the markets (hereinafter referred to as 'rules'), relating to takeover bids for the securities of companies governed by the laws of Member States, where all or some of those securities are admitted to trading on a regulated market within the meaning of Directive 93/22/EEC [3] in one or more Member States (hereinafter referred to as a 'regulated market').

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[1] OJ L 191, 13.7.2001, p. 45. Decision as amended by Decision 2004/8/EC (OJ L 3, 7.1.2004, p. 33).
[2] OJ L 184, 17.7.1999, p. 23.
[3] Council Directive 93/22/EEC of 10 May 1993 on investment services in the securities field (OJ L 141, 11.6.1993, p. 27). Directive as last amended by Directive 2002/87/EC of the European Parliament and of the Council (OJ L 35, 11.2.2003, p. 1).

2. This Directive shall not apply to takeover bids for securities issued by companies the object of which is the collective investment of capital provided by the public, which operate on the principle of risk spreading and the units of which are, at the holders' request, repurchased or redeemed, directly or indirectly, out of the assets of those companies. Action taken by such companies to ensure that the stock exchange value of their units does not vary significantly from their net asset value shall be regarded as equivalent to such repurchase or redemption.

3. This Directive shall not apply to takeover bids for securities issued by the Member States' central banks.

Article 2

Definitions

1. For the purposes of this Directive:

a) 'takeover bid' or 'bid' shall mean a public offer (other than by the offeree company itself) made to the holders of the securities of a company to acquire all or some of those securities, whether mandatory or voluntary, which follows or has as its objective the acquisition of control of the offeree company in accordance with national law;

b) 'offeree company' shall mean a company the securities of which are the subject of a bid;

c) 'offeror' shall mean any natural or legal person governed by public or private law making a bid;

d) 'persons acting in concert' shall mean natural or legal persons who cooperate with the offeror or the offeree company on the basis of an agreement, either express or tacit, either oral or written, aimed either at acquiring control of the offeree company or at frustrating the successful outcome of a bid;

e) 'securities' shall mean transferable securities carrying voting rights in a company;

f) 'parties to the bid' shall mean the offeror, the members of the offeror's board if the offeror is a company, the offeree company, holders of securities of the offeree company and the members of the board of the offeree company, and persons acting in concert with such parties.

g) 'multiple-vote securities' shall mean securities included in a distinct and separate class and carrying more than one vote each.

2. For the purposes of paragraph 1(d), persons controlled by another person within the meaning of Article 87 of Directive 2001/34/EC [1] shall be deemed to be persons acting in concert with that other person and with each other.

Article 3

General principles

1. For the purpose of implementing this Directive, Member States shall ensure that the following principles are complied with:

a) all holders of the securities of an offeree company of the same class must be afforded equivalent treatment; moreover, if a person acquires control of a company, the other holders of securities must be protected;

[1] Directive 2001/34/EC of the European Parliament and of the Council of 28 May 2001 on the admission of securities to official stock exchange listing and on information to be published on those securities (OJ L 184, 6.7.2001, p. 1). Directive as last amended by Directive 2003/71/EC (OJ L 345, 31.12.2003, p. 64).

b) the holders of the securities of an offeree company must have sufficient time and information to enable them to reach a properly informed decision on the bid; where it advises the holders of securities, the board of the offeree company must give its views on the effects of implementation of the bid on employment, conditions of employment and the locations of the company's places of business;

c) the board of an offeree company must act in the interests of the company as a whole and must not deny the holders of securities the opportunity to decide on the merits of the bid;

d) false markets must not be created in the securities of the offeree company, of the offeror company or of any other company concerned by the bid in such a way that the rise or fall of the prices of the securities becomes artificial and the normal functioning of the markets is distorted;

e) an offeror must announce a bid only after ensuring that he can fulfil in full any cash consideration, if such is offered, and after taking all reasonable measures to secure the implementation of any other type of consideration;

f) an offeree company must not be hindered in the conduct of its affairs for longer than is reasonable by a bid for its securities.

2. With a view to ensuring compliance with the principles laid down in paragraph 1, Member States:

a) shall ensure that the minimum requirements set out in this Directive are observed;

b) may lay down additional conditions and provisions more stringent than those of this Directive for the regulation of bids.

Article 4

Supervisory authority and applicable law

1. Member States shall designate the authority or authorities competent to supervise bids for the purposes of the rules which they make or introduce pursuant to this Directive. The authorities thus designated shall be either public authorities, associations or private bodies recognised by national law or by public authorities expressly empowered for that purpose by national law. Member States shall inform the Commission of those designations, specifying any divisions of functions that may be made. They shall ensure that those authorities exercise their functions impartially and independently of all parties to a bid.

2. (a) The authority competent to supervise a bid shall be that of the Member State in which the offeree company has its registered office if that company's securities are admitted to trading on a regulated market in that Member State.

(b) If the offeree company's securities are not admitted to trading on a regulated market in the Member State in which the company has its registered office, the authority competent to supervise the bid shall be that of the Member State on the regulated market of which the company's securities are admitted to trading.

If the offeree company's securities are admitted to trading on regulated markets in more than one Member State, the authority competent to supervise the bid shall be that of the Member State on the regulated market of which the securities were first admitted to trading.

(c) If the offeree company's securities were first admitted to trading on regulated markets in more than one Member State simultaneously, the offeree company shall determine which of the supervisory authorities of those Member States shall be the authority competent to supervise the bid by notifying those regulated markets and their supervisory authorities on the first day of trading.

If the offeree company's securities have already been admitted to trading on regulated markets in more than one Member State on the date laid down in Article 21(1) and were admitted simultaneously, the supervisory authorities of those Member States shall agree which one of them shall be the authority competent to supervise the bid within four weeks of the date laid down in Article 21(1). Otherwise, the offeree company shall determine which of those authorities shall be the competent authority on the first day of trading following that four week period.

(d) Member States shall ensure that the decisions referred to in (c) are made public.

(e) In the cases referred to in (b) and (c), matters relating to the consideration offered in the case of a bid, in particular the price, and matters relating to the bid procedure, in particular the information on the offeror's decision to make a bid, the contents of the offer document and the disclosure of the bid, shall be dealt with in accordance with the rules of the Member State of the competent authority. In matters relating to the information to be provided to the employees of the offeree company and in matters relating to company law, in particular the percentage of voting rights which confers control and any derogation from the obligation to launch a bid, as well as the conditions under which the board of the offeree company may undertake any action which might result in the frustration of the bid, the applicable rules and the competent authority shall be those of the Member State in which the offeree company has its registered office.

3. Member States shall ensure that all persons employed or formerly employed by their supervisory authorities are bound by professional secrecy. No information covered by professional secrecy may be divulged to any person or authority except under provisions laid down by law.

4. The supervisory authorities of the Member States for the purposes of this Directive and other authorities supervising capital markets, in particular in accordance with Directive 93/22/EEC, Directive 2001/34/EC, Directive 2003/6/EC of the European Parliament and of the Council of 28 January 2003 on insider dealing and market manipulation (market abuse) [1] and Directive 2003/71/EC of the European Parliament and of the Council of 4 November 2003 on the prospectus to be published when securities are offered to the public or admitted to trading and amending Directive 2001/34/EC [2] shall cooperate and supply each other with information wherever necessary for the application of the rules drawn up in accordance with this Directive and in particular in cases covered by paragraph 2(b), (c) and (e). Information thus exchanged shall be covered by the obligation of professional secrecy to which persons employed or formerly employed by the supervisory authorities receiving the information are subject. Cooperation shall include the ability to serve the legal documents necessary to enforce measures taken by the competent authorities in connection with bids, as well as such other assistance as may reasonably be requested by the supervisory authorities concerned for the purpose of investigating any actual or alleged breaches of the rules made or introduced pursuant to this Directive.

5. The supervisory authorities shall be vested with all the powers necessary for the purpose of carrying out their duties, including that of ensuring that the parties to a bid comply with the rules made or introduced pursuant to this Directive.

Provided that the general principles laid down in Article 3(1) are respected, Member States may provide in the rules that they make or introduce pursuant to this Directive for derogations from those rules:

i) by including such derogations in their national rules, in order to take account of circumstances determined at national level and/or

[1] OJ L 96, 12.4.2003, p. 16.
[2] OJ L 345, 31.12.2003, p. 64.

ii) by granting their supervisory authorities, where they are competent, powers to waive such national rules, to take account of the circumstances referred to in (i) or in other specific circumstances, in which case a reasoned decision must be required.

6. This Directive shall not affect the power of the Member States to designate judicial or other authorities responsible for dealing with disputes and for deciding on irregularities committed in the course of bids or the power of Member States to regulate whether and under which circumstances parties to a bid are entitled to bring administrative or judicial proceedings. In particular, this Directive shall not affect the power which courts may have in a Member State to decline to hear legal proceedings and to decide whether or not such proceedings affect the outcome of a bid. This Directive shall not affect the power of the Member States to determine the legal position concerning the liability of supervisory authorities or concerning litigation between the parties to a bid.

Article 5

Protection of minority shareholders, the mandatory bid and the equitable price

1. Where a natural or legal person, as a result of his own acquisition or the acquisition by persons acting in concert with him, holds securities of a company as referred to in Article 1(1) which, added to any existing holdings of those securities of his and the holdings of those securities of persons acting in concert with him, directly or indirectly give him a specified percentage of voting rights in that company, giving him control of that company, Member States shall ensure that such a person is required to make a bid as a means of protecting the minority shareholders of that company. Such a bid shall be addressed at the earliest opportunity to all the holders of those securities for all their holdings at the equitable price as defined in paragraph 4.

2. Where control has been acquired following a voluntary bid made in accordance with this Directive to all the holders of securities for all their holdings, the obligation laid down in paragraph 1 to launch a bid shall no longer apply.

3. The percentage of voting rights which confers control for the purposes of paragraph 1 and the method of its calculation shall be determined by the rules of the Member State in which the company has its registered office.

4. The highest price paid for the same securities by the offeror, or by persons acting in concert with him, over a period, to be determined by Member States, of not less than six months and not more than twelve before the bid referred to in paragraph 1 shall be regarded as the equitable price. If, after the bid has been made public and before the offer closes for acceptance, the offeror or any person acting in concert with him purchases securities at a price higher than the offer price, the offeror shall increase his offer so that it is not less than the highest price paid for the securities so acquired.

Provided that the general principles laid down Article 3(1) are respected, Member States may authorise their supervisory authorities to adjust the price referred to in the first subparagraph in circumstances and in accordance with criteria that are clearly determined. To that end, they may draw up a list of circumstances in which the highest price may be adjusted either upwards or downwards, for example where the highest price was set by agreement between the purchaser and a seller, where the market prices of the securities in question have been manipulated, where market prices in general or certain market prices in particular have been affected by exceptional occurrences, or in order to enable a firm in difficulty to be rescued. They may also determine the criteria to be applied in such cases, for example the average market value over a particular period, the break-up value of the company or other objective valuation criteria generally used in financial analysis.

Any decision by a supervisory authority to adjust the equitable price shall be substantiated and made public.

5. By way of consideration the offeror may offer securities, cash or a combination of both.

However, where the consideration offered by the offeror does not consist of liquid securities admitted to trading on a regulated market, it shall include a cash alternative.

In any event, the offeror shall offer a cash consideration at least as an alternative where he or persons acting in concert with him, over a period beginning at the same time as the period determined by the Member State in accordance with paragraph 4 and ending when the offer closes for acceptance, has purchased for cash securities carrying 5 % or more of the voting rights in the offeree company.

Member States may provide that a cash consideration must be offered, at least as an alternative, in all cases.

6. In addition to the protection provided for in paragraph 1, Member States may provide for further instruments intended to protect the interests of the holders of securities insofar as those instruments do not hinder the normal course of a bid.

Article 6

Information concerning bids

1. Member States shall ensure that a decision to make a bid is made public without delay and that the supervisory authority is informed of the bid. They may require that the supervisory authority must be informed before such a decision is made public. As soon as the bid has been made public, the boards of the offeree company and of the offeror shall inform the representatives of their respective employees or, where there are no such representatives, the employees themselves.

2. Member States shall ensure that an offeror is required to draw up and make public in good time an offer document containing the information necessary to enable the holders of the offeree company's securities to reach a properly informed decision on the bid. Before the offer document is made public, the offeror shall communicate it to the supervisory authority. When it is made public, the boards of the offeree company and of the offeror shall communicate it to the representatives of their respective employees or, where there are no such representatives, to the employees themselves.

Where the offer document referred to in the first subparagraph is subject to the prior approval of the supervisory authority and has been approved, it shall be recognised, subject to any translation required, in any other Member State on the market of which the offeree company's securities are admitted to trading, without its being necessary to obtain the approval of the supervisory authorities of that Member State. Those authorities may require the inclusion of additional information in the offer document only if such information is specific to the market of a Member State or Member States on which the offeree company's securities are admitted to trading and relates to the formalities to be complied with to accept the bid and to receive the consideration due at the close of the bid as well as to the tax arrangements to which the consideration offered to the holders of the securities will be subject.

3. The offer document referred to in paragraph 2 shall state at least:

a) the terms of the bid;

b) the identity of the offeror and, where the offeror is a company, the type, name and registered office of that company;

c) the securities or, where appropriate, the class or classes of securities for which the bid is made;

d) the consideration offered for each security or class of securities and, in the case of a mandatory bid, the method employed in determining it, with particulars of the way in which that consideration is to be paid;

e) the compensation offered for the rights which might be removed as a result of the breakthrough rule laid down in Article 11(4), with particulars of the way in which that compensation is to be paid and the method employed in determining it;

f) the maximum and minimum percentages or quantities of securities which the offeror undertakes to acquire;

g) details of any existing holdings of the offeror, and of persons acting in concert with him, in the offeree company;

h) all the conditions to which the bid is subject;

i) the offeror's intentions with regard to the future business of the offeree company and, insofar as it is affected by the bid, the offeror company and with regard to the safeguarding of the jobs of their employees and management, including any material change in the conditions of employment, and in particular the offeror's strategic plans for the two companies and the likely repercussions on employment and the locations of the companies' places of business;

j) the time allowed for acceptance of the bid;

k) where the consideration offered by the offeror includes securities of any kind, information concerning those securities;

l) information concerning the financing for the bid;

m) the identity of persons acting in concert with the offeror or with the offeree company and, in the case of companies, their types, names, registered offices and relationships with the offeror and, where possible, with the offeree company;

n) the national law which will govern contracts concluded between the offeror and the holders of the offeree company's securities as a result of the bid and the competent courts.

4. The Commission shall adopt rules for the application of paragraph 3 in accordance with the procedure referred to in Article 18(2).

5. Member States shall ensure that the parties to a bid are required to provide the supervisory authorities of their Member State at any time on request with all the information in their possession concerning the bid that is necessary for the supervisory authority to discharge its functions.

Article 7

Time allowed for acceptance

1. Member States shall provide that the time allowed for the acceptance of a bid may not be less than two weeks nor more than ten weeks from the date of publication of the offer document. Provided that the general principle laid down in Article 3(1)(f) is respected, Member States may provide that the period of ten weeks may be extended on condition that the offeror gives at least two weeks' notice of his intention of closing the bid.

2. Member States may provide for rules changing the period referred to in paragraph 1 in specific cases. A Member State may authorise a supervisory authority to grant a derogation from the period referred to in paragraph 1 in order to allow the offeree company to call a general meeting of shareholders to consider the bid.

Article 8

Disclosure

1. Member States shall ensure that a bid is made public in such a way as to ensure market transparency and integrity for the securities of the offeree company, of the offeror or of any other company affected by the bid, in particular in order to prevent the publication or dissemination of false or misleading information.

2. Member States shall provide for the disclosure of all information and documents required by Article 6 in such a manner as to ensure that they are both readily and promptly available to the holders of securities at least in those Member States on the regulated markets of which the offeree company's securities are admitted to trading and to the representatives of the employees of the offeree company and the offeror or, where there are no such representatives, to the employees themselves.

Article 9

Obligations of the board of the offeree company

1. Member States shall ensure that the rules laid down in paragraphs 2 to 5 are complied with.

2. During the period referred to in the second subparagraph, the board of the offeree company shall obtain the prior authorisation of the general meeting of shareholders given for this purpose before taking any action, other than seeking alternative bids, which may result in the frustration of the bid and in particular before issuing any shares which may result in a lasting impediment to the offeror's acquiring control of the offeree company.

Such authorisation shall be mandatory at least from the time the board of the offeree company receives the information referred to in the first sentence of Article 6(1) concerning the bid and until the result of the bid is made public or the bid lapses. Member States may require that such authorisation be obtained at an earlier stage, for example as soon as the board of the offeree company becomes aware that the bid is imminent.

3. As regards decisions taken before the beginning of the period referred to in the second subparagraph of paragraph 2 and not yet partly or fully implemented, the general meeting of shareholders shall approve or confirm any decision which does not form part of the normal course of the company's business and the implementation of which may result in the frustration of the bid.

4. For the purpose of obtaining the prior authorisation, approval or confirmation of the holders of securities referred to in paragraphs 2 and 3, Member States may adopt rules allowing a general meeting of shareholders to be called at short notice, provided that the meeting does not take place within two weeks of notification's being given.

5. The board of the offeree company shall draw up and make public a document setting out its opinion of the bid and the reasons on which it is based, including its views on the effects of implementation of the bid on all the company's interests and specifically employment, and on the offeror's strategic plans for the offeree company and their likely repercussions on employment and the locations of the company's places of business as set out in the offer document in accordance with Article 6(3)(i). The board of the offeree company shall at the same time communicate that opinion to the representatives of its employees or, where there are no such representatives, to the employees themselves. Where the board of the offeree company receives in good time a separate opinion from the representatives of its employees on the effects of the bid on employment, that opinion shall be appended to the document.

6. For the purposes of paragraph 2, where a company has a two-tier board structure 'board' shall mean both the management board and the supervisory board.

Article 10

Information on companies as referred to in Article 1(1)

1. Member States shall ensure that companies as referred to in Article 1(1) publish detailed information on the following:

a) the structure of their capital, including securities which are not admitted to trading on a regulated market in a Member State, where appropriate with an indication of the different classes of shares and, for each class of shares, the rights and obligations attaching to it and the percentage of total share capital that it represents;

b) any restrictions on the transfer of securities, such as limitations on the holding of securities or the need to obtain the approval of the company or other holders of securities, without prejudice to Article 46 of Directive 2001/34/EC;

c) significant direct and indirect shareholdings (including indirect shareholdings through pyramid structures and cross-shareholdings) within the meaning of Article 85 of Directive 2001/34/EC;

d) the holders of any securities with special control rights and a description of those rights;

e) the system of control of any employee share scheme where the control rights are not exercised directly by the employees;

f) any restrictions on voting rights, such as limitations of the voting rights of holders of a given percentage or number of votes, deadlines for exercising voting rights, or systems whereby, with the company's co-operation, the financial rights attaching to securities are separated from the holding of securities;

g) any agreements between shareholders which are known to the company and may result in restrictions on the transfer of securities and/or voting rights within the meaning of Directive 2001/34/EC;

h) the rules governing the appointment and replacement of board members and the amendment of the articles of association;

i) the powers of board members, and in particular the power to issue or buy back shares;

j) any significant agreements to which the company is a party and which take effect, alter or terminate upon a change of control of the company following a takeover bid, and the effects thereof, except where their nature is such that their disclosure would be seriously prejudicial to the company; this exception shall not apply where the company is specifically obliged to disclose such information on the basis of other legal requirements;

k) any agreements between the company and its board members or employees providing for compensation if they resign or are made redundant without valid reason or if their employment ceases because of a takeover bid.

2. The information referred to in paragraph 1 shall be published in the company's annual report as provided for in Article 46 of Directive 78/660/EEC [1] and Article 36 of Directive 83/349/EEC [2].

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[1] Fourth Council Directive 78/660/EEC of 25 July 1978 on the annual accounts of certain types of companies (OJ L 222, 14.8.1978, p. 11). Directive as last amended by Directive 2003/51/EC of the European Parliament and of the Council (OJ L 178, 17.7.2003, p. 16).

[2] Seventh Council Directive 83/349/EEC of 13 June 1983 on consolidated accounts (OJ L 193, 18.7.1983, p. 1). Directive as last amended by Directive 2003/51/EC.

3. Member States shall ensure, in the case of companies the securities of which are admitted to trading on a regulated market in a Member State, that the board presents an explanatory report to the annual general meeting of shareholders on the matters referred to in paragraph 1.

Article 11

Breakthrough

1. Without prejudice to other rights and obligations provided for in Community law for the companies referred to in Article 1(1), Member States shall ensure that the provisions laid down in paragraphs 2 to 7 apply when a bid has been made public.

2. Any restrictions on the transfer of securities provided for in the articles of association of the offeree company shall not apply vis-à-vis the offeror during the time allowed for acceptance of the bid laid down in Article 7(1).

Any restrictions on the transfer of securities provided for in contractual agreements between the offeree company and holders of its securities, or in contractual agreements between holders of the offeree company's securities entered into after the adoption of this Directive, shall not apply vis-à-vis the offeror during the time allowed for acceptance of the bid laid down in Article 7(1).

3. Restrictions on voting rights provided for in the articles of association of the offeree company shall not have effect at the general meeting of shareholders which decides on any defensive measures in accordance with Article 9.

Restrictions on voting rights provided for in contractual agreements between the offeree company and holders of its securities, or contractual agreements between holders of the offeree company's securities entered into after the adoption of this Directive, shall not have effect at the general meeting of shareholders which decides on any defensive measures in accordance with Article 9.

Multiple-vote securities shall carry only one vote each at the general meeting of shareholders which decides on any defensive measures in accordance with Article 9.

4. Where, following a bid, the offeror holds 75 % or more of the capital carrying voting rights, no restrictions on the transfer of securities or on voting rights referred to in paragraphs 2 and 3 nor any extraordinary rights of shareholders concerning the appointment or removal of board members provided for in the articles of association of the offeree company shall apply; multiple-vote securities shall carry only one vote each at the first general meeting of shareholders following closure of the bid, called by the offeror in order to amend the articles of association or to remove or appoint board members.

To that end, the offeror shall have the right to convene a general meeting of shareholders at short notice, provided that the meeting does not take place within two weeks of notification.

5. Where rights are removed on the basis of paragraphs 2, 3, or 4 and/or Article 12, equitable compensation shall be provided for any loss suffered by the holders of those rights. The terms for determining such compensation and the arrangements for its payment shall be set by Member States.

6. Paragraphs 3 and 4 shall not apply to securities where the restrictions on voting rights are compensated for by specific pecuniary advantages.

7. This Article shall not apply either where Member States hold securities in the offeree company which confer special rights on the Member States which are compatible with the Treaty, or to special rights provided for in national law which are compatible with the Treaty or to cooperatives.

Article 12

Optional arrangements

1. Member States may reserve the right not to require companies as referred to in Article 1(1) which have their registered offices within their territories to apply Article 9(2) and (3) and/or Article 11.

2. Where Member States make use of the option provided for in paragraph 1, they shall nevertheless grant companies which have their registered offices within their territories the option, which shall be reversible, of applying Article 9(2) and (3) and/or Article 11, without prejudice to Article 11(7).

The decision of the company shall be taken by the general meeting of shareholders, in accordance with the law of the Member State in which the company has its registered office in accordance with the rules applicable to amendment of the articles of association. The decision shall be communicated to the supervisory authority of the Member State in which the company has its registered office and to all the supervisory authorities of Member States in which its securities are admitted to trading on regulated markets or where such admission has been requested.

3. Member States may, under the conditions determined by national law, exempt companies which apply Article 9(2) and (3) and/or Article 11 from applying Article 9(2) and (3) and/or Article 11 if they become the subject of an offer launched by a company which does not apply the same Articles as they do, or by a company controlled, directly or indirectly, by the latter, pursuant to Article 1 of Directive 83/349/EEC.

4. Member States shall ensure that the provisions applicable to the respective companies are disclosed without delay.

5. Any measure applied in accordance with paragraph 3 shall be subject to the authorisation of the general meeting of shareholders of the offeree company, which must be granted no earlier than eighteen months before the bid was made public in accordance with Article 6(1).

Article 13

Other rules applicable to the conduct of bids

Member States shall also lay down rules which govern the conduct of bids, at least as regards the following:

a) the lapsing of bids;

b) the revision of bids;

c) competing bids;

d) the disclosure of the results of bids;

e) the irrevocability of bids and the conditions permitted.

Article 14

Information for and consultation of employees' representatives

This Directive shall be without prejudice to the rules relating to information and to consultation of representatives of and, if Member States so provide, codetermination with the employees of the offeror and the offeree company governed by the relevant national provisions, and in particular those adopted pursuant to Directives 94/45/EC, 98/59/EC, 2001/86/EC and 2002/14/EC.

Article 15

The right of squeeze-out

1. Member States shall ensure that, following a bid made to all the holders of the offeree company's securities for all of their securities, paragraphs 2 to 5 apply.

2. Member States shall ensure that an offeror is able to require all the holders of the remaining securities to sell him those securities at a fair price. Member States shall introduce that right in one of the following situations:

a) where the offeror holds securities representing not less than 90 % of the capital carrying voting rights and 90 % of the voting rights in the offeree company, or

b) where, following acceptance of the bid, he has acquired or has firmly contracted to acquire securities representing not less than 90 % of the offeree company's capital carrying voting rights and 90 % of the voting rights comprised in the bid.

In the case referred to in (a), Member States may set a higher threshold that may not, however, be higher than 95 % of the capital carrying voting rights and 95 % of the voting rights.

3. Member States shall ensure that rules are in force that make it possible to calculate when the threshold is reached.

Where the offeree company has issued more than one class of securities, Member States may provide that the right of squeeze-out can be exercised only in the class in which the threshold laid down in paragraph 2 has been reached.

4. If the offeror wishes to exercise the right of squeeze-out he shall do so within three months of the end of the time allowed for acceptance of the bid referred to in Article 7.

5. Member States shall ensure that a fair price is guaranteed. That price shall take the same form as the consideration offered in the bid or shall be in cash. Member States may provide that cash shall be offered at least as an alternative.

Following a voluntary bid, in both of the cases referred to in paragraph 2(a) and (b), the consideration offered in the bid shall be presumed to be fair where, through acceptance of the bid, the offeror has acquired securities representing not less than 90 % of the capital carrying voting rights comprised in the bid.

Following a mandatory bid, the consideration offered in the bid shall be presumed to be fair.

Article 16

The right of sell-out

1. Member States shall ensure that, following a bid made to all the holders of the offeree company's securities for all of their securities, paragraphs 2 and 3 apply.

2. Member States shall ensure that a holder of remaining securities is able to require the offeror to buy his securities from him at a fair price under the same circumstances as provided for in Article 15(2).

3. Article 15(3) to (5) shall apply *mutatis mutandis*.

Article 17

Sanctions

Member States shall determine the sanctions to be imposed for infringement of the national measures adopted pursuant to this Directive and shall take all necessary steps to ensure that they are put into effect. The sanctions thus provided for shall be effective, proportionate and dissuasive. Member States shall notify the Commission of those measures no later than the date laid down in Article 21(1) and of any subsequent change thereto at the earliest opportunity.

Article 18

Committee procedure

1. The Commission shall be assisted by the European Securities Committee established by Decision 2001/528/EC (hereinafter referred to as 'the Committee').

2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to Article 8 thereof, provided that the implementing measures adopted in accordance with this procedure do not modify the essential provisions of this Directive.

3. The period referred to in Article 5(6) of Decision 1999/468/EC shall be three months.

4. Without prejudice to the implementing measures already adopted, four years after the entry into force of this Directive, the application of those of its provisions that require the adoption of technical rules and decisions in accordance with paragraph 2 shall be suspended. On a proposal from the Commission, the European Parliament and the Council may renew the provisions concerned in accordance with the procedure laid down in Article 251 of the Treaty and, to that end, they shall review them before the end of the period referred to above.

Article 19

Contact committee

1. A contact committee shall be set up which has as its functions:

a) to facilitate, without prejudice to Articles 226 and 227 of the Treaty, the harmonised application of this Directive through regular meetings dealing with practical problems arising in connection with its application;

b) to advise the Commission, if necessary, on additions or amendments to this Directive.

2. It shall not be the function of the contact committee to appraise the merits of decisions taken by the supervisory authorities in individual cases.

Article 20

Revision

Five years after the date laid down in Article 21(1), the Commission shall examine this Directive in the light of the experience acquired in applying it and, if necessary, propose its revision. That examination shall include a survey of the control structures and barriers to takeover bids that are not covered by this Directive.

To that end, Member States shall provide the Commission annually with information on the takeover bids which have been launched against companies the securities of which are admitted to trading on their regulated markets. That information shall include the nationalities of the companies involved, the results of the offers and any other information relevant to the understanding of how takeover bids operate in practice.

Article 21

Transposition

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive no later than … (*). They shall forthwith inform the Commission thereof.

When Member States adopt those provisions, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by the Member States.

2. Member States shall communicate to the Commission the text of the main provisions of national law that they adopt in the fields covered by this Directive.

Article 22

Entry into force

This Directive shall enter into force on the twentieth day after that of its publication in the Official Journal of the European Union.

Article 23

Addressees

This Directive is addressed to the Member States.

Done at Brussels,

For the European Parliament
The President

For the Council
The President

(*) Two years after the entry into force of this Directive.

P5_TA(2003)0572

Market regulation and competition rules for the liberal professions

European Parliament resolution on market regulations and competition rules for the liberal professions

The European Parliament,

— having regard to Articles 6, 43, 45, 49, 81 and 82 of the Treaty establishing the European Community,

— having regard to its resolution of 5 April 2001 on scale fees and compulsory tariffs for certain liberal professions, in particular lawyers, and on the particular role and position of the liberal professions in modern society ([1]),

— having regard to Rule 42(5) of the Rules of Procedure,

A. whereas the liberal professions are one of the pillars of pluralism and independence in society and fulfil roles in the public interest,

B. whereas the activities of the liberal professions must be opened to the greatest extent possible to free competition, both within individual Member States and across the Union's internal frontiers, in the interest of consumers, quality of service and the EU economy as a whole,

C. whereas the importance of ethical conduct, of the maintenance of confidentiality with clients and of a high level of specialised knowledge necessitates the organisation of self-regulation systems such as those run today by professional bodies and orders,

D. whereas the Commission has to take account of the particular nature of different branches of the economy, social concerns and considerations connected with the pursuit of the public interest,

1. Reaffirms that the liberal professions are the expression of a fundamental democratic order based on law and, more particularly, are an essential element of European societies;

2. Underlines the importance of rules which are necessary, in the specific context of each profession, to ensure the impartiality, competence, integrity and responsibility of the members of that profession so as to guarantee the quality of their services, to the benefit of their clients and society in general and to guarantee the public interest;

3. Notes that each activity of the professional association in question has to be looked at separately, so that the rules on competition are applied to the association only when it is acting exclusively in the interests of its members;

4. Points out that a professional body does not constitute either an undertaking or a group of undertakings for the purposes of Article 82 of the EC Treaty;

5. Notes the high qualifications required for the liberal professions, the need to protect those qualifications that distinguish the liberal professions for the benefit of European citizens and the need to establish a specific relationship based on trust between the liberal professions and their clients;

6. Notes that special considerations should apply to liberal professions active in the health-care sector to ensure that the principles expressed by Article 152 of the Treaty are respected;

7. Considers that diversities rooted in the culture, legal history, sociology and ethnology of the various professional groups in the Member States must be limited by the need to cater for the requirements of a common European society;

8. Points out that it is both necessary and beneficial to the liberal professions to promote competition and freedom of provision of services in their own Member States and throughout the European Union;

([1]) OJ C 21 E, 24.1.2002, p. 364.

9. Considers, however, that the goal of promoting competition in the professions must, in each individual case, be reconciled with the objective of maintaining purely ethical rules specific to each profession and that the pursuit of this goal must respect the public-interest tasks with which liberal professions are entrusted;

10. Points out that the specific features of the markets for professional services require adequate regulation;

11. Concludes that from a general point of view rules are necessary in the specific context of each profession, in particular those relating to the organisation, qualifications, professional ethics, supervision, liability, impartiality and competence of the members of the profession or designed to prevent conflicts of interest and misleading advertising, provided that they:

a) give end-users the assurance that they are provided with the necessary guarantees in relation to integrity and experience, and

b) do not constitute restrictions on competition;

12. Calls upon the Commission to carefully consider the principles and concerns expressed in this resolution when analysing the rules governing the exercise of the different liberal professions in the Member States;

13. Instructs its President to forward this resolution to the Commission.

Wednesday 17 December 2003

(2004/C 91 E/03)

MINUTES

PROCEEDINGS OF THE SITTING

IN THE CHAIR: Pat COX

President

1. Opening of sitting

The sitting opened at 09.05.

2. **Members' Statute** (statements followed by debate)

Council and Commission statements: Members' Statute.

Roberto Antonione (President-in-Office of the Council) and Loyola de Palacio (Vice-President of the Commission) made the statements.

The following spoke: Othmar Karas, on behalf of the PPE-DE Group, Enrique Barón Crespo, on behalf of the PSE Group, Diana Wallis, on behalf of the ELDR Group, Giuseppe Di Lello Finuoli, on behalf of the GUE/NGL Group, Daniel Marc Cohn-Bendit, on behalf of the Verts/ALE Group, Rijk van Dam, on behalf of the EDD Group, Georges Berthu, Non-attached Member, Klaus-Heiner Lehne, Willi Rothley, Neil MacCormick, Gianfranco Dell'Alba, Giuseppe Gargani, Manuel Medina Ortega, Inglewood, Bill Miller, Mauro Nobilia, Alejo Vidal-Quadras Roca and Fiorella Ghilardotti

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

— Othmar Karas and Klaus-Heiner Lehne, on behalf of the PPE-DE Group, on the draft Statute for Members of the European Parliament (B5-0543/2003)

— Graham R. Watson, on behalf of the ELDR Group, Daniel Marc Cohn-Bendit and Monica Frassoni, on behalf of the Verts/ALE Group, on the follow-up to the resolution of 3 and 4 June 2003 on the adoption of a Statute for Members of the European Parliament (B5-0544/2003)

— Enrique Barón Crespo, Willi Rothley and Manuel Medina Ortega, on behalf of the PSE Group, on the follow-up to the resolution of 3 and 4 June 2003 on the adoption of a Statute for Members of the European Parliament (B5-0563/2003)

— Francis Wurtz, on behalf of the GUE/NGL Group, on the Statute for Members of the European Parliament (B5-0564/2003)

The debate closed.

Vote: *Item 5*.

Wednesday 17 December 2003

3. Role of the Union in conflict prevention in Africa, particularly in the implementation of the Linas-Marcoussis Agreement in Côte d'Ivoire (statements followed by debate)

Council and Commission statements: Role of the Union in conflict prevention in Africa, particularly in the implementation of the Linas-Marcoussis Agreement in Côte d'Ivoire.

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

IN THE CHAIR: Renzo IMBENI

Vice-President

Poul Nielson (Member of the Commission) made the statement.

The following spoke: Fernando Fernández Martín, on behalf of the PPE-DE Group, Glenys Kinnock, on behalf of the PSE Group, Johan Van Hecke, on behalf of the ELDR Group, Didier Rod, on behalf of the Verts/ALE Group, Anna Karamanou, Anne André-Léonard and Poul Nielson.

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

— Jean-Pierre Bébéar, John Alexander Corrie and Fernando Fernández Martín, on behalf of the PPE-DE Group, on the EU role in conflict prevention in Africa and in particular the implementation of the Linas-Marcoussis Agreement in Côte d'Ivoire (B5-0512/2003)

— Didier Rod, Paul A.A.J.G. Lannoye and Nelly Maes, on behalf of the Verts/ALE Group, on the European Union's role in conflict-prevention in Africa, and in particular on implementing the Linas-Marcoussis Agreement in Côte d'Ivoire (B5-0515/2003)

— Isabelle Caullery, on behalf of the UEN Group, on the EU role in conflict prevention in Africa and in particular the implementation of the Linas-Marcoussis Agreement in Côte d'Ivoire (B5-0516/2003)

— Yasmine Boudjenah and Luisa Morgantini, on behalf of the GUE/NGL Group, on the EU role in conflict prevention and in particular the implementation of the Linas-Marcoussis Agreement in Côte d'Ivoire (B5-0518/2003)

— Marie-Arlette Carlotti, on behalf of the PSE Group, on the European Union's role in conflict prevention, in particular in the implementation of the Linas Marcoussis Agreement in Côte d'Ivoire (B5-0520/2003)

— Graham R. Watson, Maria Johanna (Marieke) Sanders-ten Holte and Astrid Thors, on behalf of the ELDR Group, on the EU role in conflict prevention in Africa and in particular the implementation of the Linas-Marcoussis Agreement in Côte d'Ivoire (B5-0524/2003)

The debate closed.

Vote: *Item 18*.

4. Removal of the EU embargo on arms sales to China (statements followed by debate)

Council and Commission statements: Removal of the EU embargo on arms sales to China

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

The following spoke: Georg Jarzembowski, on behalf of the PPE-DE Group, Margrietus J. van den Berg, on behalf of the PSE Group, Ole Andreasen, on behalf of the ELDR Group, Daniel Marc Cohn-Bendit, on behalf of the Verts/ALE Group, Marco Cappato, Non-attached Member, Charles Tannock, Johannes (Hannes) Swoboda, Per Gahrton, Michael Gahler, Thomas Mann and Geoffrey Van Orden.

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

— Elly Plooij-van Gorsel, on behalf of the ELDR Group, on lifting the EU embargo on arms sales to China (B5-0548/2003)

— Michael Gahler, Philippe Morillon, Ilkka Suominen, Georg Jarzembowski, Charles Tannock, Thomas Mann and Lennart Sacrédeus, on behalf of the PPE-DE Group, on the embargo on trade in arms with the People's Republic of China (B5-0549/2003)

— Daniel Marc Cohn-Bendit, Nelly Maes and Per Gahrton, on behalf of the Verts/ALE Group, on lifting the EU arms embargo on China (B5-0552/2003)

— Margrietus J. van den Berg and Jannis Sakellariou, on behalf of the PSE Group, on the lifting of the EU embargo on arms sales to China (B5-0553/2003)

— Pedro Marset Campos, on behalf of the GUE/NGL Group, on the EU embargo on arms sales to China (B5-0565/2003)

The debate closed.

Vote: *Minutes of 18.12.2003, Item 21*

(The sitting was suspended at 11.20 pending voting time and resumed at 12.05.)

IN THE CHAIR: Pat COX

President

Robert Atkins complained once again that the votes had started late, and asked the President to address the problem as a matter of urgency.

VOTING TIME

Details of voting (amendments, separate and split votes, etc.) appear in Annex 1 to the Minutes.

5. **Members' Statute** (vote)

Motions for resolution B5-0543, 0544, 0563 and 0564/2003

(Simple majority)

(Voting record: Annex 1, Item 1)

JOINT MOTION FOR A RESOLUTION RC-B5-0543/2003

(replacing motions for resolution B5-0543, 0544, 0563 and 0564/2003):

tabled by the following Members:

— Othmar Karas and Klaus-Heiner Lehne, on behalf of the PPE-DE Group,

— Enrique Barón Crespo, Willi Rothley and Manuel Medina Ortega, on behalf of the PSE Group,

— Graham R. Watson and Diana Wallis, on behalf of the ELDR Group,

— Neil MacCormick and Kathalijne Maria Buitenweg, on behalf of the Verts/ALE Group,

— Francis Wurtz, on behalf of the GUE/NGL Group

Adopted *(P5_TA(2003)0573)*

IN THE CHAIR: David W. MARTIN

Vice-President

6. Tax on 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).

The debate had taken place on 17 November 2003 *(Minutes of 17.11.2003, Item 15).*

(Simple majority)

(Voting record: Annex 1, Item 2)

Christa Randzio-Plath (Chairman of the ECON Committee) proposed that Parliament confirm its rejection of the Commission proposal by adopting the draft legislative resolution.

DRAFT LEGISLATIVE RESOLUTION

Adopted *(P5_TA(2003)0574)*

7. Environmental liability ***II (vote)

Recommendation for second reading on the common position of the Council with a view to adopting a directive of the European Parliament and of the Council on environmental liability with regard to the prevention and remedying of environmental damage [10933/5/2003 — C5-0445/2003 — 2002/0021(COD)] — Committee on Legal Affairs and the Internal Market. Rapporteur: Toine Manders (A5-0461/2003).

(Qualified majority)

(Voting record: Annex 1, Item 3)

COMMON POSITION OF THE COUNCIL

Declared approved as amended *(P5_TA(2003)0575)*

The following spoke:

Toine Manders (rapporteur) on the compromises it had not been possible to achieve.

8. European Medicines Agency ***II (vote)

Recommendation for second reading on the common position of the Council with a view to adopting a regulation of the European Parliament and of the Council laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency [10949/2/2003 — C5-0463/2003 — 2001/0252(COD)] — Committee on the Environment, Public Health and Consumer Policy. Rapporteur: Rosemarie Müller (A5-0425/2003).

The following spoke on the 'Medicines' package (A5-0425, 0446 and 0444/2003): the rapporteurs Rosemarie Müller and Françoise Grossetête, both of them on the compromise amendments, and Erkki Liikanen (Member of the Commission), who gave the Commission's position on those compromises.

(Qualified majority)

(Voting record: Annex 1, Item 4)

COMMON POSITION OF THE COUNCIL

Declared approved as amended *(P5_TA(2003)0576)*

9. Community code on medicinal products for human use ***II (vote)

Recommendation for second reading on the common position of the Council with a view to adopting a directive of the European Parliament and of the Council amending Directive 2001/83/EC on the Community code relating to medicinal products for human use [10950/3/2003 — C5-0464/2003 — 2001/0253(COD)] — Committee on the Environment, Public Health and Consumer Policy. Rapporteur: Françoise Grossetête (A5-0446/2003).

(Qualified majority)

(Voting record: Annex 1, Item 5)

COMMON POSITION OF THE COUNCIL

Declared approved as amended *(P5_TA(2003)0577)*

10. Community code on veterinary medicinal products ***II (vote)

Recommendation for second reading on the common position of the Council with a view to adopting a directive of the European Parliament and of the Council amending Directive 2001/82/EC on the Community code relating to veterinary medicinal products [10951/3/2003 — C5-0465/2003 — 2001/0254(COD)] — Committee on the Environment, Public Health and Consumer Policy. Rapporteur: Françoise Grossetête (A5-0444/2003).

(Qualified majority)

(Voting record: Annex 1, Item 6)

COMMON POSITION OF THE COUNCIL

Declared approved as amended *(P5_TA(2003)0578)*

Wednesday 17 December 2003

11. Traditional herbal medicinal products ***II (vote)

Recommendation for second reading on the common position of the Council with a view to adopting a European Parliament and Council directive amending, as regards traditional herbal medicinal products, Directive 2001/83/EC on the Community code relating to medicinal products for human use [12754/1/2003 — C5-0519/2003 — 2002/0008(COD)] — Committee on the Environment, Public Health and Consumer Policy. Rapporteur: Giuseppe Nisticò (A5-0452/2003).

(Qualified majority)

(Voting record: Annex 1, Item 7)

COMMON POSITION OF THE COUNCIL

Declared approved as amended *(P5_TA(2003)0579)*

12. Measuring instruments ***II (vote)

Recommendation for second reading on the common position of the Council with a view to adopting a directive of the European Parliament and of the Council on measuring instruments [9681/4/2003 — C5-0417/2003 — 2000/0233(COD)] — Committee on Industry, External Trade, Research and Energy. Rapporteur: Giles Bryan Chichester (A5-0458/2003).

(Qualified majority)

(Voting record: Annex 1, Item 8)

COMMON POSITION OF THE COUNCIL

Declared approved as amended *(P5_TA(2003)0580)*

The following spoke:

Giles Bryan Chichester (rapporteur) who withdrew amendments 3 and 11.

13. Motor vehicles: seats, their anchorages and head restraints ***I (vote)

Report on the proposal for a directive of the European Parliament and of the Council amending Council Directive 74/408/EEC relating to motor vehicles with regards to the seats, their anchorages and head restraints [COM(2003) 361 — C5-0283/2003 — 2003/0128(COD)] — Committee on Regional Policy, Transport and Tourism. Rapporteur: Dieter-Lebrecht Koch (A5-0418/2003).

(Simple majority)

(Voting record: Annex 1, Item 9)

COMMISSION PROPOSAL

Approved as amended *(P5_TA(2003)0581)*

DRAFT LEGISLATIVE RESOLUTION

Adopted *(P5_TA(2003)0581)*

14. Motor vehicles: safety belts and restraint systems ***I (vote)

Report on the proposal for a European Parliament and Council directive amending Council Directive 77/541/EEC on the approximation of the laws of the Member States relating to safety belts and restraint systems of motor vehicles [COM(2003) 363 — C5-0282/2003 — 2003/0130(COD)] — Committee on Regional Policy, Transport and Tourism. Rapporteur: Paolo Costa (A5-0304/2003).

(Simple majority)

(Voting record: Annex 1, Item 10)

COMMISSION PROPOSAL

Approved as amended *(P5_TA(2003)0582)*

DRAFT LEGISLATIVE RESOLUTION

Adopted *(P5_TA(2003)0582)*

15. Motor vehicles: anchorages for safety belts ***I (vote)

Report on the proposal for a European Parliament and Council directive amending Council Directive 76/115/EEC on the approximation of the laws of the Member States relating to anchorages for motor-vehicle safety belts [COM(2003) 362 — C5-0286/2003 — 2003/0136(COD)] — Committee on Regional Policy, Transport and Tourism. Rapporteur: Paolo Costa (A5-0305/2003).

(Simple majority)

(Voting record: Annex 1, Item 11)

COMMISSION PROPOSAL

Approved as amended *(P5_TA(2003)0583)*

DRAFT LEGISLATIVE RESOLUTION

Adopted *(P5_TA(2003)0583)*

16. Freedom of movement and ownership of goods (vote)

Report on a legal framework for free movement within the internal market of goods whose ownership is likely to be contested [2002/2114(INI)] — Committee on Legal Affairs and the Internal Market. Rapporteur: Willy C.E.H. De Clercq (A5-0408/2003).

(Simple majority)

(Voting record: Annex 1, Item 12)

MOTION FOR A RESOLUTION

Adopted *(P5_TA(2003)0584)*

17. Legislative and work programme of the Commission for 2004 (vote)

Motions for resolution B5-0536, 0537, 0538, 0539, 0540 and 0541/2003

The debate had taken place on 18 November 2003 *(Minutes of 18.11.2003, Item 4)*.

(Simple majority)

(Voting record: Annex 1, Item 13)

JOINT MOTION FOR A RESOLUTION RC-B5-0536/2003

(replacing motions for resolution B5-0536, 0537 and 0541/2003)

tabled by the following Members:

— Françoise Grossetête, on behalf of the PPE-DE Group

— Johannes (Hannes) Swoboda, on behalf of the PSE Group

— Monica Frassoni, on behalf of the Verts/ALE Group.

Adopted *(P5_TA(2003)0585)*

(Motions for resolutions B5-0538, 0539 and 0540/2003 fell.)

18. Role of the Union in conflict prevention in Africa, particularly in the implementation of the Linas-Marcoussis Agreement in Côte d'Ivoire (vote)

Motions for resolution B5-0512, 0515, 0516, 0518, 0520 and 0524/2003

(Simple majority)

(Voting record: Annex 1, Item 14)

JOINT MOTION FOR A RESOLUTION RC-B5-0512/2003

(replacing motions for resolution B5-0512, 0515, 0516, 0518, 0520 et 0524/2003):

tabled by the following Members:

— Jean-Pierre Bébéar, John Alexander Corrie and Fernando Fernández Martín, on behalf of the PPE-DE Group,

— Marie-Arlette Carlotti, on behalf of the PSE Group,

— Graham R. Watson, Maria Johanna (Marieke) Sanders-ten Holte and Astrid Thors, on behalf of the ELDR Group,

— Didier Rod, Paul A.A.J.G. Lannoye, Nelly Maes and Patricia McKenna, on behalf of the Verts/ALE Group,

— Yasmine Boudjenah and Luisa Morgantini, on behalf of the GUE/NGL Group,

— Isabelle Caullery, on behalf of the UEN Group

Adopted *(P5_TA(2003)0586)*

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:

Joint motion for a resolution RC-B5-0543/2003

— Christoph Werner Konrad

— Linda McAvan

— Neil MacCormick

— Hiltrud Breyer

— Patricia McKenna

Joint motion for a resolution RC-B5-0512/2003 (Côte d'Ivoire)

— Patricia McKenna

20. Corrections to votes

Corrections to votes were submitted by the following Members:

Joint motion for a resolution RC-B5-0543/2003 (Members' Statute)

— amendment 1
for: Elisabeth Schroedter, Olga Zrihen, Georges Garot, Harlem Désir, Jean-Claude Fruteau, Florence Kuntz, Paul Coûteaux, Adeline Hazan, Marie-Arlette Carlotti, Charlotte Cederschiöld, Ioannis Patakis, Peder Wachtmeister, Mogens N.J. Camre
against: Rodi Kratsa-Tsagaropoulou, Marie-Hélène Descamps

— resolution (as a whole)
for: Patricia McKenna, Rodi Kratsa-Tsagaropoulou, W.G. van Velzen, Ewa Klamt, Elisabeth Schroedter, Luís Queiró, Charlotte Cederschiöld, Sami Naïr, Gérard Caudron, Michel-Ange Scarbonchi, Michel J.M. Dary
against: Dana Rosemary Scallon
abstention: Monica Frassoni, Ingo Friedrich

Recommendation for second reading Manders — A5-0461/2003

— amendment 1
for: Dominique F.C. Souchet
against: Francesco Rutelli

— amendment 3
against: Francesco Rutelli

— amendment 9 first part
for: Hans Karlsson

— amendment 45
for: Marie-Arlette Carlotti

— amendment 58
for: Bernard Poignant, Olga Zrihen, Pervenche Berès
against: Astrid Thors

— amendment 46
for: Armonia Bordes

— amendment 41
for: Rodi Kratsa-Tsagaropoulou, Paul Rübig
against: Ward Beysen, Hans Karlsson

— amendment 16
for: Nicole Thomas-Mauro
against: Inglewood

— amendment 43
for: Reinhard Rack

— amendment 57
for: Pervenche Berès

Recommendation for second reading Grossetête — A5-0446/2003

— amendment 21
for: John Purvis

— amendment 22
for: John Purvis

— amendment 23
against: Rodi Kratsa-Tsagaropoulou

— amendment 41
for: John Purvis

Recommendation for second reading Grossetête — A5-0444/2003

— amendment 27
for: Eurig Wyn, Liam Hyland, James (Jim) Fitzsimons, Jan Mulder
against: Marie-Hélène Descamps

— amendment 28
for: Liam Hyland, James (Jim) Fitzsimons
against: Glyn Ford

Report Koch — A5-0418/2003

— legislative resolution
for: Inger Schörling
against: Jeffrey William Titford, Nigel Paul Farage

Report De Clercq — A5-0408/2003

— resolution (as a whole)
for: Marie-Hélène Descamps

Joint motion for a resolution RC-B5-0536/2003 (Legislative and work programme of the Commission for 2004)

— paragraph 17, second part
against: Patricia McKenna

— paragraph 27
for: Othmar Karas

— amendment 4
for: Marie-Hélène Descamps, Bashir Khanbhai, Dominique Vlasto, Françoise de Veyrinas, Anne-Marie Schaffner, Hugues Martin, Françoise Grossetête
against: Christopher J.P. Beazley, Helmut Kuhne, Torben Lund
abstention: Jeffrey William Titford, Nigel Paul Farage

— amendment 5
for: Marie-Hélène Descamps, Yves Butel, Dominique Vlasto, Françoise de Veyrinas, Anne-Marie Schaffner, Hugues Martin, Françoise Grossetête
against: Bernard Poignant
abstention: Jeffrey William Titford, Nigel Paul Farage

— paragraph 49
for: Jeffrey William Titford, Nigel Paul Farage

— paragraph 51
for: Othmar Karas

— paragraph 52
for: Othmar Karas

Members present but not voting:

Armonia Bordes and Chantal Cauquil had been present but had not taken part in the votes on the following items: Joint motion for a resolution B5-0543/2003 (amendment 1 and final vote), Joint motion for a resolution RC-B5-0536/2003 (paragraphs 17, 27, 49, 50, 51, 53 andamendment 5) andJoint motion for a resolution RC-B5-0512/2003 (amendment 1).

END OF VOTING TIME

(The sitting, suspended at 12.50, resumed at 15.00.)

IN THE CHAIR: Joan COLOM I NAVAL

Vice-President

21. Approval of Minutes of previous sitting

The Minutes of the previous sitting were approved.

Ioannis Patakis criticised the bombings in Afghanistan which had caused many casualties, in particular children; he asked that the Bureau call on Parliament to observe a minute's silence at the next part-session in memory of the victims (the President noted his request which he undertook to refer to the Bureau).

22. Electronic road toll systems ***I (debate)

Report on the proposal for a directive of the European Parliament and of the Council on the widespread introduction and interoperability of electronic road toll systems in the Community [COM(2003) 132 — C5-0190/2003 — 2003/0081(COD)] — Committee on Regional Policy, Transport and Tourism. Rapporteur: Renate Sommer (A5-0435/2003).

Renate Sommer introduced the report.

Claude Turmes (draftsman of the opinion of the ITRE Committee) spoke.

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

The following spoke: Konstantinos Hatzidakis, on behalf of the PPE-DE Group, Gilles Savary, on behalf of the PSE Group, Freddy Blak, on behalf of the GUE/NGL Group, Elisabeth Schroedter, on behalf of the Verts/ALE Group, Koenraad Dillen, Non-attached Member, Philip Charles Bradbourn, Johannes (Hannes) Swoboda, Theodorus J.J. Bouwman, Luigi Cocilovo, Mark Francis Watts, Sérgio Marques, Ulrich Stockmann, Reinhard Rack, Mary Honeyball, Ari Vatanen, Mathieu J.H. Grosch and Eija-Riitta Anneli Korhola.

IN THE CHAIR: Ingo FRIEDRICH

Vice-President

The following spoke: Brigitte Langenhagen and Loyola de Palacio.

The debate closed.

Vote: *Minutes of 18.12.2003, Item 16*

23. Transitional points system for HGVs in Austria in 2004 ***III (debate)

Report on the joint text approved by the Conciliation Committee for a European Parliament and Council regulation establishing a transitional points system applicable to heavy goods vehicles travelling through Austria for the year 2004 within the framework of a sustainable transport policy [PE-CONS 3689/2003 — C5-0562/2003 — 2001/0310(COD)] — Parlamentets delegation till förlikningskommittén. Rapporteur: Paolo Costa (A5-0475/2003).

Konstantinos Hatzidakis (deputising for the rapporteur) introduced the report.

The President, pursuant to Rule 123, called Hans-Peter Martin to order, as he was waving a placard.

Hans-Peter Martin explained the reasons for his action.

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

The following spoke: Giorgio Lisi, on behalf of the PPE-DE Group, Giovanni Claudio Fava, on behalf of the PSE Group, Dirk Sterckx, on behalf of the ELDR Group, Freddy Blak, on behalf of the GUE/NGL Group, Johannes Voggenhuber, on behalf of the Verts/ALE Group, Rijk van Dam, on behalf of the EDD Group, Hans Kronberger, Non-attached Member, Reinhard Rack, Johannes (Hannes) Swoboda, Theodorus J.J. Bouwman, Ari Vatanen, Markus Ferber, Giacomo Santini, Peter Pex, Georg Jarzembowski and Loyola de Palacio.

The debate closed.

Vote: *Minutes of 18.12.2003, Item 12*

24. Compensation and assistance to air passengers ***III (debate)

Report on the joint text, approved by the Conciliation Committee, of a regulation of the European Parliament and of the Council establishing common rules on compensation and assistance to air passengers in the event of denied boarding and of cancellation or long delay of flights [PE-CONS 3676/2003 — C5-0518/2003 — 2001/0305(COD)] — Parlamentets delegation till förlikningskommittén. Rapporteur: Giorgio Lisi (A5-0464/2003).

Giorgio Lisi (rapporteur) introduced the report.

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

The following spoke: Konstantinos Hatzidakis, on behalf of the PPE-DE Group, Ulrich Stockmann, on behalf of the PSE Group, Freddy Blak, on behalf of the GUE/NGL Group, Patricia McKenna, on behalf of the Verts/ALE Group, Alain Esclopé, on behalf of the EDD Group, Georg Jarzembowski, Mark Francis Watts and Ari Vatanen

IN THE CHAIR: Alonso José PUERTA

Vice-President

The following spoke: Juan de Dios Izquierdo Collado, Jacqueline Foster, Gilles Savary, Brian Simpson, Proinsias De Rossa and Loyola de Palacio

The debate closed.

Vote: *Minutes of 18.12.2003, Item 13*

25. Question Time (Commission)

Parliament considered a number of questions to the Commission (B5-0416/2003).

First part

Question 25 by Bill Newton Dunn: Heroin coming from Afghanistan through Turkey and into the EU.

Günther Verheugen (Member of the Commission) answered the question and a supplementary by Bill Newton Dunn.

Question 26 by Theresa Zabell: Sports-relevant rules on competition and areas of responsibility.

Günther Verheugen answered the question and a supplementary by Theresa Zabell.

Second part

Question 27 lapsed as its author was absent.

Question 28 by Bernd Posselt: Minorities in the applicant countries.

Günther Verheugen answered the question and supplementaries by Bernd Posselt and Konstantinos Alyssandrakis.

Question 29 by Ewa Hedkvist Petersen: Trade in human beings in the Czech Republic.

Günther Verheugen answered the question and supplementaries by Ewa Hedkvist Petersen and David W. Martin.

Question 30 by John Bowis: Caged beds.

Günther Verheugen answered the question and supplementaries by John Bowis and Patricia McKenna.

Question 31 by Myrsini Zorba: Cyprus.

Günther Verheugen answered the question and a supplementary by Myrsini Zorba.

Bernd Posselt complained that the verbatim report of proceedings of the previous day's debates did not give a faithful rendering of the Council's answer to a question he had put (the President undertook to see to it that the verbatim report rendered debates accurately).

Question 32 by Patricia McKenna: Embryonic stem cell research.

Erkki Liikanen (Member of the Commission) answered the question and supplementaries by Patricia McKenna, John Purvis and Bernd Posselt.

Question 33 by Bart Staes: European ban on night flights.

Loyola de Palacio (Vice-President of the Commission) answered the question and supplementaries by Bart Staes, Alexandros Alavanos and Paul Rübig.

Question 34 by Claude Turmes: Opencast coal-mining in the north of León (Valle de Laciana district, Spain).

Loyola de Palacio answered the question and a supplementary by Claude Turmes.

Question 35 by Camilo Nogueira Román: High speed rail links between Galicia and Portugal.

Loyola de Palacio answered the question.

Question 36 by Alexandros Alavanos: Implementation of Regulation (EEC) 3577/92.

Loyola de Palacio answered the question and a supplementary by Alexandros Alavanos.

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

Commission Question Time closed.

(The sitting was suspended at 19.10 and resumed at 21.00.)

IN THE CHAIR: David W. MARTIN

Vice-President

26. Cogeneration ***II (debate)

Recommendation for second reading on the common position of the Council with a view to adopting a directive of the European Parliament and of the Council on the promotion of cogeneration based on a useful heat demand in the internal energy market and amending Directive 92/42/EEC [10345/2/2003 — C5-0444/2003 — 2002/0185(COD)] — Committee on Industry, External Trade, Research and Energy. Rapporteur: Norbert Glante (A5-0457/2003).

Norbert Glante introduced the recommendation for second reading.

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

The following spoke: Paul Rübig, on behalf of the PPE-DE Group, Reino Paasilinna, on behalf of the PSE Group, Samuli Pohjamo, on behalf of the ELDR Group, Alejo Vidal-Quadras Roca, Norbert Glante, Marjo Matikainen-Kallström and Loyola de Palacio.

The debate closed.

Vote: *Minutes of 18.12.2003, Item 14*

27. Decentralised cooperation (2004-2006) ***I** (debate)

Report on the proposal for a regulation of the European Parliament and of the Council extending and amending Council Regulation (EC) No 1659/98 on decentralised cooperation [COM(2003) 413 — C5-0319/2003 — 2003/0156(COD)] — Committee on Development and Cooperation. Rapporteur: Jürgen Zimmerling (A5-0431/2003).

Poul Nielson (Member of the Commission) spoke.

Jürgen Zimmerling introduced the report.

The following spoke: Francisca Sauquillo Pérez del Arco, on behalf of the PSE Group, Didier Rod, on behalf of the Verts/ALE Group, Bastiaan Belder, on behalf of the EDD Group, Maria Carrilho and Poul Nielson.

The debate closed.

Vote: *Minutes of 18.12.2003, Item 17*

28. Gender equality in development cooperation ***I** (debate)

Report on the proposal for a regulation of the European Parliament and of the Council on promoting gender equality in development cooperation [COM(2003) 465 — C5-0367/2003 — 2003/0176(COD)] — Committee on Women's Rights and Equal Opportunities. Rapporteur: Olga Zrihen (A5-0447/2003) Draftsman for the opinion: Maria Johanna (Marieke) Sanders-ten Holte, DEVE Committee (Rule 162a).

Poul Nielson (Member of the Commission) spoke.

Olga Zrihen introduced the report.

The following spoke: Maria Johanna (Marieke) Sanders-ten Holte (draftsman of the opinion of the DEVE Committee), Maria Martens, on behalf of the PPE-DE Group, María Elena Valenciano Martínez-Orozco, on behalf of the PSE Group, Astrid Thors, on behalf of the ELDR Group, Patricia McKenna, on behalf of the Verts/ALE Group, Philip Claeys, Non-attached Member, Regina Bastos, Agnes Schierhuber, Poul Nielson and Patricia McKenna.

The debate closed.

Vote: *Minutes of 18.12.2003, Item 18*

29. Coexistence of GM crops with conventional and organic crops (debate)

Report Coexistence of genetically modified crops and conventional and organic crops [2003/2098(INI)] — Committee on Agriculture and Rural Development. Rapporteur: Friedrich-Wilhelm Graefe zu Baringdorf (A5-0465/2003).

Friedrich-Wilhelm Graefe zu Baringdorf introduced the report.

Poul Nielson (Member of the Commission) spoke.

The following spoke: Karin Scheele (draftsman of the opinion of the ENVI Committee), Agnes Schierhuber, on behalf of the PPE-DE Group, Karl Erik Olsson, on behalf of the ELDR Group, Ilda Figueiredo, on behalf of the GUE/NGL Group, Bent Hindrup Andersen, on behalf of the EDD Group, Dominique F.C. Souchet, Non-attached Member, Albert Jan Maat, Ioannis Patakis and Friedrich-Wilhelm Graefe zu Baringdorf.

The debate closed.

Vote: *Minutes of 18.12.2003, Item 22*

30. EC-Côte d'Ivoire fisheries agreement * (debate)

Report on the proposal for a Council regulation on conclusion of an Agreement in the form of an exchange of letters extending to the period 1 July 2003 to 30 June 2004 the validity of the Protocol setting fishing opportunities and a financial contribution as provided for in the Agreement between the European Economic Community and the Republic of Côte d'Ivoire on fishing off the coast of Côte d'Ivoire [COM(2003) 556 — C5-0458/2003 — 2003/0219(CNS)] — Committee on Fisheries. Rapporteur: Struan Stevenson (A5-0459/2003).

Poul Nielson (Member of the Commission) spoke.

Struan Stevenson introduced the report.

The following spoke: Albert Jan Maat, on behalf of the PPE-DE Group, Rosa Miguélez Ramos, on behalf of the PSE Group, Patricia McKenna, on behalf of the Verts/ALE Group, and Poul Nielson.

The debate closed.

Vote: *Minutes of 18.12.2003, Item 19*

31. Agenda for next sitting

The President referred Members to the document 'Agenda' PE 338.624/OJJE.

32. Closure of sitting

The sitting closed at 23.35.

Julian Priestley	Alonso José Puerta
Secretary-General	*Vice-President*

Wednesday 17 December 2003

ATTENDANCE REGISTER

The following signed:

Aaltonen, 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, Bonino, Boogerd-Quaak, Bordes, Borghezio, van den Bos, Boselli, Boudjenah, Boumediene-Thiery, Bouwman, Bowe, Bowis, Bradbourn, Bremmer, Breyer, Brie, Brienza, 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, Caullery, Cauquil, Cederschiöld, Celli, Cercas, Cerdeira Morterero, Ceyhun, Chichester, Claeys, Clegg, Cocilovo, Coelho, Cohn-Bendit, Collins, Colom i Naval, Corbett, Corbey, Cornillet, Paolo Costa, Coûteaux, Cox, Crowley, Cushnahan, van Dam, Darras, Dary, Daul, Davies, De Clercq, Dehousse, De Keyser, Dell'Alba, Della Vedova, 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, Ebner, Echerer, El Khadraoui, Elles, Eriksson, Esclopé, Ettl, Jillian Evans, Jonathan Evans, Färm, Farage, Fatuzzo, Fava, Ferber, Fernández Martín, Ferrández Lezaun, Ferreira, Ferrer, Ferri, Fiebiger, Figueiredo, Fiori, Flautre, 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, Glase, Gobbo, Goebbels, Goepel, Görlach, Gollnisch, Gomolka, Goodwill, Gorostiaga Atxalandabaso, Gouveia, Graefe zu Baringdorf, Graça Moura, Gröner, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Guy-Quint, Hänsch, Hager, Hannan, Hansenne, Harbour, Hatzidakis, Haug, Hazan, Heaton-Harris, Hedkvist Petersen, Helmer, Hermange, Hernández Mollar, Herranz García, Herzog, Hieronymi, Hoff, Honeyball, Hortefeux, Howitt, Hudghton, Hughes, Huhne, van Hulten, Hume, Hyland, Iivari, Ilgenfritz, Imbeni, Inglewood, Isler Béguin, Izquierdo Collado, Izquierdo Rojo, Jackson, Jarzembowski, Jean-Pierre, Jeggle, Jensen, Jöns, Jonckheer, Jové Peres, Junker, Karamanou, Karas, Karlsson, Kastler, Katiforis, Kaufmann, Keppelhoff-Wiechert, Keßler, Khanbhai, Kindermann, Glenys Kinnock, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Koukiadis, Koulourianos, Krarup, Kratsa-Tsagaropoulou, Krehl, Kreissl-Dörfler, Krivine, Kronberger, Kuckelkorn, Kuhne, Kuntz, Lage, Lagendijk, Lalumière, Lamassoure, Lambert, Lang, Lange, Langen, Langenhagen, Lannoye, de La Perriere, Laschet, Lavarra, Lechner, Lehne, Leinen, Liese, Linkohr, Lipietz, Lisi, Lombardo, Lucas, Lulling, Lund, Lynne, Maat, Maaten, McAvan, McCarthy, McCartin, MacCormick, McKenna, McMillan-Scott, McNally, Malliori, Malmström, Manders, Manisco, Erika Mann, Thomas Mann, Marchiani, Marinho, Marini, Marinos, Markov, Marques, Marset Campos, Martens, David W. Martin, Hans-Peter Martin, Hugues Martin, Martinez, Martínez Martínez, Mastorakis, Mathieu, Matikainen-Kallström, Mauro, Hans-Peter Mayer, Xaver Mayer, Mayol i Raynal, Medina Ortega, Meijer, Méndez de Vigo, Mendiluce Pereiro, Menéndez del Valle, Mennitti, Menrad, Messner, Miguélez Ramos, Miller, Miranda de Lage, Modrow, Mombaur, Monsonís Domingo, Montfort, Moraes, Morgan, Morgantini, Morillon, Müller, Mulder, Murphy, Muscardini, Mussa, 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, O'Toole, Paasilinna, Pacheco Pereira, Pack, Paisley, Pannella, Papayannakis, Parish, Pasqua, Pastorelli, Patakis, Patrie, Paulsen, Pérez Álvarez, Pérez Royo, Perry, Pesälä, Pex, Piecyk, Piétrasanta, Pirker, Piscarreta, Pisicchio, Pittella, Podestà, Poettering, Pohjamo, Poignant, Poli Bortone, 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, Rovsing, Rübig, Rühle, Ruffolo, Rutelli, Sacconi, Sacrédeus, Saint-Josse, Sakellariou, Salafranca Sánchez-Neyra, Sandberg-Fries, Sandbæk, Sanders-ten Holte, Santer, Santini, dos Santos, Sartori, Sauquillo Pérez del Arco, Savary, Sbarbati, Scallon, Scapagnini, Scarbonchi, Schaffner, Scheele, Schierhuber, Schleicher, Gerhard Schmid, Herman Schmid, Olle Schmidt, Schmitt, Schnellhardt, Schörling, Ilka Schröder, Jürgen Schröder, Schroedter, Schulz, Schwaiger, Segni, Seppänen, Simpson, Sjöstedt, Skinner, Smet, Soares, Sörensen, Sommer, Sornosa Martínez, Souchet, Souladakis, Sousa Pinto, Speroni, Staes, Stauner, Stenmarck, Stenzel, Sterckx, Stevenson, Stihler, Stirbois, Stockmann, Stockton, Sturdy, Sudre, Sumberg,

Suominen, Swiebel, Swoboda, Sørensen, Tajani, Tannock, Theato, Theorin, Thomas-Mauro, Thorning-Schmidt, Thors, Thyssen, Titford, Titley, Torres Marques, Trakatellis, Trentin, Tsatsos, Turchi, Turco, Turmes, Twinn, Uca, Väyrynen, Valdivielso de Cué, Valenciano Martínez-Orozco, Vallvé, Van Hecke, Van Lancker, Van Orden, Varela Suanzes-Carpegna, Vatanen, Vattimo, Veltroni, van Velzen, Vermeer, Vidal-Quadras Roca, Villiers, Vinci, Virrankoski, Vlasto, Voggenhuber, Volcic, Wachtmeister, Wallis, Walter, Watson, Watts, Weiler, Wenzel-Perillo, Whitehead, Wiersma, von Wogau, Wuermeling, Wuori, Wurtz, Wyn, Wynn, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener, Zorba, Zrihen.

Observers

Bagó, Balla, Balsai, Bastys, Berg, Biela, Bonnici, Chronowski, Zbigniew Chrzanowski, Cilevičs, Cybulski, Czinege, Demetriou, Didžiokas, Drzęźla, Ékes, Fazakas, Gruber, Gurmai, Ilves, Jakič, Kelemen, Kiršteins, Klich, Kłopotek, Klukowski, Kriščiūnas, Daniel Kroupa, Kuzmickas, Kvietkauskas, Lachnit, Landsbergis, Laštůvka, Libicki, Litwiniec, Lydeka, Macierewicz, Maldeikis, Mallotová, Manninger, Matsakis, Őry, Ouzký, Alojz Peterle, Pieniążek, Plokšto, Podgórski, Pospíšil, Janno Reiljan, Siekierski, Smorawiński, Surján, Svoboda, Szabó, Szájer, Szczygło, Szent-Iványi, Tabajdi, Tomczak, Valys, Vastagh, Vella, Vėsaitė, Wittbrodt, Zahradil, Żenkiewicz, Žiak.

ANNEX 1

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. Members' Statute

Motions for resolutions: B5-0543, 0544, 0563 and 0564/2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
joint motion for a resolution RC5-0543/2003 (PPE-DE, PSE, ELDR, Verts/ALE and GUE/NGL)					
§ 2, point (a)		***original text***	sep	+	

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
§ 2, point (b)		***original text***	sep	+	
art 2, point (c)		***original text***	sep	+	
§ 2, point (d)	2	GUE/NGL		-	
§ 2, point (e)	3	GUE/NGL		-	
§ 2, point (f)		***original text***	sep	+	
§ 2, point (h)	1	GUE/NGL	RCV	-	195, 306, 21
vote: resolution (as a whole)			RCV	+	345, 94, 88
motions for resolutions by political groups					
B5-0543/2003		PPE-DE		↓	
B5-0544/2003/rev		ELDR, Verts/ALE		↓	
B5-0563/2003		PSE		↓	
B5-0564/2003		GUE/NGL		↓	

Requests for roll-call votes

ELDR: final vote

GUE/NGL: am 1

Requests for separate vote

PSE: § 2, points (a), (b), (c) and (f)

Other information

The ELDR and Verts/ALE Groups had withdrawn amendments 4 and 5.

2. Excise duties on petrol and commercial diesel fuel *

Report: KAUPPI (A5-0383/2003)

Subject	RCV, etc.	Vote	RCV/EV — remarks
vote: legislative resolution		+	

Other information

The ECON Committee had proposed to the House to confirm the rejection of the proposal for a Directive by adopting the draft legislative resolution.

Wednesday 17 December 2003

3. Environmental liability ***II

Recommendation for second reading: MANDERS (A5-0461/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
amendments by committee responsible — block vote	4, 21	***committee***	EV	-	255, 284, 1
amendments by committee responsible — separate votes	1	***committee***	RCV	-	278, 268, 6
	3	***committee***	RCV	-	253, 289, 4
	5	***committee***	split		
			1	-	
			2	-	
	7	***committee***	RCV	-	234, 307, 10
	9	***committee***	split/RCV		
			1	-	291, 256, 6
			2	-	220, 316, 7
	10	***committee***	sep	-	
	12	***committee***	sep/EV	+	387, 158, 7
	14	***committee***	sep	-	
	17	***committee***	sep	-	
	20	***committee***	sep/EV	-	309, 235, 4
	23	***committee***	sep	-	
	24	***committee***	sep	-	
	25	***committee***	sep/EV	-	304, 244, 1
	26	***committee***	split		
			1	-	
			2	-	
	28	***committee***	sep	-	
	29	***committee***	sep	-	
	30	***committee***	sep	-	

Wednesday 17 December 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
	31	***committee***	sep	-	
	32	***committee***	sep	-	
	33	***committee***	sep	-	
	34	***committee***	sep	-	
	35	***committee***	sep	-	
	36	***committee***	sep	-	
	37	***committee***	sep/EV	-	306, 233, 6
	40	***committee***	sep	-	
art 2, point 6	56	PPE-DE	RCV	-	256, 301, 1
art 3	45	Verts/ALE, GUE/NGL ao	RCV	-	286, 257, 10
art 4, § 1	53	PSE		W	
	58	PPE-DE	RCV	-	275, 270, 11
art 4, § 2 to 4	50	PSE		-	
	46	Verts/ALE, GUE/NGL ao	RCV	+	367, 191, 0
art 4, after § 4	41	Verts/ALE, GUE/NGL ao	RCV	-	297, 259, 3
art 5, § 4	11	***committee***	split		
			1/RCV	-	288, 267, 3
			2	-	
	59	ELDR, PSE, GUE/NGL	split		
			1/RCV	-	306, 242, 9
			2	-	
art 6, § 3	47	Verts/ALE, GUE/NGL ao	RCV	-	157, 393, 5
	13	***committee***	split		
			1/RCV	-	284, 269, 0
			2	-	
	60	ELDR, PSE, GUE/NGL	split		
			1/RCV	-	307, 245, 8
			2	-	

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
art 8, §§ 3 and 4	16	***committee***	RCV	-	227, 312, 19
	61	ELDR, PSE	split		
			1/EV	-	300, 251, 5
			2/RCV	-	164, 385, 8
	64	Verts/ALE		-	
	48	Verts/ALE, GUE/NGL ao	RCV	-	301, 249, 7
art 14, § 2	22	***committee***	split		
			1	+	
			2/EV	+	329, 200, 27
	62	ELDR		↓	
	49/rev.	Verts/ALE, GUE/NGL ao		↓	
art 18, § 3	63	ELDR, PSE, GUE/NGL	EV	-	265, 286, 6
	27	***committee***		+	
after art 18	44 = 55/rev =	Verts/ALE, GUE/NGL ao PSE	RCV	-	278, 279, 1
annex 3	42	Verts/ALE, GUE/NGL ao	EV	-	283, 261, 3
	51	PSE		-	
after recital 14	43 = 54/rev =	Verts/ALE, GUE/NGL ao PSE	RCV	-	283, 269, 1
	52	PSE		W	
	57	PPE-DE	RCV	-	294, 257, 2

Amendments 2, 6, 8, 15, 18, 19, 38 and 39 had been declared inadmissible pursuant to Rule 140(3).

Requests for roll-call votes

PPE-DE: ams 1, 3, 7, 9, 16, 52/57, 53/58, 56

Verts/ALE: ams 9, 11/1, 13/1, 16, 41, 44/55, 45, 46, 47, 48, 52/57, 53/58, 59/1, 60/1, 61/2

GUE/NGL: ams 43/54 rev, 44/55 rev, 45

Requests for split votes

Verts/ALE, GUE/NGL

am 11

1st part: up to 'preventive measures itself'
2nd part: remainder

am 13

1st part: up to 'the remedial measures itself'
2nd part: remainder

am 61

1st part: text as a whole except the word 'shall'
2nd part: that word

Verts/ALE

am 22

1st part: text as a whole apart from paragraph 2a
2nd part: that paragraph

am 26

1st part: up to 'proposals for amendment'
2nd part: remainder

am 59

1st part: up to 'preventive measures itself'
2nd part: remainder

am 60

1st part: up to 'the remedial measures itself'
2nd part: remainder

GUE/NGL

am 5

1st part: text as a whole except the word 'should'
2nd part: that word

am 9

1st part: text as a whole apart from points (ba), (bb) and (bc)
2nd part: those points

Requests for separate vote

PPE-DE: ams 10, 17, 20, 24, 25, 26, 28, 31, 32, 33, 34, 35, 36

PSE: ams 7, 9, 12, 15 (inadmissible), 20, 23, 24, 25, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 40

ELDR: ams 20, 28, 37, 40

Verts/ALE: ams 1, 3, 7, 10, 14, 17, 20, 23, 25, 34, 35, 36, 37

GUE/NGL: ams 1, 3, 9, 12, 16, 24, 30, 31, 32, 33

Other information

The PSE Group had withdrawn its amendments 53 and 52

4. European Medicines Agency ***II

Recommendation for second reading: MÜLLER (A5-0425/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
text as a whole	block 1	***committee***		+	
	block 2	PPE-DE, PSE, ELDR, UEN, Verts/ALE		+	
	block 3	***committee***		↓	
remainder of text	block 4	***committee***		-	

Block 1 = compromise 'part A' (amendments 1, 8, 11, 12, 18, 31, 32, 33 and 37)

Block 2 = compromise 'part B' (amendments 41 to 63)

Block 3 = ENVI Committee (amendments 3, 5 to 7, 9, 10, 14 to 17, 19 to 21, 24, 25, 28, 30, 34, 35, 39 and 40)

Block 4 = ENVI Committee (amendments 2, 4, 13, 22, 23, 26, 27, 29, 36 and 38)

Other information

Verts/ALE had not signed am 44.

5. Community code on medicinal products for human use ***II

Recommendation for second reading: GROSSETÊTE (A5-0446/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
text as a whole	block 1	***committee***		+	
	block 2 except am 68	(PPE-DE, PSE, ELDR, Verts/ALE, UEN)		+	
	68	***committee***	sep	+	
	block 3	***committee***		↓	
	15	***committee***	sep	↓	
	17	***committee***	sep	↓	
	20	***committee***	RCV	↓	
	54	***committee***	sep	↓	
	block 4	***committee***		↓	
	21	***committee***	RCV	-	193, 343, 15
	22	***committee***	RCV	-	188, 341, 13
	23	***committee***	RCV	-	174, 368, 8
	38	***committee***	RCV	-	175, 366, 12
	41	***committee***	RCV	-	80, 417, 52

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
remainder of text	6	***committee***	sep	-	
	18	***committee***	sep	-	
	19	***committee***	sep	-	
art 10	55	EDD		-	

Block 1 = compromise 'part A' (amendments 14 and 25)

Block 2 = compromise 'part B' (amendments 56 to 70 and 72 to 84)

Block 3 = amendments of the ENVI Committee (amendments 4, 7 to 10, 13, 15 to 17, 20, 24, 26, 30 to 32, 34, 40, 43, 47, 48 and 50 to 54)

Block 4 = amendments of the ENVI Committee (amendments 1 to 3, 5, 11, 12, 21 to 23, 27 to 29, 33, 35 to 39, 41, 42, 44 to 46 and 49)

Requests for roll-call votes

EDD: ams 20, 21, 22, 23, 38 and 41

Requests for separate vote

PSE: ams 6, 15, 17, 18, 19

Verts/ALE: am 68

GUE/NGL: ams 20, 21, 22, 23, 38, 54

Other information

Amendment 71 had been withdrawn

Alex de Roo and Didier Rod had not signed amendment 68.

6. Community code on veterinary medicinal products ***II

Recommendation for second reading: GROSSETÊTE (A5-0444/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
text as a whole	5	***committee***		+	
	11	***committee***	sep	+	
	block 2	PPE-DE, PSE, ELDR, Verts/ALE + UEN		+	
	block 3	***committee***		↓	
	13	***committee***	sep	↓	
	19	***committee***	sep	↓	

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
remainder of text	block 4	***committee***		-	
	2	***committee***	sep	-	
	26	***committee***	sep	-	
	27	***committee***	RCV	-	117, 423, 13
	28	***committee***	RCV	-	67, 471, 12

Block 1 = compromise 'part A' (amendments 5 and 11)

Block 2 = compromise 'part B' (amendments 34 to 53)

Block 3 = amendments of the ENVI Committee (amendments 3, 4, 8, 12, 13, 14, 19, 21, 22, 24, 25, 29 to 31 and 33)

Block 4 = amendments of the ENVI Committee (amendments 1, 2, 6, 7, 9, 10, 15 to 18, 20, 23, 26 to 28 and 32)

Requests for roll-call votes

PPE-DE: ams 27, 28

Requests for separate vote

PSE: am 13

ELDR: am 27

GUE/NGL: ams 2, 11, 19, 26

7. Traditional herbal medicinal products ***II

Recommendation for second reading: NISTICÒ (A5-0452/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
amendments by committee responsible — block vote	1-2	***committee***		+	

8. Measuring instruments ***II

Recommendation for second reading: CHICHESTER (A5-0458/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
text as a whole	block 1	***committee***		+	
	block 2	***committee***		↓	
	block 3	***committee***		+	

Block 1 = compromise (amendments 29 to 32)

Block 2 = amendments of the ITRE Committee (amendments 7, 12 and 28)

Block 3 = amendments of the Committee responsible (amendments 1, 2, 4, 5, 6, 8 to 10 and 13 to 27)

The rapporteur had withdrawn amendments 3 and 11.

9. Motor vehicles: seats, their anchorages and head restraints ***I

Report: KOCH (A5-0418/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
amendments by committee responsible — block vote	1-2	***committee***	EV	+	286, 240, 2
after recital 8	3	EDD	EV	+	293, 216, 7
vote: amended proposal				**+**	
vote: legislative resolution			RCV	+	523, 3, 14

Requests for roll-call votes

PPE-DE: final vote

10. Motor vehicles: safety belts and restraint systems ***I

Report: COSTA (A5-0304/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
annex 15	1	PPE-DE		+	
vote: amended proposal				**+**	
vote: legislative resolution				+	

11. Motor vehicles: anchorages for safety belts ***I

Report: COSTA (A5-0305/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
text as a whole	1-5	PPE-DE		+	
vote: amended proposal				**+**	
vote: legislative resolution				+	

Wednesday 17 December 2003

12. Freedom of movement and ownership of goods

Report: DE CLERCQ (A5-0408/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
vote: resolution (as a whole)			RCV	+	487, 10, 16

Requests for roll-call votes

PPE-DE: final vote

13. Legislative and work programme of the Commission for 2004

Motions for resolutions: B5-0536, 0537, 0538, 0539, 0540, 0541/2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
joint motion for a resolution RC5-0536/2003 (PPE-DE, PSE, Verts/ALE)					
§ 12		***original text***	split		
			1	+	
			2/RCV	+	430, 97, 13
§ 17		***original text***	split		
			1	+	
			2/RCV	+	434, 100, 2
after § 19	2	Verts/ALE		-	
§ 27		***original text***	RCV	+	421, 72, 43
§ 28		***original text***	RCV	+	430, 94, 8
after § 32	1	Verts/ALE		-	
§ 34		***original text***	sep	+	
after § 35	3	Verts/ALE		-	
§ 37		***original text***	sep	+	
§ 41		***original text***	RCV	+	521, 12, 4

Wednesday 17 December 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
after § 48	4	EDD	RCV	-	77, 439, 11
	5	EDD	RCV	-	89, 435, 7
§ 49		***original text***	RCV	+	520, 6, 2
§ 50		***original text***	RCV	+	518, 3, 3
§ 51		***original text***	RCV	+	518, 2, 9
§ 52		***original text***	RCV	+	527, 2, 1
§ 53		***original text***	RCV	+	525, 2, 3
vote: resolution (as a whole)				+	
motions for resolutions by political groups					
B5-0536/2003		PPE-DE		↓	
B5-0537/2003		PSE		↓	
B5-0538/2003		ELDR		↓	
B5-0539/2003		GUE/NGL		↓	
B5-0540/2003		UEN		↓	
B5-0541/2003		Verts/ALE		↓	

Requests for roll-call votes

EDD: ams 4, 5

M. Evans ao: §§ 12/2, 17/2, 27, 28, 41, 49, 50, 51, 52, 53

Requests for split votes

M. Mr Evans ao

§ 12

1st part: up to 'enlarged European Union'
2nd part: remainder

§ 17

1st part: text as a whole except the words 'closer coordination and tangible progress in the sphere of the CFSP essential'
2nd part: those words

Requests for separate vote

PPE-DE: § 37

Verts/ALE: § 34

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14. Role of the Union in conflict prevention in Africa, particularly in the implementation of the Linas-Marcoussis Agreement in Côte d'Ivoire

Motions for resolutions: B5-0512, 0515, 0516, 0518, 0520, 0524/2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
joint motion for a resolution RC5-0512/2003 (PPE-DE, PSE, ELDR, Verts/ALE, GUE/NGL, UEN)					
after § 14	1	Verts/ALE	EV	-	103, 285, 23
vote: resolution (as a whole)				+	
motions for resolutions by political groups					
B5-0512/2003		PPE-DE		↓	
B5-0515/2003		Verts/ALE		↓	
B5-0516/2003		UEN		↓	
B5-0518/2003		GUE/NGL		↓	
B5-0520/2003		PSE		↓	
B5-0524/2003		ELDR		↓	

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ANNEX II

RESULT OF ROLL-CALL VOTES

RC — B5-0543/2003 — Members' Statute
Amendment 1

For: 195

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Farage, Saint-Josse, Sandbæk, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Flesch, Formentini, Gasòliba i Böhm, Huhne, Jensen, Lynne, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bergaz Conesa, Bordes, Boudjenah, Brie, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Kaufmann, Koulourianos, Krivine, Marset Campos, Meijer, Naïr, Papayannakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt

NI: Berthu, Claeys, Dillen, de Gaulle, Gollnisch, Gorostiaga Atxalandabaso, Hager, Lang, de La Perriere, Martinez, Souchet, Stirbois

PPE-DE: Arvidsson, Atkins, Beazley, Bowis, Bradbourn, Bushill-Matthews, Callanan, Chichester, Deva, Dover, Elles, Evans Jonathan, Foster, Goodwill, Grönfeldt Bergman, Hannan, Harbour, Helmer, Inglewood, Jackson, Khanbhai, Kirkhope, Korhola, Matikainen-Kallström, Nicholson, Parish, Perry, Provan, Purvis, Rovsing, Sacrédeus, Scallon, Stenmarck, Stevenson, Sturdy, Sumberg, Tannock, Thyssen, Twinn, Van Orden, Xarchakos

PSE: Andersson, Berès, van den Berg, van den Burg, Casaca, Corbey, Duhamel, El Khadraoui, Färm, Hedkvist Petersen, van Hulten, Karlsson, Lund, Martin Hans-Peter, Paasilinna, Roure, Sandberg-Fries, Swiebel, Theorin, Thorning-Schmidt, Trentin, Van Lancker

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Wuori, Wyn

Against: 306

EDD: Coûteaux

ELDR: Procacci, Sbarbati

GUE/NGL: Bakopoulos

NI: Bonino, Borghezio, Cappato, Dupuis, Gobbo, Ilgenfritz, Kronberger, Paisley, Pannella, Raschhofer, Speroni, Turco

PPE-DE: Almeida Garrett, Andria, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Brok, Brunetta, Camisón Asensio, Cardoso, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klaß, Knolle, Koch, Konrad, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Lisi, Lulling, McCartin, Mann Thomas, Marinos, Marques, Martens, Martin Hugues, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennitti, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Smet, Sommer, Stockton, Sudre, Suominen, Tajani, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, van Velzen,

Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berger, Bowe, Campos, Carlotti, Carnero González, Carraro, Carrilho, Cashman, Cercas, Cerdeira Morterero, Colom i Naval, Corbett, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duin, Ettl, Evans Robert J.E., Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Glante, Goebbels, Görlach, Gröner, Haug, Hazan, Honeyball, Howitt, Hughes, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Katiforis, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Lange, Lavarra, 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, Morgan, Müller, Murphy, Napoletano, Napolitano, O'Toole, Patrie, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Titley, Torres Marques, Tsatsos, Valenciano Martínez-Orozco, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Bigliardo, Camre, Caullery, Collins, Crowley, Hyland, Ó Neachtain, Queiró, Segni, Thomas-Mauro

Abstention: 21

EDD: Butel, Esclopé, Kuntz

GUE/NGL: Blak, Manisco, Patakis, Vinci

NI: Beysen, Garaud

PPE-DE: Maat, Oostlander

PSE: Keßler, Lage, Mendiluce Pereiro, Myller

UEN: Angelilli, Marchiani, Nobilia, Poli Bortone, Ribeiro e Castro, Turchi

RC — B5-0543/2003 — Members' Statute
Resolution

For: 345

EDD: Belder, Blokland, van Dam

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

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bergaz Conesa, Boudjenah, Di Lello Finuoli, Fraisse, Herzog, Jové Peres, Koulourianos, Marset Campos, Papayannakis, Puerta, Schröder Ilka, Seppänen

NI: Bonino, Borghezio, Cappato, Dupuis, Gobbo, Hager, Pannella, Speroni, Turco

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bastos, Bayona de Perogordo, Bébéar, Böge, von Boetticher, Brok, Brunetta, Camisón Asensio, Cardoso, Coelho, Cornillet, Cushnahan, Daul, Deprez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Gouveia, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis,

Hermange, Hernández Mollar, Herranz García, Inglewood, Jarzembowski, Karas, Korhola, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Lulling, Maat, McCartin, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Morillon, Naranjo Escobar, Nassauer, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pastorelli, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà, Poettering, Pomés Ruiz, Pronk, Quisthoudt-Rowohl, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Scapagnini, Schaffner, Schierhuber, Schleicher, Smet, Stenmarck, Sudre, Suominen, Tajani, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Colom i Naval, Corbett, Corbey, Darras, Dehousse, De Keyser, De Rossa, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Evans Robert J.E., Färm, Ford, Garot, Gill, Gillig, Goebbels, Görlach, Guy-Quint, Hänsch, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Karamanou, Karlsson, Katiforis, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuckelkorn, Lage, Lalumière, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Murphy, Myller, O'Toole, Paasilinna, Patrie, Poignant, Poos, Read, Rocard, Rodríguez Ramos, Rothe, Rothley, Roure, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Schmid Gerhard, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Watts, Whitehead, Wiersma, Wynn, Zorba

UEN: Andrews, Collins, Crowley, Fitzsimons, Hyland, Ó Neachtain

Verts/ALE: Aaltonen, Ahern, Auroi, Bouwman, Buitenweg, Cohn-Bendit, Dhaene, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, de Roo, Schroedter, Sörensen, Staes, Turmes, Wuori, Wyn

Against: 94

ELDR: Procacci

GUE/NGL: Caudron, Dary, Fiebiger, Figueiredo, Meijer, Naïr, Scarbonchi

NI: Berthu, Claeys, Dillen, de Gaulle, Gollnisch, Ilgenfritz, Lang, de La Perriere, Martinez, Paisley, Souchet, Stirbois

PPE-DE: Bartolozzi, Bodrato, Cocilovo, De Mita, Glase, Graça Moura, Hannan, Hieronymi, Jeggle, Keppelhoff-Wiechert, Klaß, Knolle, Konrad, Mann Thomas, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennitti, Menrad, Mombaur, Pacheco Pereira, Sartori, Sumberg

PSE: Berger, Bullmann, Carraro, Duin, Ettl, Fava, Gebhardt, Ghilardotti, Glante, Gröner, Haug, Imbeni, Jöns, Keßler, Krehl, Lange, Lavarra, Martin Hans-Peter, Müller, Napoletano, Napolitano, Piecyk, Pittella, Prets, Randzio-Plath, Rapkay, Roth-Behrendt, Ruffolo, Sacconi, Sakellariou, Scheele, Stockmann, Swoboda, Vattimo, Volcic

UEN: Angelilli, Berlato, Bigliardo, Camre, Caullery, Marchiani, Nobilia, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Breyer, Celli

Abstention: 88

EDD: Andersen, Bernié, Bonde, Butel, Coûteaux, Esclopé, Farage, Kuntz, Saint-Josse, Sandbæk, Titford

GUE/NGL: Alyssandrakis, Blak, Eriksson, Frahm, Kaufmann, Krivine, Manisco, Patakis, Schmid Herman, Sjöstedt, Vinci

NI: Beysen, Garaud, Gorostiaga Atxalandabaso, Kronberger, Raschhofer

PPE-DE: Atkins, Beazley, Berend, Bowis, Bradbourn, Bushill-Matthews, Callanan, Chichester, Deva, Dover, Ebner, Elles, Evans Jonathan, Foster, Goepel, Gomolka, Harbour, Helmer, Jackson, Kastler, Khanbhai, Koch, Lisi, Montfort, Nicholson, Niebler, Pack, Parish, Perry, Pisicchio, Posselt, Provan, Purvis, Radwan, Rübig, Scallon, Schmitt, Schnellhardt, Schröder Jürgen, Sommer, Stevenson, Stockton, Sturdy, Tannock, Van Orden, Wenzel-Perillo, Zimmerling

PSE: Désir, Fruteau, Lund, Mann Erika, Schulz, Weiler, Zrihen

Verts/ALE: Boumediene-Thiery, Gahrton, Graefe zu Baringdorf, McKenna, Rod, Rühle, Schörling

Manders recommendation A5-0461/2003
Amendment 1

For: 278

EDD: Bernié, Butel, Esclopé, Farage, Kuntz, Saint-Josse, Titford

ELDR: André-Léonard, De Clercq, Flesch, Gasòliba i Böhm, Manders, Mulder, Nordmann, Pesälä, Pohjamo, Procacci, Ries, Rutelli, Sanders-ten Holte, Sbarbati, Sterckx, Väyrynen, Vermeer, Virrankoski

NI: Berthu, Beysen, Borghezio, Claeys, Dillen, Garaud, Gobbo, Gollnisch, Hager, Ilgenfritz, Lang, Martinez, Raschhofer, Speroni, Stirbois

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Böge, von Boetticher, Bowis, Bradbourn, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, 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, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, 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, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Berger, Ceyhun, Dehousse, Garot, Glante, Görlach, Haug, Jöns, Keßler, Kindermann, Krehl, Kreissl-Dörfler, Kuckelkorn, Mann Erika, Prets, Swoboda, Van Lancker

UEN: Andrews, Angelilli, Berlato, Bigliardo, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Thomas-Mauro, Turchi

Verts/ALE: Wyn

Against: 268

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

ELDR: Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, Di Pietro, Duff, Formentini, Huhne, Jensen, Lynne, Malmström, Monsonís Domingo, Newton Dunn, Olsson, Paulsen, Riis-Jørgensen, Schmidt, Sørensen, Thors, Van Hecke, Wallis, Watson

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Bonino, Cappato, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, de La Perriere, Paisley, Pannella, Souchet, Turco, Varaut

PPE-DE: Bodrato, Korhola, Sacrédeus

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Corbey, Darras, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Goebbels, Gröner, Guy-Quint, Hänsch, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Karamanou, Karlsson, Katiforis, Kinnock, Koukiadis, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Patrie, Piecyk, Pittella, Poignant, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre, Queiró, Ribeiro e Castro, Segni

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Wuori

Abstention: 6

GUE/NGL: Alyssandrakis, Bordes, Cauquil, Patakis

NI: Kronberger

PSE: Rothley

Manders recommendation A5-0461/2003
Amendment 3

For: 253

EDD: Bernié, Esclopé, Kuntz, Saint-Josse

ELDR: Gasòliba i Böhm, Nordmann, Rutelli, Virrankoski

NI: Berthu, Beysen, Borghezio, Claeys, Dillen, Garaud, Gobbo, Gollnisch, Hager, Ilgenfritz, Lang, Martinez, Raschhofer, Souchet, Speroni, Stirbois

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Bodrato, Bowis, Bradbourn, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, 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, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, 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, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Ceyhun, Dehousse, Garot, Glante, Görlach, Haug, Jöns, Keßler, Kindermann, Krehl, Kreissl-Dörfler, Kuckelkorn, Mann Erika

UEN: Andrews, Angelilli, Berlato, Bigliardo, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Thomas-Mauro, Turchi

Verts/ALE: Wyn

Against: 289

EDD: Andersen, Belder, Blokland, Bonde, Coûteaux, van Dam, Farage, Sandbæk, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Flesch, Formentini, Huhne, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Wallis, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Bonino, Cappato, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, de La Perriere, Paisley, Pannella, Turco

PPE-DE: Berend, Böge, von Boetticher, Korhola, Sacrédeus

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cerdeira Morterero, Corbett, Corbey, Darras, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Goebbels, Gröner, Guy-Quint, Hänsch, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Karamanou, Karlsson, Katiforis, Kinnock, Koukiadis, Kuhne, Lage, Lalumière, Lange, Lavarra, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Patrie, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre, Queiró, Ribeiro e Castro, Segni

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Wuori

Abstention: 4

GUE/NGL: Bordes, Cauquil

NI: Kronberger

PSE: Rothley

Manders recommendation A5-0461/2003
Amendment 7

For: 234

EDD: Bernié, Butel, Esclopé, Kuntz, Saint-Josse

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, Busk, Costa Paolo, De Clercq, Flesch, Gasòliba i Böhm, Jensen, Manders, Mulder, Nordmann, Ries, Riis-Jørgensen, Sanders-ten Holte, Sbarbati, Sterckx, Sørensen, Vermeer, Virrankoski

NI: Beysen, Garaud, Hager, Ilgenfritz, Raschhofer

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Böge, von Boetticher, Bowis, Bradbourn, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, Gargani, Gawronski, Gemelli, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennitti, Menrad, Mombaur, Montfort, Morillon, Nassauer, Nicholson, Niebler, Nisticò, Oomen-Ruijten, Oostlander, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Dehousse, Torres Marques

UEN: Andrews, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Ó Neachtain, Pasqua, Poli Bortone, Thomas-Mauro

Against: 307

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Farage, Sandbæk, Titford

ELDR: Attwooll, van den Bos, Calò, Clegg, Davies, Di Pietro, Duff, Formentini, Huhne, Lynne, Malmström, Monsonís Domingo, Newton Dunn, Olsson, Paulsen, Pesälä, Pohjamo, Procacci, Rutelli, Schmidt, Thors, Väyrynen, Van Hecke, Wallis, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Berthu, Bonino, Borghezio, Cappato, Dell'Alba, Dupuis, Gobbo, Gorostiaga Atxalandabaso, Kronberger, de La Perriere, Paisley, Pannella, Souchet, Speroni, Turco, Varaut

PPE-DE: Avilés Perea, Bodrato, García-Orcoyen Tormo, Garriga Polledo, Gil-Robles Gil-Delgado, Herranz García, Korhola, Naranjo Escobar, Ojeda Sanz, Oreja Arburúa, Redondo Jiménez, Ripoll y Martínez de Bedoya, Sacrédeus, Vidal-Quadras Roca

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Darras, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, 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, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Patrie, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Berlato, Bigliardo, Camre, Nobilia, Queiró, Ribeiro e Castro, Segni, Turchi

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Wuori, Wyn

Abstention: 10

GUE/NGL: Bordes, Cauquil

NI: Claeys, Dillen, Gollnisch, Lang, Martinez, Stirbois

PPE-DE: Liese

PSE: Rothley

Manders recommendation A5-0461/2003
Amendment 9, 1st part

For: 291

EDD: Belder, Bernié, Blokland, Butel, van Dam, Esclopé, Kuntz, Saint-Josse

ELDR: Gasòliba i Böhm, Nordmann, Procacci, Thors

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Beysen, Borghezio, Claeys, Dillen, Garaud, Gobbo, Gollnisch, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Lang, Martinez, Raschhofer, Speroni, Stirbois

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Böge, von Boetticher, Bowis, Bradbourn, Brok, Brunetta, Bushill-Matthews, Callanan, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, Gargani, Gawronski, Gemelli, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Lisi, 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, Montfort, Morillon, Nassauer, Nicholson, Niebler, Nisticò, Oomen-Ruijten, Oostlander, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Bowe, Dehousse, Evans Robert J.E., Gill, Goebbels, Honeyball, Howitt, Karlsson, Kinnock, Linkohr, McAvan, Martin David W., Miller, Moraes, Morgan, Murphy, O'Toole, Read, Skinner, Stihler, Watts, Whitehead

UEN: Andrews, Angelilli, Berlato, Bigliardo, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Ó Neachtain, Pasqua, Poli Bortone, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Against: 256

EDD: Andersen, Bonde, Coûteaux, Farage, Sandbæk, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Flesch, Formentini, Huhne, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Väyrynen, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Fraisse, Manisco

NI: Berthu, Bonino, Cappato, Dell'Alba, Dupuis, Kronberger, de La Perriere, Paisley, Pannella, Souchet, Turco, Varaut

PPE-DE: Avilés Perea, Bodrato, Camisón Asensio, García-Orcoyen Tormo, Garriga Polledo, Gil-Robles Gil-Delgado, Herranz García, Naranjo Escobar, Ojeda Sanz, Oreja Arburúa, Pomés Ruiz, Redondo Jiménez, Ripoll y Martínez de Bedoya, Sacrédeus, Vidal-Quadras Roca, Zabell

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Darras, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McNally, Malliori, Mann Erika, Marinho, Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Müller, Myller, Napoletano, Napolitano, Paasilinna, Patrie, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Rocard,

Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Weiler, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre, Nobilia, Queiró

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Wuori, Wyn

Abstention: 6

GUE/NGL: Bordes, Cauquil

PPE-DE: Liese

PSE: Cashman, Ford, McCarthy

Manders recommendation A5-0461/2003
Amendment 9, 2nd part

For: 220

EDD: Bernié, Butel, Esclopé, Kuntz, Saint-Josse

ELDR: Gasòliba i Böhm, Nordmann, Procacci

GUE/NGL: Naïr

NI: Beysen, Borghezio, Garaud, Gobbo, Ilgenfritz, Raschhofer, Speroni

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Beazley, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Brok, Brunetta, Bushill-Matthews, Callanan, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, Gargani, Gawronski, Gemelli, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennitti, Menrad, Mombaur, Montfort, Morillon, Nassauer, Nicholson, Niebler, Nisticò, Oomen-Ruijten, Oostlander, Pacheco Pereira, Pack, Parish, Pastorelli, Perry, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Bowe, Dehousse, Goebbels, Linkohr

UEN: Andrews, Angelilli, Berlato, Bigliardo, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Thomas-Mauro, Turchi

Wednesday 17 December 2003

Against: 316

EDD: Andersen, Belder, Blokland, Bonde, Coûteaux, van Dam, Farage, Sandbæk, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Flesch, Formentini, Huhne, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Bonino, Cappato, Claeys, Dillen, Dupuis, Gollnisch, Gorostiaga Atxalandabaso, Kronberger, Lang, de La Perriere, Martinez, Pannella, Souchet, Stirbois, Turco, Varaut

PPE-DE: Avilés Perea, Bayona de Perogordo, Camisón Asensio, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Herranz García, Korhola, Méndez de Vigo, Naranjo Escobar, Ojeda Sanz, Oreja Arburúa, Pérez Álvarez, Pomés Ruiz, Redondo Jiménez, Ripoll y Martínez de Bedoya, Sacrédeus, Vidal-Quadras Roca, Zabell

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Darras, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, 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, O'Toole, Paasilinna, Patrie, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre, Segni

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Wuori, Wyn

Abstention: 7

GUE/NGL: Bordes, Cauquil

NI: Berthu

PPE-DE: Liese

PSE: Cashman, Ford, McCarthy

Wednesday 17 December 2003

Manders recommendation A5-0461/2003
Amendment 56

For: 256

EDD: Bernié, Butel, Esclopé, Kuntz, Saint-Josse

ELDR: Andreasen, André-Léonard, Costa Paolo, De Clercq, Flesch, Gasòliba i Böhm, Jensen, Maaten, Manders, Mulder, Nordmann, Pesälä, Procacci, Ries, Riis-Jørgensen, Sanders-ten Holte, Sbarbati, Sterckx, Sørensen, Van Hecke, Vermeer

NI: Beysen, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Hager, Ilgenfritz, Lang, Martinez, Raschhofer, Speroni, Stirbois, 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, Bowis, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, 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, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marinos, Marques, Martens, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Torres Marques, Trentin

UEN: Andrews, Angelilli, Berlato, Bigliardo, Caullery, Collins, Crowley, Fitzsimons, Hyland, Mussa, Nobilia, Ó Neachtain, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Against: 301

EDD: Andersen, Belder, Blokland, Bonde, Coûteaux, van Dam, Farage, Sandbæk, Titford

ELDR: Attwooll, Boogerd-Quaak, van den Bos, Calò, Clegg, Davies, Di Pietro, Duff, Formentini, Huhne, Lynne, Malmström, Monsonís Domingo, Newton Dunn, Olsson, Paulsen, Pohjamo, Rutelli, Schmidt, Thors, Väyrynen, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Berthu, Bonino, Cappato, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Kronberger, de La Perriere, Paisley, Pannella, Souchet, Turco

PPE-DE: Callanan, Descamps, Korhola, Lamassoure, Martin Hugues, Nicholson, Parish, Sacrédeus, Schaffner, Sudre, Sumberg, de Veyrinas, Vlasto

Wednesday 17 December 2003

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

UEN: Camre, Marchiani, Pasqua

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 1

PPE-DE: Schierhuber

Manders recommendation A5-0461/2003
Amendment 45

For: 286

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

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Flesch, Formentini, Huhne, Jensen, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Van Hecke, Vermeer, Wallis, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Berthu, Gorostiaga Atxalandabaso, Kronberger, de La Perriere, Varaut

PPE-DE: Fatuzzo, Sacrédeus

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Darras, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally,

Malliori, Mann Erika, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Patrie, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre, Marchiani

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 257

EDD: Bernié, Butel, Esclopé, Farage, Kuntz, Saint-Josse, Titford

ELDR: van den Bos, Gasòliba i Böhm, Nordmann, Pesälä, Pohjamo, Thors, Väyrynen, Virrankoski

NI: Beysen, Borghezio, Claeys, Dillen, de Gaulle, Gobbo, Gollnisch, Hager, Ilgenfritz, Lang, Martinez, Paisley, Raschhofer, Speroni, Stirbois

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, Bowis, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, 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, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, 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, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, 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, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Dehousse, Goebbels, Torres Marques

UEN: Andrews, Angelilli, Berlato, Bigliardo, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Mussa, Nobilia, Ó Neachtain, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Wednesday 17 December 2003

Abstention: 10

EDD: Coûteaux

NI: Bonino, Cappato, Dell'Alba, Dupuis, Pannella, Souchet, Turco

PSE: Adam, Rothley

Manders recommendation A5-0461/2003
Amendment 58

For: 275

EDD: Andersen, Bernié, Bonde, Butel, Esclopé, Kuntz, Saint-Josse, Sandbæk

ELDR: Andreasen, André-Léonard, van den Bos, Flesch, Manders, Mulder, Nordmann, Pesälä, Pohjamo, Procacci, Sanders-ten Holte, Sbarbati, Thors, Väyrynen, Vermeer

NI: Berthu, Beysen, Borghezio, Gobbo, Hager, Ilgenfritz, Raschhofer, Souchet, Speroni

PPE-DE: Andria, Arvidsson, Atkins, Averoff, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Brok, Brunetta, Bushill-Matthews, Callanan, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Descamps, Deva, Dimitrakopoulos, Doorn, Dover, Doyle, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferri, Fiori, Folias, Foster, Fourtou, Friedrich, Gahler, Gargani, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, McCartin, Mann Thomas, Marini, Marinos, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Nicholson, Niebler, Nisticò, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Berger, Ceyhun, Darras, Désir, Duin, Fruteau, Garot, Gillig, Glante, Görlach, Gröner, Guy-Quint, Haug, Hazan, Junker, Keßler, Kindermann, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lalumière, Lange, Lavarra, Leinen, Linkohr, Mann Erika, Müller, Paasilinna, Patrie, Prets, Randzio-Plath, Rocard, Rodríguez Ramos, Rothe, Roure, Sakellariou, Savary, Stockmann, Swoboda, Walter, Weiler

UEN: Andrews, Angelilli, Berlato, Bigliardo, Camre, Caullery, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Mussa, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Segni, Thomas-Mauro, Turchi

Against: 270

EDD: Belder, Blokland, Coûteaux, van Dam, Farage, Titford

ELDR: Attwooll, Boogerd-Quaak, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Formentini, Gasòliba i Böhm, Huhne, Jensen, Maaten, Malmström, Monsonís Domingo, Newton Dunn, Olsson, Paulsen, Ries, Riis-Jørgensen, Rutelli, Schmidt, Sterckx, Sørensen, Van Hecke, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Bonino, Cappato, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, de La Perriere, Paisley, Pannella, Turco, Varaut

PPE-DE: Almeida Garrett, Avilés Perea, Brienza, Camisón Asensio, Deprez, De Veyrac, Ebner, Ferrer, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Hannan, Korhola, Maat, Marques, Naranjo Escobar, Nassauer, Ojeda Sanz, Sacrédeus, Smet, Valdivielso de Cué, Vidal-Quadras Roca, von Wogau

PSE: 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, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Díez González, Dührkop Dührkop, Duhamel, El Khadraoui, Evans Robert J.E., Färm, Fava, Ford, Gebhardt, Ghilardotti, Gill, Goebbels, Hänsch, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Kinnock, Koukiadis, Lage, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Murphy, Myller, Napoletano, Napolitano, O'Toole, Piecyk, Pittella, Poignant, Rapkay, Roth-Behrendt, Rothley, Ruffolo, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Watts, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Queiró, Ribeiro e Castro

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 11

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

PPE-DE: Scallon, Schierhuber

PSE: Ettl

UEN: Marchiani

Manders recommendation A5-0461/2003
Amendment 46

For: 367

EDD: Andersen, Belder, Bernié, Blokland, Bonde, Butel, Coûteaux, van Dam, Esclopé, Farage, Saint-Josse, Sandbæk, Titford

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

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Berthu, Beysen, Bonino, Cappato, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, de La Perriere, Pannella, Raschhofer, Turco, Varaut

PPE-DE: Almeida Garrett, Andria, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Böge, von Boetticher, Bowis, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Chichester, Cocilovo, Coelho, Cushnahan, Daul, De Mita, Deprez, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, 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, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Helmer, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marinos, Marques, Martens, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stevenson, Stockton, Sturdy, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vidal-Quadras Roca, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Carraro, Fava, Ghilardotti, Imbeni, Lange, Lavarra, Lund, Mendiluce Pereiro, Miguélez Ramos, Myller, Napoletano, Pittella, Roth-Behrendt, Ruffolo, Sacconi, Swiebel, Thorning-Schmidt, Torres Marques, Trentin, Vattimo, Veltroni, Volcic

UEN: Camre

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 191

EDD: Kuntz

GUE/NGL: Bordes, Scarbonchi

NI: Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Hager, Lang, Martinez, Paisley, Souchet, Speroni, Stirbois

PPE-DE: Arvidsson, Bébéar, Bodrato, Cederschiöld, Cornillet, Descamps, Grönfeldt Bergman, Hermange, Lamassoure, Martin Hugues, Schaffner, Stenmarck, Sudre, de Veyrinas, Vlasto, Wachtmeister

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Darras, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Ford, Fruteau, Gebhardt, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Napolitano, O'Toole, Paasilinna, Patrie,

Piecyk, Poignant, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Rothe, Rothley, Roure, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Titley, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Angelilli, Berlato, Bigliardo, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Manders recommendation A5-0461/2003
Amendment 41

For: 297

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

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Flesch, Formentini, Huhne, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Berthu, Beysen, Bonino, Cappato, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, de La Perriere, Pannella, Raschhofer, Turco, Varaut

PPE-DE: Averoff, Brienza, Cederschiöld, Dimitrakopoulos, Folias, Hatzidakis, Karas, Korhola, Marinos, Pirker, Rack, Sacrédeus, Schierhuber, Stenmarck, Trakatellis, Xarchakos, Zacharakis

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cercas, Cerdeira Morterero, Ceyhun, Corbey, Darras, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, van Hulten, Hume, Iivari, Imbeni, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McNally, Malliori, Mann Erika, Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Müller, Myller, Napoletano, Napolitano, Paasilinna, Patrie, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Weiler, Wiersma, Zorba, Zrihen

UEN: Camre

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Wednesday 17 December 2003

Against: 259

EDD: Bernié, Butel, Esclopé, Farage, Kuntz, Saint-Josse, Titford

ELDR: Gasòliba i Böhm, Nordmann

NI: Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Lang, Martinez, Paisley, Souchet, Speroni, Stirbois

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, Bradbourn, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, 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, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Zabell, Zappalà, Zimmerling, Zissener

PSE: Bowe, Cashman, Corbett, Evans Robert J.E., Gill, Goebbels, Hughes, Izquierdo Collado, Karlsson, Kinnock, McAvan, McCarthy, Marinho, Martin David W., Miller, Moraes, Morgan, Murphy, O'Toole, Simpson, Skinner, Stihler, Titley, Watts, Whitehead, Wynn

UEN: Andrews, Angelilli, Berlato, Bigliardo, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Abstention: 3

PPE-DE: Liese

PSE: Adam, Rothley

Manders recommendation A5-0461/2003
Amendment 11, 1st part

For: 288

EDD: Belder, Bernié, Blokland, Butel, Coûteaux, van Dam, Esclopé, Saint-Josse

ELDR: Attwooll, Boogerd-Quaak, van den Bos, Calò, Clegg, Costa Paolo, Davies, Di Pietro, Duff, Formentini, Huhne, Lynne, Malmström, Monsonís Domingo, Newton Dunn, Olsson, Paulsen, Pesälä, Pohjamo, Procacci, Rutelli, Schmidt, Thors, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Berthu, Borghezio, Garaud, Gobbo, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, de La Perriere, Raschhofer, Speroni, Varaut

PPE-DE: Korhola, Sacrédeus, Thyssen

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

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 267

EDD: Andersen, Bonde, Farage, Kuntz, Sandbæk, Titford

ELDR: Andreasen, André-Léonard, Busk, De Clercq, Flesch, Gasòliba i Böhm, Jensen, Manders, Mulder, Nordmann, Ries, Riis-Jørgensen, Sanders-ten Holte, Sbarbati, Sterckx, Sørensen, Väyrynen, Van Hecke, Vermeer

NI: Beysen, Bonino, Cappato, Claeys, Dell'Alba, Dillen, Dupuis, de Gaulle, Gollnisch, Lang, Martinez, Pannella, Souchet, Stirbois, Turco

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, Bowis, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, 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, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, 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, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan,

Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Torres Marques

UEN: Andrews, Angelilli, Berlato, Bigliardo, Camre, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Abstention: 3

GUE/NGL: Manisco

PPE-DE: Schierhuber

PSE: Adam

Manders recommendation A5-0461/2003
Amendment 59, 2nd part

For: 306

EDD: Belder, Bernié, Blokland, Butel, Coûteaux, van Dam, Esclopé, Saint-Josse

ELDR: Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Flesch, Formentini, Gasòliba i Böhm, Huhne, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Berthu, Borghezio, Gobbo, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, de La Perriere, Raschhofer, Speroni, Varaut

PPE-DE: Korhola, Sacrédeus

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Darras, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, 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, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Patrie, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Berlato, Camre

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 242

EDD: Andersen, Bonde, Farage, Kuntz, Sandbæk, Titford

ELDR: André-Léonard, Nordmann

NI: Beysen, Claeys, Dillen, de Gaulle, Gollnisch, Lang, Martinez, Paisley, Souchet, Stirbois

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, Bowis, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, 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, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, 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, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, 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, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

UEN: Andrews, Angelilli, Bigliardo, Caullery, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Mussa, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Abstention: 9

NI: Bonino, Cappato, Dell'Alba, Dupuis, Garaud, Pannella, Turco

PPE-DE: Schierhuber

PSE: Adam

Wednesday 17 December 2003

Manders recommendation A5-0461/2003
Amendment 47

For: 157

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

ELDR: Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, Di Pietro, Duff, Formentini, Huhne, Jensen, Lynne, Malmström, Monsonís Domingo, Newton Dunn, Olsson, Paulsen, Pohjamo, Procacci, Riis-Jørgensen, Rutelli, Schmidt, Sørensen, Thors, Väyrynen, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Berthu, Bonino, Cappato, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Kronberger, de La Perriere, Pannella, Turco

PPE-DE: Korhola, Sacrédeus

PSE: Barón Crespo, van den Burg, Carraro, Corbey, Dehousse, Fava, Ghilardotti, van Hulten, Imbeni, Lange, Lavarra, Lund, Marinho, Mendiluce Pereiro, Myller, Napoletano, Pittella, Roth-Behrendt, Ruffolo, Sacconi, Schulz, Thorning-Schmidt, Trentin, Vattimo, Veltroni

UEN: Camre

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 393

EDD: Bernié, Butel, Esclopé, Farage, Kuntz, Saint-Josse, Titford

ELDR: André-Léonard, De Clercq, Flesch, Gasòliba i Böhm, Maaten, Manders, Mulder, Nordmann, Pesälä, Ries, Sanders-ten Holte, Sbarbati, Sterckx, Van Hecke

NI: Beysen, Borghezio, Claeys, Dillen, de Gaulle, Gobbo, Gollnisch, Hager, Ilgenfritz, Lang, Martinez, Paisley, Souchet, Speroni, Stirbois

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, Bowis, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, 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, Hannan, Hansenne, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Méndez de Vigo, Mennitti, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta,

Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, 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, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, Berès, van den Berg, Berger, Bowe, Bullmann, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Darras, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Ford, Fruteau, Garot, Gebhardt, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Napolitano, O'Toole, Paasilinna, Patrie, Piecyk, Poignant, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Rothe, Rothley, Roure, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Titley, Torres Marques, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Bigliardo, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Abstention: 5

GUE/NGL: Bordes, Cauquil

NI: Garaud, Raschhofer

PPE-DE: Schierhuber

Manders recommendation A5-0461/2003
Amendment 13, 1st part

For: 284

EDD: Belder, Bernié, Blokland, Butel, van Dam, Esclopé, Saint-Josse

ELDR: Attwooll, Boogerd-Quaak, van den Bos, Calò, Clegg, Costa Paolo, Davies, Di Pietro, Duff, Formentini, Huhne, Lynne, Malmström, Monsonís Domingo, Newton Dunn, Olsson, Paulsen, Rutelli, Schmidt, Thors, Wallis, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Berthu, Borghezio, Garaud, Gobbo, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, de La Perriere, Raschhofer, Speroni, Varaut

PPE-DE: Korhola, Sacrédeus

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Darras, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Patrie, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-

Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 269

EDD: Andersen, Bonde, Farage, Kuntz, Sandbæk, Titford

ELDR: Andreasen, André-Léonard, Busk, De Clercq, Flesch, Gasòliba i Böhm, Jensen, Manders, Mulder, Nordmann, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Sbarbati, Sterckx, Sørensen, Väyrynen, Van Hecke, Virrankoski

NI: Beysen, Bonino, Cappato, Claeys, Dell'Alba, Dillen, Dupuis, de Gaulle, Gollnisch, Lang, Martinez, Pannella, Souchet, Stirbois, Turco

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, Bowis, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, 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, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, 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, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, 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, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

UEN: Andrews, Angelilli, Berlato, Bigliardo, Camre, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Wednesday 17 December 2003

Recommandation Manders A5-0461/2003
Amendment 60, 1st part

For: 307

EDD: Belder, Bernié, Blokland, Butel, Coûteaux, van Dam, Esclopé, Saint-Josse

ELDR: Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Flesch, Formentini, Gasòliba i Böhm, Huhne, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Berthu, Borghezio, Gobbo, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, de La Perriere, Raschhofer, Speroni, Varaut

PPE-DE: Korhola, Lamassoure, Sacrédeus

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

UEN: Camre

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 245

EDD: Andersen, Bonde, Farage, Kuntz, Sandbæk, Titford

ELDR: André-Léonard, Nordmann

NI: Beysen, Claeys, Dillen, de Gaulle, Gollnisch, Lang, Martinez, Paisley, Souchet, Stirbois

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, Bowis, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, 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, Helmer, Hermange, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, 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, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, 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, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Paasilinna, Savary

UEN: Andrews, Angelilli, Berlato, Bigliardo, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Abstention: 8

NI: Bonino, Cappato, Dell'Alba, Dupuis, Garaud, Pannella, Turco

PSE: Adam

Manders recommendation A5-0461/2003
Amendment 16

For: 227

EDD: Bernié, Butel, Esclopé, Kuntz, Saint-Josse

ELDR: André-Léonard, Nordmann

NI: Beysen, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Hager, Ilgenfritz, Lang, Martinez, Raschhofer, Souchet, Speroni, Stirbois

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bastos, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Lisi, 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, Montfort, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Aparicio Sánchez, Dehousse, Goebbels, Marinho

UEN: Andrews, Bigliardo, Caullery, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Mussa, Ó Neachtain, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Turchi

Against: 312

EDD: Andersen, Belder, Blokland, Bonde, Coûteaux, van Dam, Farage, Sandbæk, Titford

ELDR: Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Flesch, Formentini, Gasòliba i Böhm, Huhne, Jensen, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Berthu, Bonino, Cappato, Dupuis, Gorostiaga Atxalandabaso, de La Perriere, Paisley, Pannella, Turco, Varaut

PPE-DE: Bartolozzi, Bébéar, García-Orcoyen Tormo, Hansenne, Korhola, Sacrédeus

PSE: Andersson, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Darras, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, Paasilinna, Patrie, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Berlato, Camre, Marchiani, Nobilia, Segni, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Wednesday 17 December 2003

Abstention: 19

ELDR: Lynne

PPE-DE: Callanan, Chichester, Foster, Goodwill, Harbour, Helmer, Inglewood, Jackson, Liese, Nicholson, Parish, Provan, Schierhuber, Sturdy, Sumberg, Tannock, Twinn, Van Orden

Manders recommendation A5-0461/2003
Amendment 61, 2nd part

For: 164

EDD: Bernié, Butel, Esclopé, Saint-Josse

ELDR: Andreasen, Busk, Costa Paolo, De Clercq, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Manders, Mulder, Newton Dunn, Procacci, Riis-Jørgensen, Sanders-ten Holte, Sbarbati, Sterckx, Sørensen, Van Hecke, Vermeer

NI: Borghezio, Gobbo, Hager, Speroni

PPE-DE: Rübig

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bowe, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Darras, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Ford, Fruteau, Garot, Gebhardt, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Napolitano, O'Toole, Patrie, Piecyk, Poignant, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Rothe, Rothley, Roure, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Titley, Torres Marques, Tsatsos, Van Lancker, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre, Poli Bortone

Against: 385

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Farage, Kuntz, Sandbæk, Titford

ELDR: André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Clegg, Davies, Di Pietro, Duff, Formentini, Huhne, Malmström, Monsonís Domingo, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Rutelli, Schmidt, Thors, Väyrynen, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Beysen, Bonino, Cappato, Claeys, Dell'Alba, Dillen, Dupuis, Garaud, de Gaulle, Gollnisch, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Lang, Martinez, Paisley, Pannella, Raschhofer, Souchet, Stirbois, Turco

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, Bowis, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, 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, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, 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, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, 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, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Bullmann, van den Burg, Carraro, Corbey, Fava, Ghilardotti, van Hulten, Imbeni, Lange, Lavarra, Lund, Marinho, Mendiluce Pereiro, Myller, Napoletano, Paasilinna, Pittella, Roth-Behrendt, Ruffolo, Sacconi, Schmid Gerhard, Thorning-Schmidt, Trentin, Vattimo, Veltroni, Volcic

UEN: Andrews, Angelilli, Bigliardo, Caullery, 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, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 8

EDD: Coûteaux

ELDR: Calò, Ries

GUE/NGL: Bordes, Cauquil

NI: Berthu, de La Perriere, Varaut

Manders recommendation A5-0461/2003
Amendment 48

For: 301

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

ELDR: Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Flesch, Formentini, Huhne, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Berthu, Bonino, Cappato, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Kronberger, Pannella, Turco, Varaut

PPE-DE: Korhola, Sacrédeus

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

UEN: Camre, Segni

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 249

EDD: Bernié, Butel, Esclopé, Farage, Kuntz, Saint-Josse, Titford

ELDR: André-Léonard, Gasòliba i Böhm, Nordmann

NI: Beysen, Claeys, Dillen, Garaud, de Gaulle, Gollnisch, Hager, Ilgenfritz, Lang, Martinez, Paisley, Raschhofer, Souchet, Stirbois

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, Bowis, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, 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, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, 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, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, 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, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Linkohr

UEN: Andrews, Angelilli, Bigliardo, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Thomas-Mauro, Turchi

Abstention: 7

GUE/NGL: Bordes, Cauquil

NI: Borghezio, Gobbo, de La Perriere, Speroni

PSE: Adam

Manders recommendation A5-0461/2003
Amendments 44+55/rev.

For: 278

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

ELDR: Attwooll, Boogerd-Quaak, van den Bos, Calò, Clegg, Costa Paolo, Davies, Di Pietro, Duff, Formentini, Gasòliba i Böhm, Huhne, Lynne, Malmström, Monsonís Domingo, Newton Dunn, Olsson, Paulsen, Rutelli, Schmidt, Wallis, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Berthu, Dillen, Gollnisch, Gorostiaga Atxalandabaso, Hager, Kronberger, Lang, de La Perriere, Martinez, Raschhofer, Stirbois, Varaut

PPE-DE: Karas, Pomés Ruiz, Rack, Rübig, Sacrédeus, Schierhuber

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bullmann, van den Burg, Campos, Carlotti, Carraro, Carrilho, Casaca, Cercas, Cerdeira Morterero, Ceyhun, Corbey, Darras, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, Malliori, Mann Erika, Marinho, Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Müller, Myller, Napoletano, Napolitano, Patrie, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stockmann, Swiebel, Swoboda, Theorin, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Weiler, Wiersma, Zorba, Zrihen

UEN: Andrews, Camre, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Ó Neachtain, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Wednesday 17 December 2003

Against: 279

EDD: Farage, Kuntz, Titford

ELDR: Andreasen, André-Léonard, Busk, De Clercq, Flesch, Jensen, Maaten, Manders, Mulder, Nordmann, Pesälä, Pohjamo, Procacci, Ries, Riis-Jørgensen, Sanders-ten Holte, Sbarbati, Sterckx, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Virrankoski

NI: Beysen, Bonino, Borghezio, Cappato, Claeys, Dell'Alba, Dupuis, Garaud, Gobbo, Ilgenfritz, Pannella, Souchet, Speroni, Turco

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, Bowis, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, 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, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, 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, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, 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, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Bowe, Cashman, Corbett, Evans Robert J.E., Ford, Gill, Goebbels, Honeyball, Howitt, Hughes, Kinnock, McAvan, McCarthy, McNally, Martin David W., Miller, Moraes, Morgan, Murphy, O'Toole, Paasilinna, Simpson, Skinner, Stihler, Thorning-Schmidt, Titley, Watts, Whitehead, Wynn

UEN: Angelilli, Berlato, Bigliardo, Muscardini, Mussa, Nobilia, Turchi

Abstention: 1

PSE: Adam

Manders recommendation A5-0461/2003
Amendments 43+54/rev.

For: 283

EDD: Andersen, Belder, Bernié, Blokland, Bonde, van Dam, Esclopé, Saint-Josse, Sandbæk

ELDR: Attwooll, Boogerd-Quaak, van den Bos, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Formentini, Huhne, Lynne, Malmström, Monsonís Domingo, Newton Dunn, Olsson, Paulsen, Rutelli, Schmidt, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bordes, Boudjenah, Brie, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Berthu, Claeys, Dillen, Dupuis, Garaud, Gollnisch, Gorostiaga Atxalandabaso, Hager, Kronberger, Lang, de La Perriere, Martinez, Raschhofer, Stirbois, Varaut

PPE-DE: Graça Moura, Karas, Pomés Ruiz, Rübig, Sacrédeus, Schierhuber

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cercas, Cerdeira Morterero, Ceyhun, Corbey, Darras, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, Malliori, Mann Erika, Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Müller, Myller, Napoletano, Napolitano, Patrie, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Weiler, Zorba, Zrihen

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

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 269

EDD: Farage, Kuntz, Titford

ELDR: Andreasen, André-Léonard, Busk, Flesch, Gasòliba i Böhm, Jensen, Maaten, Manders, Mulder, Nordmann, Pesälä, Pohjamo, Procacci, Ries, Riis-Jørgensen, Sanders-ten Holte, Sbarbati, Sterckx, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer

GUE/NGL: Blak

NI: Beysen, Bonino, Borghezio, Cappato, Dell'Alba, Gobbo, Ilgenfritz, Paisley, Pannella, Souchet, Speroni, Turco

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, Bowis, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, 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, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, 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, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Posselt, Pronk, Provan, Purvis,

Wednesday 17 December 2003

Quisthoudt-Rowohl, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, 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, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Cashman, Corbett, Evans Robert J.E., Ford, Gill, Goebbels, Honeyball, Howitt, Hughes, Kinnock, McAvan, McCarthy, McNally, Marinho, Martin David W., Miller, Moraes, Morgan, Murphy, O'Toole, Paasilinna, Simpson, Skinner, Stihler, Titley, Watts, Whitehead, Wynn

UEN: Caullery

Abstention: 1

PSE: Adam

Manders recommendation A5-0461/2003
Amendment 57

For: 294

EDD: Bernié, Butel, Esclopé, Kuntz, Saint-Josse

ELDR: André-Léonard, Gasòliba i Böhm, Manders, Mulder, Nordmann, Pesälä, Pohjamo, Procacci, Sandersten Holte, Sbarbati, Väyrynen, Vermeer, Virrankoski

NI: Berthu, Beysen, Borghezio, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Hager, Lang, de La Perriere, Martinez, Souchet, Speroni, Stirbois, 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, Bowis, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, 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, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Inglewood, Jackson, Jeggle, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marinos, Marques, Martens, Martin Hugues, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, 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, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Berenguer Fuster, Berger, Carlotti, Ceyhun, Darras, Dehousse, Désir, Fruteau, Garot, Gillig, Glante, Görlach, Gröner, Guy-Quint, Haug, Hazan, Junker, Keßler, Kindermann, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lalumière, Lange, Lavarra, Leinen, Linkohr, Mann Erika, Müller, Napolitano, Patrie, Poignant, Prets, Randzio-Plath, Rocard, Rodríguez Ramos, Rothe, Roure, Sakellariou, Savary, Stockmann, Swoboda, Walter

Wednesday 17 December 2003

UEN: Andrews, Angelilli, Berlato, Bigliardo, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Turchi

Against: 257

EDD: Andersen, Belder, Blokland, Bonde, Coûteaux, van Dam, Farage, Sandbæk, Titford

ELDR: Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Flesch, Formentini, Huhne, Jensen, Maaten, Malmström, Monsonís Domingo, Newton Dunn, Olsson, Paulsen, Ries, Riis-Jørgensen, Rutelli, Schmidt, Sterckx, Sørensen, Thors, Van Hecke, Wallis, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Bonino, Cappato, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Paisley, Pannella, Raschhofer, Turco

PPE-DE: García-Orcoyen Tormo, Korhola, Lamassoure, Sacrédeus

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Bowe, van den Burg, Campos, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Corbett, Corbey, De Keyser, De Rossa, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ford, Gebhardt, Ghilardotti, Gill, Goebbels, Hänsch, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Kinnock, Koukiadis, Lage, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Murphy, Myller, Napoletano, O'Toole, Paasilinna, Piecyk, Pittella, Rapkay, Read, Roth-Behrendt, Rothley, Ruffolo, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre, Queiró, Ribeiro e Castro, Segni

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 2

PPE-DE: Rübig, Schierhuber

Grossetête recommendation A5-0446/2003
Amendment 21

For: 193

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

ELDR: Attwooll, Boogerd-Quaak, Busk, Clegg, Davies, Duff, Flesch, Formentini, Gasòliba i Böhm, Huhne, Jensen, Lynne, Maaten, Malmström, Manders, Mulder, Olsson, Paulsen, Pesälä, Sanders-ten Holte, Schmidt, Sørensen, Vermeer, Wallis

Wednesday 17 December 2003

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Claeys, Dillen, Gollnisch, Gorostiaga Atxalandabaso, Kronberger, Lang, Martinez, Stirbois

PPE-DE: Arvidsson, Atkins, Banotti, Bowis, Bradbourn, Bushill-Matthews, Callanan, Cederschiöld, Chichester, Cushnahan, Deva, Dover, Doyle, Evans Jonathan, Foster, Goodwill, Grönfeldt Bergman, Hannan, Helmer, Jackson, Khanbhai, Kirkhope, Korhola, Martens, Mauro, Nicholson, Oomen-Ruijten, Oostlander, Parish, Perry, Pex, Pisicchio, Pomés Ruiz, Sacrédeus, Scallon, Schröder Jürgen, Stenmarck, Stevenson, Sturdy, Sumberg, Tannock, Twinn, Van Orden, Wachtmeister

PSE: Berès, van den Berg, van den Burg, Campos, Casaca, Corbey, Dehousse, De Keyser, Désir, Duhamel, Fruteau, Garot, Gillig, Guy-Quint, Hazan, van Hulten, Kuhne, Leinen, Patrie, Poignant, Roure, Savary, Swiebel, Wiersma, Zrihen

UEN: Camre, Fitzsimons, Mussa

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 343

EDD: Coûteaux, Farage, Kuntz, Titford

ELDR: Andreasen, André-Léonard, van den Bos, Calò, Costa Paolo, De Clercq, Di Pietro, Monsonís Domingo, Newton Dunn, Nordmann, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sbarbati, Sterckx, Thors, Väyrynen, Van Hecke, Virrankoski, Watson

GUE/NGL: Bordes, Cauquil

NI: Berthu, Beysen, Hager, Ilgenfritz, de La Perriere, Paisley, Raschhofer, Souchet, Varaut

PPE-DE: Almeida Garrett, Andria, Averoff, Avilés Perea, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Brienza, Brok, Brunetta, Camisón Asensio, Cardoso, Cocilovo, Coelho, Cornillet, Daul, De Mita, Deprez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Harbour, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jarzembowski, Jeggle, Karas, Keppelhoff-Wiechert, Klamt, Klaß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lehne, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marinos, Marques, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pirker, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stockton, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wenzel-Perillo, von Wogau, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berger, Bösch, Bowe, Bullmann, Carlotti, Carnero González, Carraro, Carrilho, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Darras, De Rossa, Díez González, Dührkop Dührkop, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ford, Gebhardt, Ghilardotti, Gill, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Hedkvist Petersen, Honeyball, Howitt, Hughes, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Lage, Lalumière, Lange, Lavarra, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wynn, Zorba

UEN: Andrews, Berlato, Bigliardo, Caullery, Collins, Crowley, Hyland, Marchiani, Nobilia, Ó Neachtain, Pasqua, Ribeiro e Castro, Thomas-Mauro, Turchi

Abstention: 15

GUE/NGL: Krivine

NI: Bonino, Borghezio, Cappato, Dell'Alba, Dupuis, de Gaulle, Gobbo, Pannella, Speroni, Turco

PPE-DE: Folias, Kastler, Lechner, Liese

Grossetête recommendation A5-0446/2003
Amendment 22

For: 188

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

ELDR: Andreasen, Attwooll, Boogerd-Quaak, Busk, Clegg, Davies, Duff, Flesch, Formentini, Gasòliba i Böhm, Huhne, Jensen, Lynne, Maaten, Malmström, Manders, Mulder, Olsson, Paulsen, Pesälä, Sanders-ten Holte, Schmidt, Sørensen, Vermeer, Virrankoski, Wallis

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca

NI: Claeys, Dillen, Garaud, Gollnisch, Gorostiaga Atxalandabaso, Kronberger, Lang, Martinez, Stirbois

PPE-DE: Arvidsson, Atkins, Balfe, Banotti, Bowis, Bradbourn, Bushill-Matthews, Callanan, Cederschiöld, Chichester, Deva, Dover, Doyle, Evans Jonathan, Foster, Goodwill, Grönfeldt Bergman, Grosch, Hannan, Helmer, Kirkhope, Korhola, Maat, Martens, Nicholson, Oomen-Ruijten, Parish, Perry, Pex, Provan, Sacrédeus, Scallon, Stenmarck, Stevenson, Sturdy, Sumberg, Tannock, Twinn, Van Orden, Wachtmeister

PSE: Berès, van den Berg, van den Burg, Carlotti, Casaca, Corbey, Dehousse, De Keyser, Désir, Duhamel, Fruteau, Garot, Gillig, Guy-Quint, Hazan, van Hulten, Patrie, Poignant, Rocard, Roure, Savary, Swiebel, Wiersma, Zrihen

UEN: Berlato, Camre, Segni

Verts/ALE: Aaltonen, Ahern, Auroi, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Wednesday 17 December 2003

Against: 341

EDD: Farage, Titford

ELDR: André-Léonard, van den Bos, Costa Paolo, De Clercq, Di Pietro, Monsonís Domingo, Newton Dunn, Nordmann, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sbarbati, Sterckx, Thors, Väyrynen, Van Hecke, Watson

GUE/NGL: Bordes, Cauquil

NI: Berthu, Beysen, Hager, Ilgenfritz, de La Perriere, Paisley, Raschhofer, Souchet

PPE-DE: Almeida Garrett, Andria, Averoff, Avilés Perea, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Brienza, Brok, Brunetta, Camisón Asensio, Cardoso, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grossetête, Gutiérrez-Cortines, Hansenne, Harbour, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klaß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Lisi, Lulling, McCartin, Mann Thomas, Marini, Marinos, Marques, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stockton, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wenzel-Perillo, von Wogau, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berger, Bösch, Bowe, Bullmann, Campos, Carnero González, Carrilho, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Darras, De Rossa, Díez González, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ford, Gebhardt, Ghilardotti, Gill, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Hedkvist Petersen, Honeyball, Howitt, Hughes, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Prets, Randzio-Plath, Rapkay, Read, Rodríguez Ramos, Rothe, Rothley, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Weiler, Wynn, Zorba

UEN: Andrews, Angelilli, Bigliardo, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Ribeiro e Castro, Thomas-Mauro, Turchi

Abstention: 13

EDD: Coûteaux

GUE/NGL: Krivine

NI: Borghezio, Cappato, Dell'Alba, Dupuis, de Gaulle, Gobbo, Pannella, Speroni, Turco

PPE-DE: Liese

PSE: Whitehead

Grossetête recommendation A5-0446/2003
Amendment 23

For: 174

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

ELDR: Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Davies, Duff, Flesch, Formentini, Gasòliba i Böhm, Huhne, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Olsson, Paulsen, Sanders-ten Holte, Schmidt, Sørensen, Vermeer, Wallis

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Borghezio, Claeys, Dillen, Garaud, Gobbo, Gollnisch, Gorostiaga Atxalandabaso, Kronberger, Lang, Martinez, Speroni, Stirbois

PPE-DE: Arvidsson, Banotti, Cederschiöld, Doyle, Grönfeldt Bergman, Grosch, Korhola, Maat, Martens, Oomen-Ruijten, Oostlander, Pex, Sacrédeus, Stenmarck, Wachtmeister

PSE: Berès, van den Berg, van den Burg, Carlotti, Casaca, Cerdeira Morterero, Corbey, Darras, Dehousse, De Keyser, Désir, Duhamel, Fruteau, Garot, Gillig, Guy-Quint, Hazan, van Hulten, Lalumière, Patrie, Poignant, Rocard, Roure, Savary, Swiebel, Wiersma, Zrihen

UEN: Berlato, Camre, Nobilia, Poli Bortone, Segni

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 368

EDD: Farage, Kuntz, Titford

ELDR: André-Léonard, Calò, Costa Paolo, De Clercq, Di Pietro, Newton Dunn, Nordmann, Pesälä, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sbarbati, Sterckx, Thors, Väyrynen, Van Hecke, Virrankoski, Watson

GUE/NGL: Bordes, Cauquil

NI: Berthu, Beysen, Hager, Ilgenfritz, de La Perriere, Paisley, Souchet

PPE-DE: Almeida Garrett, Andria, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, 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, Grossetête, Gutiérrez-Cortines, Hansenne, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Lamassoure, Langen, Langenhagen,

Laschet, Lechner, Lehne, Lisi, Lulling, McCartin, Mann Thomas, Marini, Marinos, Marques, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, 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, Vlasto, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berger, Bösch, Bowe, Campos, Carnero González, Carraro, Carrilho, Cashman, Cercas, Ceyhun, Corbett, De Rossa, Díez González, Dührkop Dührkop, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ford, Gebhardt, Ghilardotti, Gill, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Hedkvist Petersen, Honeyball, Howitt, Hughes, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Prets, Randzio-Plath, Rapkay, Read, Rodríguez Ramos, Rothe, Rothley, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wynn, Zorba

UEN: Andrews, Angelilli, Bigliardo, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Ó Neachtain, Pasqua, Ribeiro e Castro, Thomas-Mauro, Turchi

Abstention: 8

GUE/NGL: Krivine

NI: Dell'Alba, Dupuis, de Gaulle, Pannella, Turco

PPE-DE: Beazley, Liese

Grossetête recommendation A5-0446/2003
Amendment 38

For: 175

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

ELDR: Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Davies, Duff, Flesch, Formentini, Gasòliba i Böhm, Huhne, Jensen, Lynne, Maaten, Malmström, Manders, Mulder, Olsson, Paulsen, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sørensen, Vermeer, Wallis

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Claeys, Dillen, Garaud, Gollnisch, Gorostiaga Atxalandabaso, Hager, Lang, Martinez, Stirbois, Varaut

PPE-DE: Arvidsson, Banotti, Brok, Cederschiöld, Doyle, Grönfeldt Bergman, Grosch, Korhola, Maat, Martens, Oomen-Ruijten, Oostlander, Pex, Stenmarck, Wachtmeister

PSE: Berès, van den Berg, van den Burg, Carlotti, Casaca, Cerdeira Morterero, Corbey, Darras, Dehousse, De Keyser, Désir, Duhamel, Fruteau, Garot, Gillig, Guy-Quint, Hazan, van Hulten, Lalumière, Patrie, Poignant, Rocard, Roure, Savary, Swiebel, Wiersma, Zrihen

UEN: Angelilli, Berlato, Camre, Muscardini, Nobilia, Poli Bortone, Segni

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 366

EDD: Farage, Kuntz, Titford

ELDR: André-Léonard, Calò, Costa Paolo, De Clercq, Di Pietro, Monsonís Domingo, Newton Dunn, Nordmann, Pesälä, Pohjamo, Procacci, Ries, Rutelli, Sbarbati, Sterckx, Thors, Väyrynen, Van Hecke, Virrankoski, Watson

GUE/NGL: Bordes, Cauquil

NI: Berthu, Beysen, Ilgenfritz, de La Perriere, Paisley, Raschhofer, Souchet

PPE-DE: Almeida Garrett, Andria, Atkins, Averoff, Avilés Perea, Ayuso González, Balfe, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Brienza, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, 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, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Lisi, Lulling, McCartin, Mann Thomas, Marini, Marques, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, 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, Vlasto, Wenzel-Perillo, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berger, Bösch, Bowe, Campos, Carnero González, Carraro, Carrilho, Cashman, Cercas, Ceyhun, Corbett, De Rossa, Díez González, Dührkop Dührkop, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ford, Gebhardt, Ghilardotti, Gill, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Hedkvist Petersen, Honeyball, Howitt, Hughes, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Prets, Randzio-Plath, Rapkay, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wynn, Zorba

UEN: Bigliardo, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Mussa, Ó Neachtain, Pasqua, Ribeiro e Castro, Thomas-Mauro, Turchi

Abstention: 12

GUE/NGL: Krivine

NI: Bonino, Borghezio, Cappato, Dell'Alba, Dupuis, de Gaulle, Gobbo, Pannella, Speroni, Turco

PPE-DE: Liese

Grossetête recommendation A5-0446/2003
Amendment 41

For: 80

EDD: Belder, Bernié, Blokland, Butel, Coûteaux, van Dam, Farage, Saint-Josse, Titford

GUE/NGL: Bordes, Cauquil, Dary, Krivine, Naïr, Scarbonchi

PPE-DE: Arvidsson, Atkins, Balfe, Banotti, Beazley, Bowis, Bradbourn, Bushill-Matthews, Callanan, Cederschiöld, Chichester, Deva, Dover, Doyle, Evans Jonathan, Foster, Goodwill, Grönfeldt Bergman, Hannan, Helmer, Jackson, Khanbhai, Kirkhope, Korhola, Maat, Martens, Mennitti, Nicholson, Oomen-Ruijten, Oostlander, Parish, Perry, Pex, Provan, Stenmarck, Stevenson, Sturdy, Sumberg, Tannock, Twinn, Van Orden, Wachtmeister

PSE: Carlotti, Casaca, Cerdeira Morterero, Darras, Dehousse, De Keyser, Désir, Duhamel, Fruteau, Garot, Gillig, Guy-Quint, Hazan, Lalumière, Marinho, Poignant, Rocard, Roure, Savary, Wiersma, Zrihen

UEN: Poli Bortone

Verts/ALE: Sörensen

Against: 417

EDD: Kuntz

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

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Boudjenah, Brie, Caudron, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Herzog, Jové Peres, Kaufmann, Koulourianos, Manisco, Markov, Marset Campos, Meijer, Modrow, Papayannakis, Patakis, Puerta, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Berthu, Beysen, Borghezio, Claeys, Dillen, Garaud, Gobbo, Gollnisch, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Lang, de La Perriere, Martinez, Raschhofer, Souchet, Speroni, Stirbois, Varaut

PPE-DE: Almeida Garrett, Andria, Averoff, Avilés Perea, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Brienza, Brok, Brunetta, Camisón Asensio, Cardoso, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Harbour, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klaß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, McCartin, Mann Thomas, Marini, Marinos, Marques, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stockton, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carnero González, Carraro, Carrilho, Cashman, Cercas, Ceyhun, Corbett, Corbey, De Rossa, Díez González, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ford, Gebhardt, Ghilardotti, Gill, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Paasilinna, Patrie, Piecyk, Pittella, Prets, Randzio-Plath, Rapkay, Read, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wynn, Zorba

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

Abstention: 52

EDD: Andersen, Bonde, Sandbæk

GUE/NGL: Fraisse

NI: Bonino, Cappato, Dell'Alba, Dupuis, de Gaulle, Kronberger, Pannella, Turco

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Wednesday 17 December 2003

Grossetête recommendation A5-0444/2003
Amendment 27

For: 117

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

ELDR: Attwooll, Clegg, Davies, Duff, Huhne, Lynne, Maaten, Riis-Jørgensen, Sanders-ten Holte, Watson

GUE/NGL: Scarbonchi

NI: Claeys, Dillen, Garaud, Gollnisch, Ilgenfritz, Lang, Martinez, Raschhofer, Stirbois

PPE-DE: Atkins, Balfe, Banotti, Beazley, Bowis, Bradbourn, Bushill-Matthews, Callanan, Chichester, Cushnahan, Deva, Dover, Doyle, Evans Jonathan, Foster, Friedrich, Goodwill, Hannan, Harbour, Helmer, Jackson, Khanbhai, Kirkhope, Nicholson, Oomen-Ruijten, Parish, Perry, Provan, Purvis, Scallon, Smet, Stevenson, Sturdy, Sumberg, Tannock, Twinn, Van Orden

PSE: Adam, Bowe, Carrilho, Cashman, Corbey, Dehousse, Ford, Gill, Honeyball, Howitt, Hughes, van Hulten, Kinnock, McAvan, McCarthy, McNally, Marinho, Martin David W., Miller, Moraes, Morgan, Murphy, O'Toole, Read, Simpson, Skinner, Stihler, Thorning-Schmidt, Titley, Watts, Whitehead, Wynn

UEN: Andrews, Collins, Crowley, Fitzsimons, Hyland, Ó Neachtain

Verts/ALE: Ahern, Bouwman, Buitenweg, Celli, Evans Jillian, Lagendijk, Lambert, MacCormick, McKenna, Onesta, Schroedter

Against: 423

EDD: Kuntz

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Costa Paolo, De Clercq, Di Pietro, Flesch, Formentini, Gasòliba i Böhm, Jensen, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Procacci, Ries, Rutelli, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Virrankoski, Wallis

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

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

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Brienza, Brok, Brunetta, Camisón Asensio, Cardoso, Cederschiöld, Cocilovo, Coelho, Cornillet, Daul, De Mita, Deprez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jarzembowski, 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, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Mennitti, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz,

Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenmarck, Stockton, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Casaca, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Darras, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, Malliori, Mann Erika, Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Müller, Myller, Napoletano, Napolitano, Paasilinna, Patrie, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stockmann, Swiebel, Swoboda, Theorin, Torres Marques, Trentin, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Weiler, Wiersma, Zorba, Zrihen

UEN: Angelilli, Berlato, Camre, Caullery, Marchiani, Muscardini, Mussa, Nobilia, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Auroi, Boumediene-Thiery, Breyer, Dhaene, Echerer, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lannoye, Lipietz, Mayol i Raynal, Messner, Nogueira Román, Piétrasanta, Rod, de Roo, Rühle, Schörling, Sörensen, Staes, Turmes, Voggenhuber, Wyn

Abstention: 13

EDD: Farage, Titford

GUE/NGL: Fiebiger

NI: Bonino, Cappato, Dell'Alba, Dupuis, de Gaulle, Gobbo, Kronberger, Pannella, Turco

Verts/ALE: Wuori

Grossetête recommendation A5-0444/2003
Amendment 28

For: 67

EDD: Andersen, Bernié, Bonde, Butel, Coûteaux, Esclopé, Saint-Josse, Sandbæk

NI: Claeys, Dillen, Garaud, Gollnisch, Ilgenfritz, Kronberger, Lang, Martinez, Raschhofer, Stirbois

PPE-DE: Atkins, Balfe, Banotti, Beazley, Bowis, Bradbourn, Bushill-Matthews, Callanan, Chichester, Cushnahan, Deva, Dover, Doyle, Evans Jonathan, Foster, Goodwill, Hannan, Harbour, Helmer, Jackson, Khanbhai, Kirkhope, Nicholson, Parish, Perry, Provan, Purvis, Scallon, Stevenson, Sturdy, Sumberg, Tannock, Twinn, Van Orden

PSE: Adam, Corbey, Ford

Wednesday 17 December 2003

UEN: Collins, Crowley, Ó Neachtain

Verts/ALE: Ahern, Bouwman, Celli, Evans Jillian, Lambert, Lucas, MacCormick, McKenna, Wyn

Against: 471

EDD: Belder, Blokland, van Dam, Kuntz

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

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

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

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Brienza, Brok, Brunetta, Camisón Asensio, Cardoso, Cederschiöld, Cocilovo, Coelho, Cornillet, Daul, De Mita, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klaß, Knolle, Koch, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, 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, Montfort, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Pirker, Piscarreta, Pisicchio, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

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

UEN: Angelilli, Berlato, Camre, Caullery, Marchiani, Muscardini, Mussa, Nobilia, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Auroi, Boumediene-Thiery, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Echerer, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lannoye, Lipietz, Mayol i Raynal, Messner, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori

Abstention: 12

EDD: Farage, Titford

GUE/NGL: Fiebiger

NI: Bonino, Cappato, Dell'Alba, Dupuis, de Gaulle, Gobbo, Pannella, Turco

PSE: Dehousse

Koch report A5-0418/2003
Resolution

For: 523

EDD: Andersen, Belder, Bernié, Blokland, Bonde, Butel, van Dam, Esclopé, Farage, Kuntz, Saint-Josse, Sandbæk, Titford

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

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Berthu, Beysen, Bonino, Cappato, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Hager, Kronberger, de La Perriere, Pannella, Souchet, Turco, 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, Bowis, Bradbourn, Brienza, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, 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, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, 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, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, 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, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Darras, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, 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, O'Toole, Paasilinna, Patrie, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Angelilli, Berlato, Camre, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 3

NI: Ilgenfritz, Paisley

Verts/ALE: Schörling

Abstention: 14

EDD: Coûteaux

ELDR: Calò

GUE/NGL: Bordes, Cauquil

NI: Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Lang, Martinez, Stirbois

PSE: Dehousse

De Clercq report A5-0408/2003
Resolution

For: 487

EDD: Andersen, Bernié, Bonde, Butel, Esclopé, Kuntz, Saint-Josse, Sandbæk

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

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Berthu, Beysen, Gorostiaga Atxalandabaso, Hager, Souchet

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, 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, Herranz García, Hieronymi, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Pacheco Pereira, Pack, Parish, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, 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, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, 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, Vlasto, Wachtmeister, Wenzel-Perillo, Wuermeling, Zabell, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Darras, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, 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, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, Patrie, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Sacconi, Sakellariou, Sandberg-Fries, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Angelilli, Berlato, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Wednesday 17 December 2003

Against: 10

NI: Claeys, Dillen, de Gaulle, Gollnisch, Lang, Martinez, Paisley, Stirbois

PPE-DE: Descamps

UEN: Mussa

Abstention: 16

EDD: Belder, Blokland, Coûteaux, van Dam, Farage, Titford

NI: Bonino, Cappato, Dell'Alba, Dupuis, Gobbo, Pannella, Speroni

PPE-DE: Inglewood

PSE: Rothley

UEN: Camre

RC — B5-0536/2003 — Commission legislative programme
Paragraph 12, 2nd part

For: 430

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

GUE/NGL: Blak, Fraisse, Puerta

NI: Beysen, Bonino, Cappato, Dell'Alba, Dupuis, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Turco

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Brienza, Brunetta, Camisón Asensio, Cardoso, Cederschiöld, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Hieronymi, Jarzembowski, 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, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Pacheco Pereira, Pack, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stockton, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Darras, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari,

Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, 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, O'Toole, Paasilinna, Patrie, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Collins, Crowley, Fitzsimons, Hyland, Muscardini, Ó Neachtain, Thomas-Mauro

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 97

EDD: Andersen, Belder, Bernié, Blokland, Bonde, Butel, van Dam, Esclopé, Farage, Kuntz, Saint-Josse, Sandbæk, Titford

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Boudjenah, Brie, Caudron, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Herzog, Jové Peres, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Patakis, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Berthu, Claeys, Dillen, Garaud, de Gaulle, Gollnisch, Gorostiaga Atxalandabaso, Lang, de La Perriere, Paisley, Souchet, Stirbois, Varaut

PPE-DE: Atkins, Avilés Perea, Balfe, Beazley, Bowis, Bradbourn, Bushill-Matthews, Callanan, Chichester, Deva, Dover, Elles, Evans Jonathan, Foster, Goodwill, Hannan, Harbour, Helmer, Herranz García, Inglewood, Jackson, Khanbhai, Kirkhope, Nicholson, Parish, Perry, Provan, Purvis, Redondo Jiménez, Stevenson, Sturdy, Sumberg, Tannock, Twinn, Van Orden

UEN: Camre, Marchiani, Pasqua, Queiró, Ribeiro e Castro

Abstention: 13

GUE/NGL: Bordes, Cauquil

NI: Gobbo, Martinez, Speroni

UEN: Andrews, Angelilli, Berlato, Mussa, Nobilia, Poli Bortone, Turchi

Verts/ALE: Schörling

Wednesday 17 December 2003

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Paragraph 17, 2nd part

For: 434

EDD: Butel, Saint-Josse

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Flesch, Formentini, Gasòliba i Böhm, Huhne, Jensen, Lynne, Maaten, Malmström, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Blak, Fraisse, Herzog

NI: Beysen, Bonino, Cappato, Dell'Alba, Dupuis, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Turco

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Brienza, Brunetta, Camisón Asensio, Cardoso, Cederschiöld, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, 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, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stockton, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Darras, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, 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, O'Toole, Paasilinna, Patrie, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Angelilli, Berlato, Caullery, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Mussa, Nobilia, Ó Neachtain, Poli Bortone

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 100

EDD: Andersen, Belder, Bernié, Blokland, Bonde, Coûteaux, van Dam, Esclopé, Farage, Kuntz, Sandbæk, Titford

ELDR: Olsson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bordes, Boudjenah, Brie, Caudron, Cauquil, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Patakis, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Berthu, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Gorostiaga Atxalandabaso, Lang, de La Perriere, Martinez, Paisley, Souchet, Speroni, Stirbois

PPE-DE: Atkins, Balfe, Beazley, Bowis, Bradbourn, Bushill-Matthews, Callanan, Chichester, Deva, Dover, Elles, Evans Jonathan, Foster, Goodwill, Hannan, Harbour, Helmer, Inglewood, Jackson, Khanbhai, Kirkhope, Mauro, Nicholson, Parish, Perry, Provan, Purvis, Stevenson, Sturdy, Sumberg, Tannock, Twinn, Van Orden

PSE: Honeyball

UEN: Camre, Marchiani, Pasqua, Thomas-Mauro

Verts/ALE: Lambert

Abstention: 2

PPE-DE: Scallon

UEN: Ribeiro e Castro

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For: 421

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Flesch, Formentini, Gasòliba i Böhm, Huhne, Jensen, Lynne, Maaten, Malmström, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Blak, Eriksson, Frahm, Seppänen

NI: Beysen, Bonino, Cappato, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Pannella, Raschhofer, Turco

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Brienza, Brunetta, Camisón Asensio, Cardoso, Cederschiöld, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, 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, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Darras, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, 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, O'Toole, Paasilinna, Patrie, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Auroi, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, Mayol i Raynal, Messner, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 72

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

GUE/NGL: Alyssandrakis, Figueiredo, Manisco, Patakis

NI: Berthu, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Hager, Lang, de La Perriere, Martinez, Paisley, Souchet, Speroni, Stirbois, Varaut

PPE-DE: Atkins, Balfe, Beazley, Bowis, Bradbourn, Bushill-Matthews, Callanan, Chichester, Deva, Dover, Elles, Evans Jonathan, Goodwill, Hannan, Harbour, Helmer, Jackson, Khanbhai, Kirkhope, Mauro, Nicholson, Parish, Perry, Provan, Purvis, Stevenson, Sturdy, Sumberg, Tannock, Twinn, Van Orden

UEN: Camre, Caullery, Marchiani, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro

Abstention: 43

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bergaz Conesa, Boudjenah, Brie, Caudron, Di Lello Finuoli, Fiebiger, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Markov, Marset Campos, Meijer, Modrow, Naïr, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Sjöstedt, Uca, Vinci

PPE-DE: Scallon

PSE: Stockmann

UEN: Andrews, Angelilli, Berlato, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Mussa, Nobilia, Ó Neachtain, Poli Bortone, Turchi

Verts/ALE: Schörling

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For: 430

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Duff, Flesch, Formentini, Gasòliba i Böhm, Jensen, Maaten, Malmström, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Blak, Eriksson, Frahm, Schmid Herman, Seppänen, Sjöstedt

NI: Beysen, Bonino, Cappato, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Pannella, Raschhofer, Turco

PPE-DE: Almeida Garrett, Andria, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Brunetta, Camisón Asensio, Cardoso, Cederschiöld, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stockton, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Darras, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten,

Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, 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, O'Toole, Paasilinna, Patrie, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Angelilli, Berlato, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Mussa, Nobilia, Ó Neachtain, Poli Bortone, Queiró, Ribeiro e Castro, Turchi

Verts/ALE: Aaltonen, Ahern, Auroi, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, MacCormick, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, de Roo, Rühle, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 94

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

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bordes, Boudjenah, Brie, Caudron, Cauquil, Di Lello Finuoli, Fiebiger, Figueiredo, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Patakis, Scarbonchi, Schröder Ilka, Uca, Vinci

NI: Berthu, Claeys, Dillen, Garaud, de Gaulle, Gollnisch, Hager, Lang, de La Perriere, Martinez, Souchet, Stirbois, Varaut

PPE-DE: Atkins, Balfe, Beazley, Bowis, Bradbourn, Bushill-Matthews, Callanan, Chichester, Deva, Dover, Elles, Evans Jonathan, Foster, Goodwill, Hannan, Harbour, Helmer, Inglewood, Jackson, Khanbhai, Kirkhope, Mauro, Nicholson, Parish, Perry, Provan, Purvis, Stevenson, Sturdy, Sumberg, Tannock, Twinn, Van Orden

UEN: Camre, Caullery, Marchiani, Pasqua, Segni, Thomas-Mauro

Abstention: 8

GUE/NGL: Fraisse, Herzog

NI: Gobbo, Speroni

PPE-DE: Scallon

Verts/ALE: Boumediene-Thiery, Rod, Schörling

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For: 521

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

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

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bergaz Conesa, Bordes, Boudjenah, Brie, Caudron, Cauquil, Di Lello Finuoli, Fiebiger, Figueiredo, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Markov, Marset Campos, Meijer, Modrow, Naïr, Puerta, Scarbonchi, Schröder Ilka, Uca, Vinci

NI: Berthu, Beysen, Bonino, Cappato, Claeys, Dell'Alba, Dillen, Dupuis, Garaud, de Gaulle, Gobbo, Gollnisch, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Lang, de La Perriere, Martinez, Pannella, 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, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Brienza, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Mita, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, 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, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, 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, Sartori, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Darras, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, 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, O'Toole, Paasilinna, Patrie, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Angelilli, Berlato, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 12

EDD: Farage, Titford

GUE/NGL: Blak, Eriksson, Manisco, Schmid Herman, Seppänen, Sjöstedt

NI: Paisley

PPE-DE: Helmer, Mauro, Suominen

Abstention: 4

GUE/NGL: Alyssandrakis, Patakis

PSE: Dehousse

UEN: Camre

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Amendment 4

For: 77

EDD: Andersen, Bernié, Bonde, Butel, Coûteaux, Esclopé, Kuntz, Saint-Josse, Sandbæk

ELDR: Gasòliba i Böhm, Sbarbati, Thors, Vermeer

GUE/NGL: Ainardi, Boudjenah

NI: Berthu, Claeys, Dillen, Gobbo, Gollnisch, Lang, de La Perriere, Souchet, Speroni, Varaut

PPE-DE: Atkins, Beazley, Daul, Deva, Dimitrakopoulos, Doyle, Ebner, Evans Jonathan, Folias, Fourtou, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Goodwill, Grosch, Hannan, Helmer, Hermange, Karas, Kirkhope, Kratsa-Tsagaropoulou, Lulling, Pack, Perry, Posselt, Purvis, Rack, Radwan, Rübig, Sacrédeus, Schaffner, Stevenson, Sturdy, Sudre, Twinn, Van Orden

PSE: Dehousse, Izquierdo Rojo, Kuhne, Lund, Miranda de Lage, Patrie, Savary

UEN: Angelilli, Berlato, Caullery, Marchiani, Mussa, Nobilia, Poli Bortone, Thomas-Mauro, Turchi

Verts/ALE: Mayol i Raynal

Against: 439

EDD: Blokland, van Dam, Farage, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Flesch, Formentini, Huhne, Jensen, Lynne, Maaten, Malmström, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Väyrynen, Van Hecke, Virrankoski, Wallis, Watson

GUE/NGL: Alavanos, Bakopoulos, Bergaz Conesa, Blak, Bordes, Brie, Cauquil, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca

NI: Beysen, Bonino, Cappato, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Paisley, Pannella, Turco

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Brienza, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cocilovo, Coelho, Cornillet, Cushnahan, De Mita, Deprez, Descamps, De Veyrac, Doorn, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Foster, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, Gargani, Garriga Polledo, Gemelli, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Harbour, Hatzidakis, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kastler, Keppelhoff-Wiechert, Khanbhai, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Maat, McCartin, Mann Thomas, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pastorelli, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà, Poettering, Pronk, Quisthoudt-Rowohl, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stockton, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Darras, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Moraes, Morgan, Müller, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Prets, Randzio-Plath, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Schulz, Simpson, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Camre, Collins, Crowley, Fitzsimons, Hyland, Ó Neachtain, Queiró, Ribeiro e Castro, Segni

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Messner, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 11

EDD: Belder

GUE/NGL: Alyssandrakis, Patakis

NI: Hager, Ilgenfritz, Kronberger, Martinez, Raschhofer

PPE-DE: Dover, Parish, Provan

Wednesday 17 December 2003

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Amendment 5

For: 89

EDD: Andersen, Bernié, Bonde, Coûteaux, Esclopé, Kuntz, Saint-Josse, Sandbæk

ELDR: Gasòliba i Böhm, Procacci

GUE/NGL: Ainardi, Boudjenah

NI: Berthu, Claeys, Dillen, Garaud, de Gaulle, Gobbo, Gollnisch, Lang, de La Perriere, Martinez, Souchet, Speroni, Stirbois, Varaut

PPE-DE: Atkins, Beazley, Bowis, Bradbourn, Bushill-Matthews, Callanan, Chichester, Daul, Deva, Dimitrakopoulos, Dover, Ebner, Evans Jonathan, Folias, Foster, Fourtou, García-Orcoyen Tormo, Hannan, Harbour, Helmer, Hermange, Inglewood, Karas, Khanbhai, Kirkhope, Kratsa-Tsagaropoulou, Lulling, Nicholson, Parish, Perry, Posselt, Provan, Purvis, Rack, Radwan, Rübig, Sacrédeus, Schierhuber, Smet, Stevenson, Sturdy, Sudre, Sumberg, Tannock, Thyssen, Van Orden, de Veyrinas, Vlasto

PSE: Dehousse, Goebbels, Poignant, Savary

UEN: Angelilli, Berlato, Camre, Caullery, Marchiani, Mussa, Nobilia, Pasqua, Poli Bortone, Thomas-Mauro, Turchi

Against: 435

EDD: Belder, Blokland, van Dam, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Calò, Clegg, Costa Paolo, Davies, De Clercq, Di Pietro, Duff, Flesch, Formentini, Huhne, Jensen, Lynne, Maaten, Malmström, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Alavanos, Bakopoulos, Bergaz Conesa, Blak, Brie, Caudron, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Beysen, Bonino, Cappato, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Paisley, Turco

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Brienza, Brunetta, Camisón Asensio, Cardoso, Cederschiöld, Cocilovo, Coelho, Cornillet, Cushnahan, De Mita, Deprez, Descamps, De Veyrac, Doorn, Doyle, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, Gargani, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hernández Mollar, Herranz García, Hieronymi, Jackson, Jarzembowski, Jeggle, Kastler, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Maat, McCartin, Mann Thomas, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Pirker, Piscarreta, Podestà, Poettering, Pronk, Quisthoudt-Rowohl, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Schaffner, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenmarck, Stockton, Suominen, Tajani, Theato, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Darras, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, 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, O'Toole, Paasilinna, Patrie, Piecyk, Pittella, Prets, Randzio-Plath, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Titley, Torres Marques, Trentin, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Ó Neachtain, Queiró, Ribeiro e Castro

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 7

GUE/NGL: Alyssandrakis, Patakis

NI: Hager, Ilgenfritz, Kronberger, Raschhofer

PPE-DE: Scallon

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For: 520

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

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

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Berthu, Beysen, Cappato, Claeys, Dell'Alba, Dillen, Dupuis, Garaud, de Gaulle, Gobbo, Gollnisch, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Martinez, 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, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Brienza, Brunetta, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Foster, 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, Hannan, Hansenne, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Darras, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, 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, O'Toole, Paasilinna, Patrie, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Angelilli, Berlato, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 6

NI: Paisley

PPE-DE: Fourtou, Friedrich, García-Orcoyen Tormo, Oomen-Ruijten

UEN: Camre

Wednesday 17 December 2003

Abstention: 2

EDD: Titford

PPE-DE: De Mita

RC — B5-0536/2003 — Commission legislative programme
Paragraph 50

For: 518

EDD: Andersen, Belder, Bernié, Bonde, Coûteaux, Esclopé, Farage, Kuntz, Saint-Josse, Sandbæk, Titford

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

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

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

PPE-DE: Almeida Garrett, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Brienza, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Foster, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, 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, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, Mann Thomas, Marini, Marinos, Marques, Martens, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, 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, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, 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, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbey, Darras, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl,

Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, 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, O'Toole, Paasilinna, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Angelilli, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 3

NI: Paisley

PPE-DE: Friedrich

UEN: Camre

Abstention: 3

GUE/NGL: Alyssandrakis, Patakis

PPE-DE: De Mita

RC — B5-0536/2003 — Commission legislative programme
Paragraph 51

For: 518

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

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

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Manisco, Markov, Marset Campos, Meijer, Modrow, Naïr, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Berthu, Beysen, Bonino, Cappato, Claeys, Dell'Alba, Dillen, Dupuis, de Gaulle, Gollnisch, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Martinez, Raschhofer, Souchet, Stirbois, Turco, 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, Bowis, Bradbourn, Brienza, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, 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, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, 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, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Darras, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, 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, O'Toole, Patrie, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Angelilli, Berlato, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Voggenhuber, Wyn

Against: 2

NI: Paisley

UEN: Camre

Wednesday 17 December 2003

Abstention: 9

EDD: Farage, Titford

GUE/NGL: Alyssandrakis, Krivine, Patakis

NI: Garaud

PPE-DE: De Mita

PSE: Dehousse

Verts/ALE: Wuori

RC — B5-0536/2003 — Commission legislative programme
Paragraph 52

For: 527

EDD: Andersen, Belder, Bernié, Blokland, Bonde, Coûteaux, van Dam, Esclopé, Farage, Kuntz, Saint-Josse, Sandbæk, Titford

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

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Marset Campos, Meijer, Modrow, Naïr, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

NI: Berthu, Beysen, Bonino, Cappato, Claeys, Dell'Alba, Dillen, Dupuis, Garaud, de Gaulle, Gobbo, Gollnisch, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Martinez, Raschhofer, Souchet, Stirbois, Turco, 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, Bowis, Bradbourn, Brienza, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cushnahan, Daul, Deprez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, 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, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, 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, Sartori, Scallon, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Stauner, Stenmarck, 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, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Darras, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, 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, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, 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, Murphy, Myller, Napoletano, Napolitano, O'Toole, Patrie, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Angelilli, Berlato, Caullery, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 2

NI: Paisley

UEN: Camre

Abstention: 1

PPE-DE: De Mita

RC — B5-0536/2003 — Commission legislative programme
Paragraph 53

For: 525

EDD: Andersen, Belder, Bernié, Blokland, Bonde, Butel, Coûteaux, van Dam, Farage, Kuntz, Saint-Josse, Sandbæk, Titford

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

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Fraisse, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Manisco, Marset Campos, Meijer, Modrow, Naïr, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Uca, Vinci

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

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PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Corbett, Corbey, Darras, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, El Khadraoui, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, 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, O'Toole, Paasilinna, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Angelilli, Berlato, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Mussa, Nobilia, Ó Neachtain, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Ahern, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Messner, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 2

NI: Paisley

UEN: Camre

Abstention: 3

PPE-DE: De Mita

UEN: Caullery, Pasqua

Wednesday 17 December 2003

TEXTS ADOPTED

P5_TA(2003)0573

Members' Statute

European Parliament resolution on the Statute for Members of the European Parliament

The European Parliament,

— having regard to the Council and Commission statements made in Parliament on 17 December 2003,

— having regard to Article 190(5) of the Treaty establishing the European Community and Article 108(4) of the Treaty establishing the European Atomic Energy Community,

— having regard to its decision of 3 June 2003 ([1]) and its resolution of 4 June 2003 ([2]) on the adoption of a Statute for Members of the European Parliament,

— having regard to the Bureau decision of 28 May 2003 concerning the new rules governing the reimbursement of Members' expenses,

— having regard to Rule 37(2), (3), (4) and (5) of the Rules of Procedure,

A. whereas, in its letter of 25 June 2003, the Council pointed out that there were still significant differences between the respective positions of the Council and of Parliament, which were preventing it from giving its approval,

B. whereas, in its letter of 21 November 2003, the Council emphasised that, almost twenty-five years after the first elections by direct universal suffrage and six years after the establishment of the necessary legal basis by the Treaty of Amsterdam, it was important that the Statute for Members of the European Parliament now be adopted, and that it wished to step up dialogue in order to achieve compromise solutions that would be acceptable to both institutions,

1. Calls on the Council to inform Parliament as soon as possible (preferably before the end of the Italian Presidency and, in any event, by 15 January 2004) whether it is in a position to accept the proposed compromise and to approve the Statute for Members of the European Parliament should the decision which Parliament adopted on 3 and 4 June 2003 be amended accordingly;

2. Believes that an overall compromise on the Statute for Members of the European Parliament could comprise the following points:

(a) the part of the Statute relating to secondary law should be examined separately and autonomously from that relating to primary law and they should be approved on the basis of the institutional provisions applying to each of them;

(b) as regards the part relating to primary law, Member States should be asked to revise those provisions of the Protocol on privileges and immunities of the European Communities of 8 April 1965 which concern Members of the European Parliament, using the Statute adopted on 3 and 4 June 2003 as a model;

(c) consequently, and subject to a favourable opinion from the Council, Articles 4, 5, 6, 7, 8 and 38(2), recitals 7, 15, 16, 17, 18, 20, 21, 30, 31, 32, 33, 34 and the words '*or only in respect of residual matters not covered by primary law*' in recital 14 should be deleted;

(d) Members should be entitled to an old-age pension as from the age of 63;

(e) consequently, and subject to a favourable opinion from the Council, in Article 20(1), '*60*' should be replaced with '*63*';

([1]) P5_TA(2003)0236.
([2]) P5_TA(2003)0241.

(f) the provision concerning the Community tax to which the Members' allowance is to be made subject is without prejudice to the Member States' power to make this allowance subject to national tax law provisions, provided that any double taxation is avoided (compromise reached under the Belgian Presidency);

(g) consequently, and subject to a favourable opinion from the Council, a new paragraph 1a should be inserted after paragraph 1 of Article 18 to read: '*Paragraph 1 shall be without prejudice to the Member States' power to make this allowance subject to national tax law provisions, provided that any double taxation is avoided*';

(h) the new rules governing the reimbursement of Members' expenses should enter into force at the same time as the Statute;

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

P5_TA(2003)0574

Tax on commercial diesel fuel *

European Parliament legislative resolution 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 fuels (COM(2002) 410 — C5-0409/2002 — 2002/0191(CNS))

(Consultation procedure)

The European Parliament,

— having regard to the Commission proposal to the Council (COM(2002) 410) ([1]),

— having regard to Article 93 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0409/2002),

— having regard to Rule 67 of its Rules of Procedure,

— having regard to the report of the Committee on Economic and Monetary Affairs and the opinion of the Committee on the Environment, Public Health and Consumer Policy, the Committee on Industry, External Trade, Research and Energy and Committee on Regional Policy, Transport and Tourism (A5-0383/2003),

1. Rejects the Commission proposal;

2. Calls on the Commission to withdraw its proposal and submit a new one;

3. Instructs its President to forward its position to the Council and the Commission.

([1]) OJ C 291 E, 26.11.2002, p. 221.

Wednesday 17 December 2003

P5_TA(2003)0575

Environmental liability ***II

European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council directive on environmental liability with regard to the prevention and remedying of environmental damage (10933/5/2003 — C5-0445/2003 — 2002/0021(COD))

(Codecision procedure: second reading)

The European Parliament,

— having regard to the Council common position (10933/5/2003 — C5-0445/2003) ([1]),

— having regard to its position at first reading ([2]) on the Commission proposal to Parliament and the Council (COM(2002) 17) ([3]),

— having regard to Article 251(2) of the EC Treaty,

— having regard to Rule 80 of its Rules of Procedure,

— having regard to the recommendation for second reading of the Committee on Legal Affairs and the Internal Market (A5-0461/2003),

1. Amends the common position as follows;

2. Instructs its President to forward its position to the Council and Commission.

([1]) OJ C 277 E, 18.11.2003, p. 10.
([2]) *Texts Adopted*, 14.5.2003, P5_TA(2003)0211.
([3]) OJ C 151 E, 25.6.2002, p. 132.

P5_TC2-COD(2002)0021

Position of the European Parliament adopted at second reading on 17 December 2003 with a view to the adoption of Directive 2003/…/EC of the European Parliament and of the Council on environmental liability with regard to the prevention and remedying of environmental damage

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 ([1]),

Having regard to the Opinion of the European Economic and Social Committee ([2]),

After consulting the Committee of the Regions,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ([3]),

([1]) OJ C 151 E, 25.6.2002, p. 132.
([2]) OJ C 241, 7.10.2002, p. 162.
([3]) *Position* of the European Parliament of 14 May 2003 (not yet published in the Official Journal). Council Common Position of *18 September 2003 (OJ C 277 E, 18.11.2003, p. 10)* and *Position* of the European Parliament of *17 December 2003*.

Whereas:

(1) There are currently many contaminated sites in the Community, posing significant health risks, and the loss of biodiversity has dramatically accelerated over the last decades. Failure to act could result in increased site contamination and greater loss of biodiversity in the future. Preventing and remedying, insofar as is possible, environmental damage contributes to implementing the objectives and principles of the Community's environment policy as set out in the Treaty. Local conditions should be taken into account when deciding how to remedy damage.

(2) The prevention and remedying of environmental damage should be implemented through the furtherance of the 'polluter pays' principle, as indicated in the Treaty and in line with the principle of sustainable development. The fundamental principle of this Directive should therefore be that an operator whose activity has caused the environmental damage or the imminent threat of such damage is to be held financially liable, in order to induce operators to adopt measures and develop practices to minimise the risks of environmental damage so that their exposure to financial liabilities is reduced.

(3) Since the objective of this Directive, namely to establish a common framework for the prevention and remedying of environmental damage at a reasonable cost to society, cannot be sufficiently achieved by the Member States and can therefore be better achieved at Community level by reason of the scale of this Directive and its implications in respect of other Community legislation, namely Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds [1], Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora [2], and Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy [3], 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 Directive does not go beyond what is necessary in order to achieve that objective.

(4) Environmental damage also includes damage caused by airborne elements *insofar* as they cause damage to water, land *or* protected species or natural habitats.

(5) Concepts instrumental for the correct interpretation and application of the scheme provided for by this Directive should be *defined, especially* as regards the definition of environmental damage. When the concept in question derives from other relevant Community legislation, the same definition should be used so that common criteria can be used and uniform application promoted.

(6) Protected species and natural habitats might also be defined by reference to species and habitats protected in pursuance of national legislation on nature conservation. Account should nevertheless be taken of specific situations where Community, or equivalent national, legislation *makes provision* for certain derogations from the level of protection afforded to the environment.

(7) For the purposes of assessing damage to land as defined in this *Directive, the* use of risk assessment procedures to determine to what extent human health is likely to be adversely affected is desirable.

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[1] OJ L 103, 25.4.1979, p. 1. Directive as last amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36).
[2] OJ L 206, 22.7.1992, p. 7. 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).*
[3] OJ L 327, 22.12.2000, p. 1. Directive as last amended by Decision No 2455/2001/EC (OJ L 331, 15.12.2001, p. 1).

(8) This Directive should apply, as far as environmental damage is concerned, to occupational activities which present a risk for human health or the environment. Those activities should be identified, in principle, by reference to the relevant Community legislation which provides for regulatory requirements in relation to certain activities or practices considered as posing *an actual or potential* risk for human health or the environment.

(9) This Directive should also apply, as regards damage to protected species and natural habitats, to any occupational activities other than those already directly or indirectly identified by reference to Community legislation as posing an actual or potential risk for human health or the environment. In such cases the operator should only be liable under this Directive whenever he is at fault or negligent.

(10) Express account should be taken of the Euratom Treaty and relevant international conventions and of Community legislation regulating more comprehensively and more stringently the operation of any of the activities falling under the scope of this Directive. This Directive, which does not provide for additional rules *governing the* conflict of laws when it specifies the powers of the competent authorities, is without prejudice to the rules on international jurisdiction of courts as provided, inter alia, in Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters [1]. This Directive should not apply to activities the main purpose of which is to serve national defence or international security.

(11) This Directive aims at preventing and remedying environmental damage, and does not affect rights of compensation for traditional damage granted under any relevant international agreement regulating civil liability.

(12) Many Member States are party to international agreements dealing with civil liability in relation to specific fields. These Member States should be able to remain so after the entry into force of this Directive, whereas other Member States should not lose their freedom to become parties to these agreements.

(13) Not all forms of environmental damage can be remedied by means of the liability mechanism. For the latter to be effective, there need to be one or more identifiable polluters, the damage should be concrete and quantifiable, and a causal link should be established between the damage and the identified polluter(s). Liability is therefore not a suitable instrument for dealing with pollution of a widespread, diffuse character, where it is impossible to link the negative environmental effects with acts or failure to act of certain individual actors.

(14) This Directive does not apply to cases of personal injury, to damage to private property or to any economic loss and does not affect any right regarding these types of *damage*.

(15) Since the prevention and remedying of environmental damage is a task directly contributing to the pursuit of the Community's environment policy, public authorities should ensure the proper implementation and enforcement of the scheme provided for by this Directive.

(16) Restoration of the environment should take place in an effective manner ensuring that the relevant restoration objectives are achieved. A common framework should be defined to that end, the proper application of which should be supervised by the competent authority.

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[1] OJ L 12, 16.1.2001, p. 1. *Regulation as amended by Commission Regulation (EC) No 1496/2002 (OJ L 225, 22.8.2002, p. 13).*

(17) Appropriate provision should be made for those situations where several instances of environmental damage have occurred in such a manner that the competent authority cannot ensure that all the necessary remedial measures are taken at the same time. In such a case, the competent authority should be entitled to decide which instance of environmental damage is to be remedied first.

(18) According to the '*polluter pays*' principle, an operator causing environmental damage or creating an imminent threat of such damage should, in principle, bear the cost of the necessary preventive or remedial measures. In cases where a competent authority acts, itself or through a third party, in the place of an operator, that authority should ensure that the cost incurred by it is recovered from the operator. It is also appropriate that the operators should ultimately bear the cost of assessing environmental damage *or*, as the case may be, assessing an imminent threat of such damage occurring.

(19) Member States may provide for flat-rate calculation of administrative, legal, enforcement and other general costs to be recovered.

(20) An operator should not be required to bear the costs of preventive or remedial *action* taken pursuant to this Directive in situations where the damage in question or imminent threat thereof is the result of certain events beyond the operator's control. Member States may allow that operators who are not at fault or negligent shall not bear the cost of remedial measures, in situations where the damage in question is the result of emissions or events explicitly authorised or where the potential for damage could not have been known when the event or emission took place.

(21) Operators should bear the costs relating to preventive measures when those measures should have been taken as a matter of course in order to comply with the legislative, regulatory and administrative provisions regulating their activities or the terms of any permit or authorisation.

(22) Member States may establish national rules covering cost allocation in cases of multiple party causation. Member States may take into account, in particular, the specific situation of users of products who might not be held responsible for environmental damage in the same conditions as those producing such products. In this case, apportionment of liability should be determined in accordance with national law.

(23) Competent authorities should be entitled to recover the cost of preventive or remedial measures from an operator within *a* reasonable period of time from the date on which those measures were completed.

(24) It is necessary to ensure that effective means of implementation and enforcement are available, while ensuring that the legitimate interests of the relevant operators and other interested parties are adequately safeguarded. Competent authorities should be in charge of specific tasks entailing appropriate administrative discretion, namely the duty to assess the significance of the damage and to determine which remedial measures should be taken.

(25) Persons adversely affected or likely to be adversely affected by environmental damage should be entitled to ask the competent authority to take action. Environmental protection is, however, a diffuse interest on behalf of which individuals will not always act or will not be in a position to act. Non-governmental organisations promoting environmental protection should therefore also be given the opportunity to properly contribute to the effective implementation of this Directive.

(26) The relevant natural or legal persons concerned should have access to procedures for the review of the competent authority's decisions, acts or failure to act.

(27) Member States should take measures to encourage the use by operators of any appropriate insurance or other forms of financial security and the development of financial security instruments and markets in order to provide effective cover for financial obligations under this Directive.

(28) Where environmental damage affects or is likely to affect several Member States, those Member States should cooperate with a view to ensuring proper and effective preventive or remedial action in respect of any environmental damage. Member States may seek to recover the costs for preventive or remedial *action*.

(29) This Directive should not prevent Member States from maintaining or enacting more stringent provisions in relation to the prevention and remedying of environmental damage; nor should it prevent the adoption by Member States of appropriate measures in relation to situations where double recovery of costs could occur as a result of concurrent action by a competent authority under this Directive and by a person whose property is affected by the environmental damage.

(30) Damage caused before the expiry of the deadline for implementation of this Directive should not be covered by its provisions.

(31) Member States should report to the Commission on the experience gained in the application of this Directive so as to enable the Commission to consider, taking into account the impact on sustainable development and future risks to the environment, whether any review of this Directive is appropriate,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Subject matter

The purpose of this Directive is to establish a framework of environmental liability based on the '*polluter pays*' principle, to prevent and remedy environmental damage.

Article 2

Definitions

For the purpose of this Directive the following definitions shall apply:

1) 'environmental damage' means:

a) damage to protected species and natural habitats, which is any damage that has significant adverse effects on reaching or maintaining the favourable conservation status of such habitats or species. The significance of such effects is to be assessed with reference to the baseline condition, taking account of the criteria set out in Annex I;

Damage to protected species and natural habitats does not include previously identified adverse effects which result from an act by an operator which was expressly authorised by the relevant authorities in accordance with provisions implementing Article 6(3) and (4) or Article 16 of Directive 92/43/EEC or Article 9 of Directive 79/409/EEC or, in the case of habitats and species not covered by Community law, in accordance with equivalent provisions of national law on nature conservation.

b) water damage, which is any damage that *has significant adverse effects on* the ecological, chemical and/or quantitative status and/or ecological potential, as defined in Directive 2000/60/EC, of the waters concerned, with the exception of adverse effects where Article 4(7) of that Directive applies;

c) land damage, which is any land contamination that creates a significant risk of human health being adversely affected as a result of the direct or indirect introduction, in, on or under land, of substances, preparations, organisms or micro-organisms;

2) 'damage' means a measurable adverse change in a natural resource or measurable impairment of a natural resource service which may occur directly or indirectly;

3) 'protected species and natural habitats' means:

a) the species mentioned in Article 4(2) of Directive 79/409/EEC or listed in Annex I thereto or listed in Annexes II and IV to Directive 92/43/EEC;

b) the habitats of species mentioned in Article 4(2) of Directive 79/409/EEC or listed in Annex I thereto or listed in Annex II to Directive 92/43/EEC, and the natural habitats listed in Annex I to Directive 92/43/EEC *as well as* the breeding sites or resting places of the species listed in Annex IV to Directive 92/43/EEC; and

c) where a Member State so determines, any habitat or species, not listed in those *Annexes, which* the Member State designates for equivalent purposes as those laid down in these two Directives;

4) 'conservation status' means:

a) in respect of a natural habitat, the sum of the influences acting on a natural habitat and its typical species that may affect its long-term natural distribution, structure and functions as well as the long-term survival of its typical species within, as the case may be, the European territory of the Member States to which the Treaty applies or the territory of a Member State or the natural range of that habitat;

The conservation status of a natural habitat will be taken as 'favourable' when:

— its natural range and areas it covers within that range are stable or increasing,

— the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and

— the conservation status of its typical species is favourable, as defined in (b);

b) in respect of a species, the sum of the influences acting on the species concerned that may affect the long-term distribution and abundance of its populations within, as the case may be, the European territory of the Member States to which the Treaty applies or the territory of a Member State or the natural range of that species;

The conservation status of a species will be taken as 'favourable' when:

— population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats,

— the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and

— there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis;

5) 'waters' mean all waters covered by Directive 2000/60/EC;

6) 'operator' means any natural or legal, private or public person who operates or controls the occupational activity or, where this is provided for in national legislation, to whom decisive economic power over the technical functioning of such an activity has been delegated, including the holder of a permit or authorisation for such an activity or the person registering or notifying such an activity;

7) 'occupational activity' means any activity carried out in the course of an economic activity, a business or an undertaking, irrespectively of its private or public, profit or non-profit character;

8) 'emission' means the release in the environment, as a result of human activities, of substances, preparations, organisms or micro-organisms;

9) 'imminent threat of damage' means a sufficient likelihood that environmental damage will occur in the near future;

10) 'preventive measures' means any measures taken in response to an event, act or *failure to act* that has created an imminent threat of environmental damage, with a view to preventing or minimising that damage;

11) 'remedial measures' means any *action or* combination of actions, including mitigating or interim *measures, to* restore, rehabilitate or replace damaged natural resources and/or impaired services, or to provide an equivalent alternative to those resources or *services, as* foreseen in Annex II;

12) 'natural resource' means protected species and natural habitats, water and land;

13) 'services' and 'natural resources services' mean the functions performed by a natural resource for the benefit of another natural resource or the public;

14) 'baseline condition' means the condition at the time of the damage of the natural resources and services that would have existed had the environmental damage not occurred, estimated on the basis of the best information available;

15) 'recovery', including 'natural recovery', means, in the case of water, protected species and natural *habitats, the* return of damaged natural resources and/or impaired services to baseline condition *and, in* the case of land damage, the elimination of any significant risk of adversely affecting human health;

16) 'costs' means costs which are justified by the need to ensure the proper and effective implementation of this Directive including the costs of assessing environmental damage, an imminent threat of such damage, alternatives for action as well as the administrative, legal, and enforcement costs, the costs of data collection and other general costs, monitoring and supervision costs.

Article 3

Scope

1. This Directive shall apply to:

a) environmental damage caused by any of the occupational activities listed in Annex III, and to any imminent threat of such damage occurring by reason of any of those activities;

b) damage to protected species and natural habitats caused by any occupational activities other than those listed in Annex III, and to any imminent threat of such damage occurring by reason of any of those activities, whenever the operator has been at fault or negligent.

2. This Directive shall apply without prejudice to more stringent Community legislation regulating the operation of any of the activities falling within the scope of this Directive and without prejudice to Community legislation containing rules *governing* conflicts of jurisdiction.

3. Without prejudice to relevant national legislation, this Directive shall not give private parties a right of compensation as a consequence of environmental damage or of an imminent threat of such damage.

Article 4

Exceptions

1. This Directive shall not cover environmental damage or an imminent threat of such damage caused by:

a) an act of armed conflict, hostilities, civil war or insurrection;

b) a natural phenomenon of exceptional, inevitable and irresistible character.

2. This Directive shall not apply to environmental damage or to any imminent threat of such damage arising from an incident in respect of which liability or compensation falls within the scope of any of the International Conventions listed in Annex IV, including any future amendments thereof, which is in force in the Member State ***concerned.***

3. ***This*** Directive shall not apply to such nuclear risks or environmental damage or imminent threat of such damage as may be caused by the activities covered by the Treaty establishing the *European Atomic Energy* Community or caused by an incident or activity in respect of which liability or compensation falls within the scope of any of the international instruments listed in Annex V, including any future amendments thereof.

4. This Directive shall only apply to environmental damage or to an imminent threat of such damage caused by pollution of a diffuse character, where it is possible to establish a causal link between the damage and the activities of individual operators.

5. This Directive shall not apply to activities the main purpose of which is to serve national defence or international security nor to activities the sole purpose of which is to protect from natural disasters.

Article 5

Preventive action

1. Where environmental damage has not yet occurred but there is an imminent threat of such damage occurring, the operator shall, without delay, take the necessary preventive measures.

2. Member States shall provide that, where appropriate, and in any case whenever an imminent threat of environmental damage is not dispelled despite the preventive measures taken by the operator, operators are to inform the competent authority of all relevant aspects of the situation, as soon as possible.

3. The competent authority may, at any time:

a) require the operator to provide information on any imminent threat of environmental damage or in suspected cases of such an imminent threat;

b) require the operator to take the necessary preventive measures;

c) give instructions to the operator to be followed on the necessary preventive measures to be taken; or

d) itself take the necessary preventive measures.

4. The competent authority shall require that the preventive measures are taken by the operator. If the operator fails to comply with *any obligation incumbent upon it pursuant to* paragraph 1 or 3(b) or (c), cannot be identified or is not required to bear the costs under this Directive, the competent authority may take these measures itself.

Article 6

Remedial action

1. Where environmental damage has occurred the operator shall, without delay, inform the competent authority of all relevant aspects of the situation and take:

a) all practicable steps to immediately control, contain, remove or otherwise manage the relevant contaminants and/or any other damage factors in order to limit or to prevent further environmental damage and adverse effects on human health or further impairment of *services, and*

b) the necessary remedial measures, in accordance with Article 7.

2. The competent authority may, at any time:

a) require the operator to provide supplementary information on any damage that has occurred;

b) take, require the operator to take or give instructions to the operator concerning, all practicable steps to immediately control, contain, remove or otherwise manage the relevant contaminants and/or any other damage factors in order to limit or to prevent further environmental damage and adverse *effects* on human health, or further impairment of services;

c) require the operator to take the necessary remedial measures;

d) give instructions to the operator to be followed on the necessary remedial measures to be taken; or

e) itself take the necessary remedial measures***, as a last resort***.

3. The competent authority shall require that the remedial measures are taken by the operator. If the operator fails to comply with *any obligation incumbent upon it pursuant to* paragraph 1 or 2(b), (c) or (d), cannot be identified or is not required to bear the costs under this Directive, the competent authority may take these *measures* itself.

Article 7

Determination of remedial measures

1. Operators shall identify, in accordance with Annex II, potential remedial measures and submit them to the competent authority for its approval, unless the competent authority has taken action under Article 6(2)(e) and (3).

2. The competent authority shall decide which remedial measures shall be implemented in accordance with Annex II, and with the cooperation of the relevant operator, as required.

3. Where several instances of environmental damage have occurred in such a manner that the competent authority cannot ensure that the necessary remedial measures are taken at the same time, the competent authority shall be entitled to decide which instance of environmental damage must be remedied first.

In making that decision, the competent authority shall have regard, inter alia, to the nature, extent and gravity of the various instances of environmental damage concerned, and to the possibility of natural recovery. Risks to human health shall also be taken into account.

4. The competent authority shall invite the persons referred to in Article 12(1) and in any case the persons on whose land remedial measures would be carried out to submit their observations and shall take them into account.

Article 8

Prevention and remediation costs

1. The operator shall bear the costs for the preventive *or* remedial *action* taken pursuant to this Directive.

2. Subject to paragraphs 3 and 4, the competent authority shall recover, inter alia, via security over property or other appropriate guarantees from the operator who has caused the damage or the imminent threat of damage, the costs it has incurred in relation to the preventive or remedial *action* taken under this Directive.

However, the competent authority may decide not to recover the full costs where the expenditure required to do so would be greater than the recoverable sum or where the operator cannot be identified.

3. An operator shall not be required to bear the cost of preventive or remedial *action* taken pursuant to this Directive when he can prove that the environmental damage or imminent threat of such damage:

a) was caused by a third party and *occurred* despite the fact that appropriate safety measures were in place; or

b) resulted from compliance with a compulsory order or instruction emanating from a public authority other than an order or instruction consequent upon an emission or incident caused by the operator's own activities.

In such cases Member States shall take the appropriate measures to enable the operator to recover the costs incurred.

4. The Member States may allow the operator not to bear the cost of remedial *action* taken pursuant to this Directive where he demonstrates that he was not at fault or negligent and that the environmental damage was caused by:

a) an emission or event expressly authorised by, and fully in accordance with the conditions of, an authorisation conferred by or given under applicable national laws and regulations which implement those legislative measures adopted by the Community specified in Annex III, as applied at the date of the emission or event;

b) an emission or activity or any manner of using a product in the course of an activity which the operator demonstrates was not considered likely to cause environmental damage according to the state of scientific and technical knowledge at the time when the emission was released or the activity took place.

5. Measures taken by the competent authority in pursuance of Article 5(3) and (4) and Article 6(2) and (3) shall be without prejudice to the liability of the relevant operator under this Directive and without prejudice to Articles 87 and 88 of *the Treaty*.

Article 9

Cost allocation in cases of multiple party causation

This Directive is without prejudice to any provisions of national *law* concerning cost allocation in cases of multiple party *causation, in particular regarding* the apportionment of liability between the producer and the user of a product.

Article 10

Limitation period for recovery of costs

The competent authority shall be entitled to initiate cost recovery proceedings against the operator, or if appropriate, a third party who has caused the damage or the imminent threat of damage in relation to any measures taken in pursuance of this Directive within five years from the date on which those measures have been completed or the liable operator, or third party, has been identified, whichever is the later.

Article 11

Competent authority

1. Member States shall designate the competent authority(ies) responsible for fulfilling the duties provided for in this Directive.

2. The duty to establish which operator has caused the damage or the imminent threat of damage, to assess the significance of the damage and to determine which remedial measures should be taken with reference to Annex II shall rest with the competent authority. To that effect, the competent authority shall be entitled to require the relevant operator to carry out his own assessment and to supply any information and data necessary.

3. Member States shall ensure that the competent authority may empower or require third parties to carry out the necessary preventive or remedial measures.

4. Any decision taken pursuant to this Directive which imposes preventive or remedial measures shall state the exact grounds on which it is based. Such decision shall be notified forthwith to the operator concerned, who shall at the same time be informed of the legal remedies available to him under the laws in force in the Member State concerned and of the time-limits to which such remedies are subject.

Article 12

Request for action

1. Natural or legal persons:

a) affected or likely to be affected by environmental damage or

b) having a sufficient interest in environmental *decision-making* relating to the damage or, alternatively,

c) alleging the impairment of a right, where administrative procedural law of a Member State requires this as a precondition,

shall be entitled to submit to the competent authority any observations relating to instances of environmental damage or an imminent threat of such damage of which they are aware and shall be entitled to request the competent authority to take action under this Directive.

What constitutes a 'sufficient interest' and 'impairment of a right' shall be determined by the Member States.

To this end, the interest of any non-governmental organisation promoting environmental protection and meeting any requirements under national law shall be deemed sufficient for the purpose of subparagraph (b). Such organisations shall also be deemed to have rights capable of being impaired for the purpose of subparagraph (c).

2. The request for action shall be accompanied by the relevant information and data supporting the observations submitted in relation to the environmental damage in question.

3. Where the request for action and the accompanying observations show in a plausible manner that environmental damage exists, the competent authority shall consider any such observations and requests for action. In such circumstances the competent authority shall give the relevant operator an opportunity to make his views known with respect to the request for action and the accompanying observations.

4. The competent authority shall, as soon as possible and in any case in accordance with the relevant provisions of national law, inform the persons referred to in paragraph 1, which submitted observations to the authority, of its decision to accede to or refuse the request for action and shall provide the reasons for it.

5. Member States may decide not to apply paragraphs 1 and 4 to cases of imminent threat of damage.

Article 13

Review procedures

1. The persons referred to in Article 12(1) shall have access to a court or other independent and impartial public body competent to review the procedural and substantive legality of the decisions, acts or failure to act of the competent authority under this Directive.

2. This Directive shall be without prejudice to any provisions of national law which regulate access to justice and those which require that administrative review procedures be exhausted prior to recourse to judicial proceedings.

Article 14

Financial security

1. Member States shall take measures to encourage the development of financial security instruments and markets by the appropriate economic and financial operators, including financial mechanisms in case of insolvency, with the aim of enabling operators to use financial guarantees to cover their *liabilities* under this Directive.

2. ***Five years after the entry into force of this Directive, the Commission shall report to the European Parliament and the Council on the measures adopted by the Member States pursuant to paragraph 1.***

If no appropriate instruments or markets for insurance or other forms of financial security have been established, the Commission shall, in the light of that report, submit proposals for a harmonised compulsory financial guarantee for water and land damage based on a gradual approach. After a two-year assessment period, these provisions shall also apply to the remediation of damage caused to protected species and natural habitats.

3. A ceiling may be established for the financial guarantee by case and by location, to be determined in accordance with a sliding scale drawn up by the Member States, taking into account in particular the risks of the activities carried out and the annual turnover.

4. Member States may decide not to apply these provisions to low risk activities and may consider establishing thresholds in relation to any insurance requirements under these provisions.

Article 15

Cooperation between Member States

1. Where environmental damage affects or is likely to affect several Member States, those Member States shall cooperate, including through the appropriate exchange of information, with a view to ensuring that preventive action and, where necessary, remedial action is taken in respect of any such environmental damage.

2. Where environmental damage has occurred, the Member State in whose territory the damage originates shall provide sufficient information to the potentially affected Member States.

3. Where a Member State identifies damage within its borders which has not been caused within them it may report the issue to the Commission and any other Member State concerned; it may make recommendations for the adoption of preventive or remedial measures and it may seek, in accordance with this Directive, to recover the costs it has incurred in relation to the adoption of *such* measures.

Article 16

Relationship with national law

1. This Directive shall not prevent Member States from maintaining or adopting more stringent provisions in relation to the prevention and remedying of environmental damage, including the identification of additional activities to be subject to the prevention and remediation requirements of this Directive and the identification of additional responsible parties.

2. This Directive shall not prevent Member States from adopting appropriate measures, such as the prohibition of double recovery of costs, in relation to situations where double recovery could occur as a result of concurrent action by a competent authority under this Directive and by a person whose property is affected by environmental damage.

Article 17

Temporal application

This Directive shall not apply to:

— damage caused by an emission, event or incident that took place before the date referred to in Article 19(1),

— damage caused by an emission, event or incident which takes place subsequent to the date referred to in Article 19(1) when it derives from a specific activity that took place and finished before the said date,

— damage, if more than 30 years have passed since the *occurrence of the* emission, event or *incident resulting* in the *damage*.

Article 18

Reports and review

1. Member States shall report to the Commission on the experience gained in the application of this Directive by … (*) at the latest. The reports shall include the information and data set out in Annex VI.

2. On that basis, the Commission shall submit a report to the European Parliament and to the Council before … (**), which shall include any appropriate proposals for amendment.

3. The *report referred* to in paragraph *2 shall* include a review of:

a) the application of *Article 4(2) and (3)* in relation to the exclusion of pollution covered by the international instruments listed in Annexes IV and V from the scope of this Directive, particularly in the light of experience gained within relevant international *Conventions and* fora, such as the IMO and *Euratom, and* the extent to which these instruments have entered into force and/or have been implemented by Member States and/or have been ***modified, taking*** account of all relevant instances of environmental damage resulting from such activities and the remedial action taken, ***and considering the relationship between shipowners' liability and oil receivers' contributions***;

(*) Nine years after the entry into force of this Directive.
(**) Ten years after the entry into force of this Directive.

b) the application of this Directive to environmental damage caused by genetically modified organisms (GMOs), particularly in the light of experience gained within relevant international fora and Conventions, such as the Convention on Biological Diversity and the Cartagena Protocol on Biosafety, as well as the results of any incidents of environmental damage caused by GMOs;

c) the application of this Directive in relation to protected species and natural habitats;

d) the instruments that may be eligible for incorporation into Annexes III, IV and V.

Article 19

Implementation

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by … (**) at the latest. They shall forthwith inform the Commission thereof.

When Member States adopt those measures, they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication.The methods of making such reference shall be laid down by Member States.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive together with a table showing how the provisions of this Directive correspond to the national provisions adopted.

Article 20

Entry into force

This Directive shall enter into force on the day of its publication in the Official Journal of the European Union.

Article 21

Addressees

This Directive is addressed to the Member States.

Done at …,

For the European Parliament
The President

For the Council
The President

(*) Three years after the entry into force of this Directive.

ANNEX I

CRITERIA REFERRED TO IN ARTICLE 2(1)(a)

The significance of any damage that has adverse effects on reaching or maintaining the favourable conservation status of habitats or species has to be assessed by reference to the conservation status at the time of the damage, the services provided by the amenities they produce and their capacity for natural regeneration. Significant adverse changes to the baseline condition should be determined by means of measurable data such as:

— the number of individuals, their density or the area covered,

— the role of the particular individuals or of the damaged area in relation to the species or to the habitat conservation, the rarity of the species or habitat (assessed at local, regional and higher level including at Community level),

— the species' capacity for propagation (according to the dynamics specific to that species or to that population), its viability or the habitat's capacity for natural regeneration (according to the dynamics specific to its characteristic species or to their populations),

— the species' or habitat's capacity, after damage has occurred, to recover within a short time, without any intervention other than increased protection measures, to a condition which leads, solely by virtue of the dynamics of the species or habitat, to a condition deemed equivalent or superior to the baseline condition.

Damage with a proven effect on human health must be classified as significant damage.

The following does not have to be classified as significant damage:

— negative variations that are smaller than natural fluctuations regarded as normal for the species or habitat in question,

— negative variations due to natural causes or resulting from intervention relating to the normal management of sites, as defined in habitat records or target documents or as carried on previously by owners or operators,

— damage to species or habitats for which it is established that they will recover, within a short time and without intervention, either to the baseline condition or to a condition which leads, solely by virtue of the dynamics of the species or habitat, to a condition deemed equivalent or superior to the baseline condition.

ANNEX II

REMEDYING OF ENVIRONMENTAL DAMAGE

This Annex sets out a common framework to be followed in order to choose the most appropriate measures to ensure the remedying of environmental damage.

1. REMEDIATION OF DAMAGE TO WATER *OR* PROTECTED SPECIES AND NATURAL HABITATS

Remedying of environmental damage, in relation to water *or* protected species and natural habitats, is achieved through the restoration of the environment to its baseline condition by way of primary, complementary and compensatory remediation, where:

(a) 'Primary' remediation is any remedial measure which returns the damaged natural resources and/or impaired services to, or towards, baseline condition;

(b) 'Complementary' remediation is any remedial measure taken in relation to natural resources and/or services to compensate for the fact that primary remediation does not result in fully restoring the damaged natural resources and/or services;

(c) 'Compensatory' remediation is any action taken to compensate for interim losses of natural resources and/or services that occur from the date of damage occurring until primary remediation has achieved its full effect;

(d) 'interim losses' means losses which result from the fact that the damaged natural resources and/or services are not able to perform their ecological functions or provide services to other natural resources or to the public until the primary or complementary measures have taken effect. It does not consist of financial compensation to members of the public.

Where primary remediation does not result in the restoration of the environment to its baseline condition, then complementary remediation will be undertaken. In addition, compensatory remediation will be undertaken to compensate for the interim losses.

Remedying of environmental damage, in terms of damage to water *or* protected species and natural habitats, also implies that any significant risk of human health being adversely affected be removed.

1.1. Remediation objectives

Purpose of primary remediation

1.1.1. The purpose of primary remediation is to restore the damaged natural resources and/or services to, or towards, baseline condition.

Purpose of complementary remediation

1.1.2. Where the damaged natural resources and/or services do not return to their baseline condition, then complementary remediation will be undertaken. The purpose of complementary remediation is to provide a similar level of natural resources and/or services, including, as appropriate, at an alternative site, as would have been provided if the damaged site had been returned to its baseline condition. Where possible and appropriate the alternative site should be geographically linked to the damaged site, taking into account the interests of the affected population.

Purpose of compensatory remediation

1.1.3. Compensatory remediation shall be undertaken to compensate for the interim loss of natural resources and services pending recovery. This compensation consists of additional improvements to protected natural habitats and species or water at either the damaged site or at an alternative site. It does not consist of financial compensation to members of the public.

1.2. Identification of remedial measures

Identification of primary remedial measures

1.2.1. Options comprised of actions to directly restore the natural resources and services towards baseline condition on an accelerated time frame, or through natural recovery, shall be considered.

Identification of complementary and compensatory remedial measures

1.2.2. When determining the scale of complementary and compensatory remedial measures, the use of resource-to-resource or service-to-service equivalence approaches shall be considered first. Under these approaches, actions that provide natural resources and/or services of the same type, quality and quantity as those damaged shall be considered first. Where this is not possible, then alternative natural resources and/or services shall be provided. For example, a reduction in quality could be offset by an increase in the quantity of remedial measures.

1.2.3. If it is not possible to use the first choice resource-to-resource or service-to-service equivalence approaches, then alternative valuation techniques shall be used. The competent authority may prescribe the method, for example monetary valuation, to determine the extent of the necessary complementary and compensatory remedial measures. If valuation of the lost resources and/or services is practicable, but valuation of the replacement natural resources and/or services cannot be performed within a reasonable time-frame or at a reasonable cost, then the competent authority may choose remedial measures whose cost is equivalent to the estimated monetary value of the lost natural resources and/or services.

The complementary and compensatory remedial measures should be so designed that they provide for additional natural resources and/or services to reflect time preferences and the time profile of the remedial measures. For example, the longer the period of time before the baseline condition is reached, the greater the amount of compensatory remedial measures that will be undertaken (other things being equal).

1.3. Choice of the remedial options

1.3.1. The reasonable remedial options should be evaluated, using best available technologies, based on the following criteria:

— The effect of each option on public health and safety,

— The cost of implementing the option,

— The likelihood of success of each option,

— The extent to which each option will prevent future damage, and avoid collateral damage as a result of implementing the option,

— The extent to which each option *benefits each* component of the natural resource and/or service,

— The extent to which each option takes account of relevant social, economic and cultural concerns and other relevant factors specific to the locality,

— The length of time it will take for the restoration of the environmental damage to be effective,

— The extent to which each option achieves the restoration of site of the environmental damage,

— The geographical linkage to the damaged site.

1.3.2. When evaluating the different identified remedial options, primary remedial measures that do not fully restore the damaged water *or* protected species or natural habitat to baseline *condition* or that restore it more slowly can be chosen. This decision can be taken only if the natural resources and/or services foregone at the primary site as a result of the decision are compensated for by increasing complementary or compensatory actions to provide a similar level of natural resources and/or services as were foregone. This will be the case, for example, when the equivalent natural resources and/or services could be provided elsewhere at a lower cost. These additional remedial measures shall be determined in accordance with the rules set out in section 1.2.2.

1.3.3. Notwithstanding the rules set out in section 1.3.2. and in accordance with Article 7(3), the competent authority is entitled to decide that no further remedial measures should be taken if:

a) the remedial measures already taken *ensure* that there is no longer any significant risk of adversely affecting human health, water or protected species and natural habitats, and

b) the cost of the remedial measures that should be taken to reach baseline condition or similar level would be disproportionate to the environmental benefits to be obtained.

2. REMEDIATION OF LAND DAMAGE

The necessary measures shall be taken to ensure, as a minimum, that the relevant contaminants are removed, controlled, contained or diminished so that the contaminated land, taking account of its current use or approved future use at the time of the damage, no longer poses any significant risk of adversely affecting human health. The presence of such risks shall be assessed through risk-assessment procedures taking into account the *characteristics* and function of the soil, the type and concentration of the harmful substances, preparations, organisms or micro-organisms, their risk and the possibility of their dispersion. Use shall be ascertained on the basis of the land use regulations, or other relevant regulations, in force, if any, when the damage occurred.

If the use of the land is changed, all necessary measures shall be taken to prevent any adverse effects on human health.

If land use regulations, or other relevant regulations, are lacking, the nature of the relevant area where the damage occurred, taking into account its expected development, shall determine the use of the specific area.

A natural recovery option, that is to say an option in which no direct human intervention in the recovery process would be *undertaken*, shall be considered.

ANNEX III

ACTIVITIES REFERRED TO IN ARTICLE 3(1)

1. The operation of installations subject to permit in pursuance of Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control [1]. That means all activities listed in *Annex I* of Directive 96/61/*EC* with the exception of installations or parts of installations used for research, development and testing of new products and processes.

2. Waste management operations, including the collection, transport, recovery and disposal of waste and hazardous waste, including the supervision of such operations and after-care of disposal sites, subject to permit or registration in pursuance of Council *Directive* 75/442/EEC of 15 July 1975 on waste [2] and Council Directive 91/689/EEC of 12 December 1991 on hazardous waste [3].

Those operations include, inter alia, the operation of landfill sites under Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste [4] and the operation of incineration plants under Directive 2000/76/EC of the European Parliament and of the Council of 4 December 2000 on the incineration of waste [5].

For the purpose of this Directive, Member States may decide that those operations shall not include the spreading of sewage sludge from urban waste water treatment plants, treated to an approved standard, for agricultural purposes.

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[1] OJ L 257, 10.10.1996, p. 26. Directive as last amended by *Regulation (EC) No 1882/2003*.
[2] OJ L 194, 25.7.1975, p. 39. Directive as last amended by *Regulation (EC) No 1882/2003*.
[3] OJ L 377, 31.12.1991, p. 20. Directive as amended by Directive 94/31/*EC* (OJ L 168, 2.7.1994, p. 28).
[4] OJ L 182, 16.7.1999, p. 1. *Directive as amended by Regulation (EC) No 1882/2003*.
[5] OJ L 332, 28.12.2000, p. 91.

3. All discharges into the inland surface water, which require prior authorisation in pursuance of Council Directive 76/464/EEC of 4 May 1976 on pollution caused by certain dangerous substances, discharged into the aquatic environment of the Community ([1]).

4. All discharges of substances into groundwater which require prior authorisation in pursuance of Council Directive 80/68/EEC of 17 December 1979 on the protection of groundwater against pollution caused by certain dangerous substances ([2]).

5. The discharge or injection of pollutants into surface water or groundwater which require a permit, authorisation or registration in pursuance of Directive 2000/60/EC.

6. Water abstraction and impoundment of water subject to prior authorisation in pursuance of Directive 2000/60/EC.

7. Manufacture, use, storage, processing, filling, release into the environment and onsite transport of

   a) dangerous substances as defined in Article 2(2) of Council Directive 67/548/EEC of 27 June 1967 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous substances ([3]);

   b) dangerous preparations as defined in Article 2(2) of Directive 1999/45/EC of the European Parliament and of the Council of 31 May 1999 concerning the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations ([4]);

   c) plant protection products as defined in *Article 2*(1) of Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ([5]);

   d) biocidal products as defined in Article 2(1)(a) of Directive 98/8/EC of the European Parliament and of the Council of 16 February 1998 concerning the placing of biocidal products on the market ([6]).

8. Transport by road, rail, inland *waterway*, sea or air of dangerous goods or polluting goods as defined either in Annex A to Council Directive 94/55/EC of 21 November 1994 on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road ([7]) or in the Annex to Council Directive 96/49/EC of 23 July 1996 on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail ([8]) or as defined in Council Directive 93/75/EEC of 13 September 1993 concerning minimum requirements for vessels bound for or leaving Community ports and carrying dangerous or polluting goods ([9]).

9. The operation of installations subject to authorisation in pursuance of Council Directive 84/360/EEC of 28 June 1984 on the combating of air pollution from industrial plants ([10]) in relation to the release into *the* air of any of the polluting substances covered by the aforementioned Directive.

([1]) OJ L 129, 18.5.1976, p. 23. Directive as last amended by Directive *2000/60/EC*.
([2]) OJ L 20, 26.1.1980, p. 43. Directive as amended by Directive 91/692/EEC (OJ L 377, 31.12.1991, p. 48).
([3]) OJ 196, 16.8.1967, p. 1. Directive as last amended by Regulation (EC) No *807/2003*.
([4]) OJ L 200, 30.7.1999, p. 1. Directive as *last* amended by *Regulation (EC) No 1882/2003*.
([5]) OJ L 230, 19.8.1991, p. 1. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).
([6]) OJ L 123, 24.4.1998, p. 1. *Directive as amended by Regulation (EC) No 1882/2003*.
([7]) OJ L 319, 12.12.1994, p. 7. Directive as last amended by Commission Directive 2003/28/EC (OJ L 90, 8.4.2003, p. 45).
([8]) OJ L 235, 17.9.1996, p. 25. Directive as last amended by Commission Directive *2003/29/EC* (OJ L 90, 8.4.2003, p. 47).
([9]) OJ L 247, 5.10.1993, p. 19. 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).
([10]) OJ L 188, 16.7.1984, p. 20. Directive as amended by Directive 91/692/EEC (OJ L 377, 31.12.1991, p. 48).

10. Any contained use, including transport, involving genetically modified micro-organisms as defined by Council Directive 90/219/EEC of 23 April 1990 on the contained use of genetically modified micro-organisms ([1]).

11. Any deliberate release into the environment, transport and placing on the market of genetically modified organisms as defined by Directive 2001/18/EC of the European Parliament and of the Council ([2]).

12. Transboundary shipment of waste within, into or out of the European Union, requiring an authorisation or prohibited in *pursuance* of Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community ([3]).

([1]) OJ L 117, 8.5.1990, p. 1. Directive as *last* amended by *Regulation (EC) No 1882/2003*.
([2]) OJ L 106, 17.4.2001, p. 1. Directive as *last* amended by *Regulation (EC) No 1830/2003 (OJ L 268, 18.10.2003, p. 24)*.
([3]) 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).

ANNEX IV

INTERNATIONAL CONVENTIONS REFERRED TO IN ARTICLE 4(2)

a) the International Convention of 27 November 1992 on Civil Liability for Oil Pollution Damage;

b) the International Convention of 27 November 1992 on the Establishment of an International Fund for Compensation for Oil Pollution Damage;

c) the International Convention of 23 March 2001 on Civil Liability for Bunker Oil Pollution Damage;

d) the International Convention of 3 May 1996 on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea;

e) the Convention of 10 October 1989 on Civil Liability for Damage Caused during Carriage of Dangerous Goods by Road, Rail and Inland Navigation Vessels.

ANNEX V

INTERNATIONAL INSTRUMENTS REFERRED TO IN ARTICLE 4*(3)*

a) the Paris Convention of 29 July 1960 on Third Party Liability in the Field of Nuclear Energy and the Brussels Supplementary Convention of 31 January 1963;

b) the Vienna Convention of 21 May 1963 on Civil Liability for Nuclear Damage;

c) the Convention of 12 September 1997 on Supplementary Compensation for Nuclear Damage;

d) the Joint Protocol of 21 September 1988 relating to the Application of the Vienna Convention and the Paris Convention;

e) the Brussels Convention of 17 December 1971 relating to Civil Liability in the Field of Maritime Carriage of Nuclear Material.

ANNEX VI

INFORMATION AND DATA REFERRED TO IN ARTICLE 18(1)

The reports referred to in Article 18(1) shall include a list of instances of environmental damage and instances of liability under this Directive, with the following information and data for each instance:

1) Type of environmental damage, date of occurrence and/or discovery of the damage and date on which proceedings were initiated under this Directive.

2) Activity classification code of the liable legal person(s) (*).

3) Whether there has been resort to judicial review proceedings either by liable parties or qualified entities. (The type of claimants and the outcome of proceedings shall be specified.)

4) Outcome of the remediation process.

5) Date of closure of proceedings.

Member States may include in their reports any other information and data they deem useful to allow a proper assessment of the functioning of this Directive, for example:

1) Costs incurred with *remedial* and *preventive* measures, as defined in this Directive:

— paid for directly by liable parties, when this information is available;

— recovered ex post facto from liable parties;

— unrecovered from liable parties. (Reasons for non-recovery should be specified.)

2) Results of the actions to *promote, and* the implementation *of, the* financial security instruments used in accordance with this Directive.

3) An assessment of the additional administrative costs incurred annually by the public administration in setting up and operating the administrative structures needed to implement and enforce this Directive.

(*) The NACE code can be used (Council Regulation (EEC) No 3037/90 *of 9 October 1990* on the statistical classification of economic activities in the European Community (OJ L 293, 24.10.1990, p. 1)).

Wednesday 17 December 2003

P5_TA(2003)0576

European Medicines Agency ***II

European Parliament legislative resolution on the common position adopted by the Council with a view to adopting a European Parliament and Council regulation laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency (10949/2/2003 — C5-0463/2003 — 2001/0252(COD))

(Codecision procedure: second reading)

The European Parliament,

— having regard to the Council common position (10949/2/2003 — C5-0463/2003) ([1]),

— having regard to its position at first reading ([2]) on the Commission proposal to Parliament and the Council (COM(2001) 404) ([3]),

— having regard to the amended proposal (COM(2002) 735) ([4]),

— having regard to Article 251(2) of the EC Treaty,

— having regard to Rule 80 of its Rules of Procedure,

— having regard to the recommendation for second reading of the Committee on the Environment, Public Health and Consumer Policy (A5-0425/2003),

1. Amends the common position as follows;

2. Instructs its President to forward its position to the Council and Commission.

([1]) OJ C 297 E, 9.12.2003, p. 1.
([2]) *Texts Adopted*, 23.10.2002, P5_TA(2002)0504.
([3]) OJ C 75 E, 26.3.2002, p. 189.
([4]) Not yet published in OJ.

P5_TC2-COD(2001)0252

Position of the European Parliament adopted at second reading on 17 December 2003 with a view to the adoption of Regulation (EC) No …/2004 of the European Parliament and of the Council laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines 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 and Article 152(4)(b) thereof,

Having regard to the proposal from the Commission ([1]),

Having regard to the Opinion of the European Economic and Social Committee ([2]),

([1]) OJ C 75 E, 26.3.2002, p. 189 and OJ: (not yet published in the Official Journal).
([2]) OJ C 61, 14.3.2003, p. 1.

After consulting the Committee of the Regions,

In accordance with the procedure laid down in Article 251 of the Treaty [1],

Whereas:

(1) Article 71 of Council Regulation (EEC) No 2309/93 of 22 July 1993 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Agency for the Evaluation of Medicinal Products [2] provides that, within six years of the entry into force of the Regulation, the Commission is to publish a general report on the experience acquired as a result of the operation of the procedures laid down in the Regulation.

(2) In the light of the Commission's report on the experience gained, it has proved necessary to improve the operation of the authorisation procedures for the placing of medicinal products on the market in the Community and to amend certain administrative aspects of the European Agency for the Evaluation of Medicinal Products. In addition, the name of that Agency should be simplified and changed to the European Medicines Agency, (hereinafter referred to as the 'Agency').

(3) It emerges from the conclusions of that report that the amendments to be made to the centralised procedure set up by Regulation (EEC) No 2309/93 consist of corrections to some of the operating procedures and adaptations to take account of the probable development of science and technology and the future enlargement of the European Union. It also emerges from the report that the general principles previously established which govern the centralised procedure should be maintained.

(4) Moreover, since the European Parliament and the Council have adopted Directive 2001/83/EC of 6 November 2001 on the Community code relating to medicinal products for human use [3] and Directive 2001/82/EC of 6 November 2001 on the Community code relating to veterinary medicinal products [4], all the references to the codified Directives in Regulation (EEC) No 2309/93 should be updated.

(5) For the sake of clarity, it is necessary to replace the said Regulation with a new Regulation.

(6) It is appropriate to preserve the Community mechanism set up by the repealed Community legislation for concertation prior to any national decision relating to a high-technology medicinal product.

(7) Experience gained since the adoption of Council Directive 87/22/EEC of 22 December 1986 on the approximation of national measures relating to the placing on the market of high-technology medicinal products, particularly those derived from biotechnology [5] has shown that it is necessary to create a centralised authorisation procedure that is compulsory for high-technology medicinal products, particularly those resulting from biotechnical processes, in order to maintain the high level of scientific evaluation of these medicinal products in the European Union and thus to preserve the confidence of patients and the medical professions in the evaluation. This is particularly important in the context of the emergence of new therapies, such as gene therapy and associated cell therapies, and xenogenic somatic therapy. This approach should be maintained, particularly with a view to ensuring the effective operation of the internal market in the pharmaceutical sector.

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[1] Position of the European Parliament of 23 October 2002 (OJ C 300 E, 11.12.2003, p. 308), Council Common Position of 29 September 2003 (OJ C 297 E, 9.12.2003, p. 1), Position of the European Parliament of 17 December 2003.

[2] OJ L 214, 24.8.1993, p. 1. Regulation as last amended by Regulation (EC) No 1647/2003 (OJ L 245, 29.9.2003, p. 19).

[3] OJ L 311, 28.11.2001, p. 67. Directive as last amended by Council Directive 2004/…/EC (see p. … of this Official Journal).

[4] OJ L 311, 28.11.2001, p. 1. Directive as amended by Council Directive 2004/…/EC (see p. … of this Official Journal).

[5] OJ L 15, 17.1.1987, p. 38. Directive repealed by Directive 93/41/EEC (OJ L 214, 24.8.1993, p. 40).

(8) With a view to harmonising the internal market for new medicinal products, this procedure should also be made compulsory for orphan medicinal products and any medicinal product for human use containing an entirely new active substance, i.e. one that has not yet been authorised in the Community, and for which the therapeutic indication is the treatment of acquired immune deficiency syndrome, cancer, neurodegenerative disorder or diabetes. Four years after the date of entry into force of this Regulation, the procedure should also become compulsory for medicinal products for human use containing a new active substance, and for which the therapeutic indication is for the treatment of auto-immune diseases and other immune dysfunctions and viral diseases. It should be possible to review the provisions in point 3 of the Annex via a simplified decision-making procedure not earlier than four years after the entry into force of this Regulation.

(9) As regards medicinal products for human use, optional access to the centralised procedure should also be provided for in cases where use of a single procedure produces added value for the patient. This procedure should remain optional for medicinal products which, although not belonging to the abovementioned categories, are nevertheless therapeutically innovative. It is also appropriate to allow access to this procedure for medicinal products which, although not innovative, may be of benefit to society or to patients if they are authorised from the outset at Community level, such as certain medicinal products which can be supplied without a medical prescription. This option may be extended to generic medicinal products authorised by the Community, provided that this in no way undermines either the harmonisation achieved when the reference medicinal product was evaluated or the results of that evaluation.

(10) In the field of veterinary medicinal products, administrative measures should be laid down in order to take account of the specific features of this field, particularly those due to the regional distribution of certain diseases. It should be possible to use the centralised procedure for the authorisation of veterinary medicinal products used within the framework of Community provisions regarding prophylactic measures for epizootic diseases. Optional access to the centralised procedure should be maintained for veterinary medicinal products containing a new active substance.

(11) For medicinal products for human use, the period for protection of data relating to pre-clinical tests and clinical trials should be the same as that provided for in Directive 2001/83/EC. For medicinal products for veterinary use, the period for protection of data relating to pre-clinical tests and clinical trials as well as safety and residue tests should be the same as that provided for in Directive 2001/82/EC.

(12) In order to reduce the cost for small and medium—sized enterprises of marketing medicinal products authorised via the centralised procedure, provisions should be adopted to allow for a reduction of fees, deferring the payment of fees, taking over responsibility for translations and offering administrative assistance in respect of these enterprises.

(13) In the interest of public health, authorisation decisions under the centralised procedure should be taken on the basis of the objective scientific criteria of quality, safety and efficacy of the medicinal product concerned, to the exclusion of economic and other considerations. However, Member States should be able exceptionally to prohibit the use in their territory of medicinal products for human use which infringe objectively defined concepts of public policy and public morality. Moreover, a veterinary medicinal product is not to be authorised by the Community if its use would contravene the rules laid down within the framework of the Common Agricultural Policy or if presented for a use prohibited under other Community provisions, inter alia Directive 96/22/EC [1].

[1] Council Directive 96/22/EC of 29 April 1996 concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of β-agonists (OJ L 125, 23.5.1996, p. 3).

(14) Provision should be made for the quality, safety and efficacy criteria in Directives 2001/83/EC and 2001/82/EC to apply to medicinal products authorised by the Community and it should be possible to assess the risk-benefit balance of all medicinal products when they are placed on the market, at the time of the renewal of the authorisation and at any other time the competent authority deems appropriate.

(15) The Community is required, pursuant to Article 178 of the Treaty, to take account of the development policy aspects of any measure and to promote the creation of conditions fit for human beings worldwide. Pharmaceutical law should continue to ensure that only efficacious, safe and top-quality medicinal products are exported, and the Commission should consider creating further incentives to carry out research into medicinal products against widespread tropical diseases.

(16) There is also a need to provide for the ethical requirements of Directive 2001/20/EC of 4 April 2001 of the European Parliament and of the Council on the approximation of the laws, regulations and administrative provisions of the Member States relating to the implementation of good clinical practice in the conduct of clinical trials on medicinal products for human use [1] to apply to medicinal products authorised by the Community. In particular, with respect to clinical trials conducted outside the Community on medicinal products destined to be authorised within the Community, at the time of the evaluation of the application for authorisation, it should be verified that these trials were conducted in accordance with the principles of good clinical practice and the ethical requirements equivalent to the provisions of the said Directive.

(17) The Community should have the means to carry out a scientific assessment of the medicinal products presented in accordance with the decentralised Community authorisation procedures. Moreover, with a view to ensuring the effective harmonisation of administrative decisions taken by Member States with regard to medicinal products presented in accordance with decentralised authorisation procedures, it is necessary to endow the Community with the means to resolve disagreements between Member States concerning the quality, safety and efficacy of medicinal products.

(18) The structure and operation of the various bodies making up the Agency should be designed in such a way as to take into account the need constantly to renew scientific expertise, the need for cooperation between Community and national bodies, the need for adequate involvement of civil society, and the future enlargement of the European Union. The various bodies of the Agency should establish and develop appropriate contacts with the parties concerned, in particular representatives of patients and health-care professionals.

(19) The chief task of the Agency should be to provide Community institutions and Member States with the best possible scientific opinions so as to enable them to exercise the powers regarding the authorisation and supervision of medicinal products conferred on them by Community legislation in the field of medicinal products. Only after a single scientific evaluation procedure addressing the quality, safety and efficacy of high-technology medicinal products has been conducted by the Agency, applying the highest possible standards, should marketing authorisation be granted by the Community, and this should be done by means of a rapid procedure ensuring close cooperation between the Commission and Member States.

(20) In order to ensure close cooperation between the Agency and scientists operating in Member States, the composition of the Management Board should be such as to guarantee that the competent authorities of the Member States are closely involved in the overall management of the Community system for authorising medicinal products.

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[1] OJ L 121, 1.5.2001, p. 34.

(21) The Agency's budget should be composed of fees paid by the private sector and contributions paid out of the Community budget to implement Community policies.

(22) Paragraph 25 of the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission on budgetary discipline and improvement of budgetary procedure [1] provides for the Financial Perspective to be adjusted in order to cover the new needs resulting from enlargement.

(23) Exclusive responsibility for preparing the Agency's opinions on all questions concerning medicinal products for human use should be vested in a Committee for Medicinal Products for Human Use. As far as veterinary medicinal products are concerned, such responsibility should be vested in a Committee for Medicinal Products for Veterinary Use. As regards orphan medicinal products, the task should fall to the Committee on Orphan Medicinal Products set up under Regulation (EC) No 141/2000 of the European Parliament and of the Council of 16 December 1999 on orphan medicinal products [2]. Lastly, as regards herbal medicinal products, this responsibility should be vested in the Committee on Herbal Medicinal Products set up under Directive 2001/83/EC.

(24) The creation of the Agency will make it possible to reinforce the scientific role and independence of the committees, particularly through the setting-up of a permanent technical and administrative secretariat.

(25) The field of activity of the Scientific Committees should be enlarged and their operating methods and composition modernised. Scientific advice for future applicants seeking marketing authorisation should be provided more generally and in greater depth. Similarly, structures allowing the development of advice for companies, in particular small and medium-sized enterprises, should be put in place. The committees should be able to delegate some of their evaluation duties to standing working parties open to experts from the scientific world appointed for this purpose, whilst retaining total responsibility for the scientific opinions issued. The re-examination procedures should be amended to provide a better guarantee for applicants' rights.

(26) The number of members of the Scientific Committees participating in the centralised procedure should be established with a view to ensuring that the committees remain of an efficient size after the enlargement of the European Union.

(27) It is also necessary to reinforce the role of the Scientific Committees in such a way as to enable the Agency to participate actively in international scientific dialogue and to develop certain activities that will be necessary, in particular regarding international scientific harmonisation and technical cooperation with the World Health Organisation.

(28) Furthermore, in order to create greater legal certainty it is necessary to define the responsibilities regarding the transparency rules for the Agency's work, to set certain conditions for the marketing of medicinal products authorised by the Community, to confer on the Agency powers to monitor the distribution of medicinal products authorised by the Community and to specify the sanctions and the procedures for implementing them in the event of failure to observe the provisions of this Regulation and the conditions contained in the authorisations granted under the procedures it establishes.

(29) It is also necessary to take measures for the supervision of medicinal products authorised by the Community, and in particular for the intensive supervision of undesirable effects of these medicinal products within the framework of Community pharmacovigilance activities, so as to ensure the rapid withdrawal from the market of any medicinal product presenting a negative risk-benefit balance under normal conditions of use.

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[1] OJ C 172, 18.6.1999, p. 1.
[2] OJ L 18, 22.1.2000, p. 1.

(30) In order to enhance the efficiency of market surveillance, the Agency should be responsible for coordinating Member States' pharmacovigilance activities. A number of provisions need to be introduced to put in place stringent and efficient pharmacovigilance procedures, to allow the competent authority to take provisional emergency measures, including the introduction of amendments to the marketing authorisation and, finally, to permit a reassessment to be made at any time of the risk-benefit balance of a medicinal product.

(31) It is also appropriate to entrust the Commission, in close cooperation with the Agency and after consultations with the Member States, with the task of coordinating the execution of the various supervisory responsibilities vested in the Member States, and in particular with the tasks of providing information on medicinal products and of checking the observance of good manufacturing, laboratory and clinical practices.

(32) It is necessary to provide for the coordinated implementation of Community procedures for the authorisation of medicinal products, and of the national procedures of Member States which have already been harmonised to a considerable degree by Directives 2001/83/EC and 2001/82/EC. It is appropriate that the operation of the procedures laid down by this Regulation be re-examined by the Commission every ten years on the basis of experience gained.

(33) In order to meet, in particular, the legitimate expectations of patients and to take account of the increasingly rapid progress of science and therapies, accelerated assessment procedures should be set up, reserved for medicinal products of major therapeutic interest, and procedures for obtaining temporary authorisations subject to certain annually reviewable conditions. In the field of medicinal products for human use, a common approach should also be followed, whenever possible, regarding the criteria and conditions for the compassionate use of new medicinal products under Member States' legislation.

(34) Member States have developed an evaluation of the comparative efficacy of medicinal products aimed at positioning a new medicinal product with respect to those that already exist in the same therapeutic class. Similarly, the Council, in its Conclusions on medicinal products and public health ([1]), adopted on 29 June 2000, emphasised the importance of identifying medicinal products that presented an added therapeutic value. However this evaluation should not be conducted in the context of the marketing authorisation, for which it is agreed that the fundamental criteria should be retained. It is useful in this respect to allow for the possibility of gathering information on the methods used by the Member States to determine the therapeutic benefit obtained by each new medicinal product.

(35) In line with the current provisions of Directives 2001/83/EC and 2001/82/EC, the term of validity of a Community marketing authorisation should be limited initially to a period of five years, upon the expiry of which it should be renewed. Thereafter the marketing authorisation should normally be of unlimited validity. Furthermore, any authorisation not used for three consecutive years, that is to say, one which has not led to the placing on the market of a medicinal product in the Community during that period, should be considered invalid, in order, in particular, to avoid the administrative burden of maintaining such authorisations. However, this rule should be subject to exemptions when these are justified on public health grounds.

(36) Environmental risks may arise from medicinal products containing or consisting of genetically modified organisms. It is thus necessary to subject such products to an environmental risk-assessment procedure similar to the procedure under Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms ([2]), to be conducted in parallel with the evaluation, under a single Community procedure, of the quality, safety and efficacy of the product concerned.

([1]) OJ C 218, 31.7.2000, p. 10.

([2]) OJ L 106, 17.4.2001, p. 1. Directive as last amended by Regulation (EC) No 1830/2003 of the European Parliament and of the Council (OJ L 268, 18.10.2003, p. 24).

(37) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ([1]).

(38) The provisions of Regulation (EC) No 1647/2003 ([2]) amending Regulation (EEC) No 2309/93 as regards the budgetary and financial rules applicable to the Agency and access to the Agency's documents should be fully incorporated into this Regulation,

HAVE ADOPTED THIS REGULATION:

TITLE I

DEFINITIONS AND SCOPE

Article 1

The purpose of this Regulation is to lay down Community procedures for the authorisation, supervision and pharmacovigilance of medicinal products for human and veterinary use, and to establish a European Medicines Agency (hereinafter referred to as 'the Agency').

The provisions of this Regulation shall not affect the powers of Member States' authorities as regards setting the prices of medicinal products or their inclusion in the scope of the national health system or social security schemes on the basis of health, economic and social conditions. In particular, Member States shall be free to choose from the particulars shown in the marketing authorisation those therapeutic indications and pack sizes which will be covered by their social security bodies.

Article 2

The definitions laid down in Article 1 of Directive 2001/83/EC and those laid down in Article 1 of Directive 2001/82/EC shall apply for the purposes of this Regulation.

The holder of a marketing authorisation for medicinal products covered by this Regulation must be established in the Community. The holder shall be responsible for the placing on the market of those medicinal products, whether he does it himself or via one or more persons designated to that effect.

Article 3

1. No medicinal product appearing in the Annex may be placed on the market within the Community unless a marketing authorisation has been granted by the Community in accordance with the provisions of this Regulation.

2. Any medicinal product not appearing in the Annex may be granted a marketing authorisation by the Community in accordance with the provisions of this Regulation, if:

a) the medicinal product contains a new active substance which, on the date of entry into force of this Regulation, was not authorised in the Community; or

b) the applicant shows that the medicinal product constitutes a significant therapeutic, scientific or technical innovation or that the granting of authorisation in accordance with this Regulation is in the interests of patients or animal health at Community level.

Immunological veterinary medicinal products for the treatment of animal diseases that are subject to Community prophylactic measures may also be granted such authorisation.

([1]) OJ L 184, 17.7.1999, p. 23.
([2]) OJ L 245, 29.9.2003, p. 19.

3. A generic medicinal product of a reference medicinal product authorised by the Community may be authorised by the competent authorities of the Member States in accordance with Directive 2001/83/EC and Directive 2001/82/EC under the following conditions:

a) the application for authorisation is submitted in accordance with Article 10 of Directive 2001/83/EC or Article 13 of Directive 2001/82/EC;

b) the summary of the product characteristics is in all relevant respects consistent with that of the medicinal product authorised by the Community except for those parts of the summary of product characteristics referring to indications or dosage forms which were still covered by patent law at the time when the generic medicine was marketed; and

c) the generic medicinal product is authorised under the same name in all the Member States where the application has been made. For the purposes of this provision, all the linguistic versions of the INN (international non-proprietary name) shall be considered to be the same name.

4. After the competent committee of the Agency has been consulted, the Annex may be re-examined in the light of technical and scientific progress, with a view to making any necessary amendments without extending the scope of the centralised procedure. Such amendments shall be adopted in accordance with the procedure referred to in Article 87(2).

Article 4

1. Applications for the marketing authorisations referred to in Article 3 shall be submitted to the Agency.

2. The Community shall grant and supervise marketing authorisations for medicinal products for human use in accordance with Title II.

3. The Community shall grant and supervise marketing authorisations for veterinary medicinal products in accordance with Title III.

TITLE II

AUTHORISATION AND SUPERVISION OF MEDICINAL PRODUCTS FOR HUMAN USE

Chapter 1

Submission and examination of applications — Authorisations

Article 5

1. A Committee for Medicinal Products for Human Use is hereby established. The Committee shall be part of the Agency.

2. Without prejudice to Article 56 or to other tasks which Community law may confer on it, the Committee for Medicinal Products for Human Use shall be responsible for drawing up the opinion of the Agency on any matter concerning the admissibility of the files submitted in accordance with the centralised procedure, the granting, variation, suspension or revocation of an authorisation to place a medicinal product for human use on the market in accordance with the provisions of this Title, and pharmacovigilance.

3. At the request of the Executive Director of the Agency or the Commission representative, the Committee for Medicinal Products for Human Use shall also draw up an opinion on any scientific matter concerning the evaluation of medicinal products for human use. The Committee shall take due account of any requests by Member States for an opinion. The Committee shall also formulate an opinion whenever there is disagreement in the evaluation of medicinal products through the mutual recognition procedure. The opinion of the Committee shall be made publicly accessible.

Article 6

1. Each application for the authorisation of a medicinal product for human use shall specifically and completely include the particulars and documents as referred to in Articles 8(3), 10, 10a, 10b or 11 of, and Annex I to, Directive 2001/83/EC. The documents must include a statement to the effect that clinical trials carried out outside the European Union meet the ethical requirements of Directive 2001/20/EC. These particulars and documents shall take account of the unique, Community nature of the authorisation requested and, otherwise than in exceptional cases relating to the application of the law on trade marks, shall include the use of a single name for the medicinal product.

The application shall be accompanied by the fee payable to the Agency for the examination of the application.

2. In the case of a medicinal product for human use containing or consisting of genetically modified organisms within the meaning of Article 2 of Directive 2001/18/EC, the application shall be accompanied by:

a) a copy of the competent authorities' written consent to the deliberate release into the environment of the genetically modified organisms for research and development purposes where provided for in Part B of Directive 2001/18/EC or in Part B of Council Directive 90/220/EEC of 23 April 1990 on the deliberate release into the environment of genetically modified organisms ([1]);

b) the complete technical dossier supplying the information required by Annexes III and IV to Directive 2001/18/EC;

c) the environmental risk assessment in accordance with the principles set out in Annex II to Directive 2001/18/EC; and

d) the results of any investigations performed for the purposes of research or development.

Articles 13 to 24 of Directive 2001/18/EC shall not apply to medicinal products for human use containing or consisting of genetically modified organisms.

3. The Agency shall ensure that the opinion of the Committee for Medicinal Products for Human Use is given within 210 days after receipt of a valid application.

The duration of the analysis of the scientific data in the file concerning the application for marketing authorisation must be at least 80 days, except in cases where the rapporteur and co-rapporteur declare that they have completed their assessment before that time.

On the basis of a duly reasoned request, the said Committee may call for the duration of the analysis of the scientific data in the file concerning the application for marketing authorisation to be extended.

In the case of a medicinal product for human use containing or consisting of genetically modified organisms, the opinion of the said Committee shall respect the environmental safety requirements laid down by Directive 2001/18/EC. During the process of evaluating applications for marketing authorisations for medicinal products for human use containing or consisting of genetically modified organisms, the rapporteur shall carry out necessary consultations of bodies that the Community or Member States have set up in accordance with Directive 2001/18/EC.

4. The Commission shall, in consultation with the Agency, Member States and interested parties, draw up a detailed guide regarding the form in which applications for authorisation are to be presented.

([1]) OJ L 117, 8.5.1990, p. 15. Directive repealed by Directive 2001/18/EC, but continues to have certain legal effects.

Article 7

In order to prepare its opinion, the Committee for Medicinal Products for Human Use:

a) shall verify that the particulars and documents submitted in accordance with Article 6 comply with the requirements of Directive 2001/83/EC, and shall examine whether the conditions specified in this Regulation for granting a marketing authorisation are satisfied;

b) may request that an Official Medicines Control Laboratory or a laboratory that a Member State has designated for that purpose test the medicinal product for human use, its starting materials and, if need be, its intermediate products or other constituent materials in order to ensure that the control methods employed by the manufacturer and described in the application documents are satisfactory;

c) may request that the applicant supplement the particulars accompanying the application within a specific time period. Where the said Committee avails itself of this option, the time-limit laid down in Article 6(3), first subparagraph, shall be suspended until such time as the supplementary information requested has been provided. Likewise, this time-limit shall be suspended for the time allowed for the applicant to prepare oral or written explanations.

Article 8

1. Upon receipt of a written request from the Committee for Medicinal Products for Human Use, a Member State shall forward the information showing that the manufacturer of a medicinal product or the importer from a third country is able to manufacture the medicinal product concerned and/or carry out the necessary control tests in accordance with the particulars and documents supplied pursuant to Article 6.

2. Where it considers it necessary in order to complete its examination of an application, the said Committee may require the applicant to undergo a specific inspection of the manufacturing site of the medicinal product concerned. Such inspections may be made unannounced.

The inspection shall be carried out within the time-limit laid down in the first subparagraph of Article 6(3) by inspectors from the Member State holding the appropriate qualifications; they may be accompanied by a rapporteur or an expert appointed by the Committee.

Article 9

1. The Agency shall forthwith inform the applicant if the opinion of the Committee for Medicinal Products for Human Use is that:

a) the application does not satisfy the criteria for authorisation set out in this Regulation;

b) the summary of the product characteristics proposed by the applicant needs to be amended;

c) the labelling or package leaflet of the product is not in compliance with Title V of Directive 2001/83/EC;

d) the authorisation needs to be granted subject to the conditions provided for in Article 14(7) and (8).

2. Within 15 days after receipt of the opinion referred to in paragraph 1, the applicant may give written notice to the Agency that he wishes to request a re-examination of the opinion. In that case, the applicant shall forward to the Agency the detailed grounds for the request within 60 days after receipt of the opinion.

Within 60 days following receipt of the grounds for the request, the said Committee shall re-examine its opinion in accordance with the conditions laid down in the fourth subparagraph of Article 62(1). The reasons for the conclusion reached shall be annexed to the final opinion.

3. Within 15 days after its adoption, the Agency shall send the final opinion of the said Committee to the Commission, to the Member States and to the applicant, together with a report describing the assessment of the medicinal product by the Committee and stating the reasons for its conclusions.

4. If an opinion is favourable to the granting of the relevant authorisation to place the medicinal product concerned on the market, the following documents shall be annexed to the opinion:

a) a draft summary of the product characteristics, as referred to in Article 11 of Directive 2001/83/EC;

b) details of any conditions or restrictions which should be imposed on the supply or use of the medicinal product concerned, including the conditions under which the medicinal product may be made available to patients, in accordance with the criteria laid down in Title VI of Directive 2001/83/EC;

c) details of any recommended conditions or restrictions with regard to the safe and effective use of the medicinal product;

d) the draft text of the labelling and package leaflet proposed by the applicant, presented in accordance with Title V of Directive 2001/83/EC;

e) the assessment report.

Article 10

1. Within 15 days after receipt of the opinion referred to in Article 5(2), the Commission shall prepare a draft of the decision to be taken in respect of the application.

Where a draft decision envisages the granting of a marketing authorisation, it shall include or make reference to the documents mentioned in Article 9(4)(a), (b), (c) and (d).

Where the draft decision is not in accordance with the opinion of the Agency, the Commission shall annex a detailed explanation of the reasons for the differences.

The draft decision shall be forwarded to Member States and the applicant.

2. The Commission shall take a final decision in accordance with, and within 15 days after the end of, the procedure referred to in Article 87(3).

3. The Standing Committee on Medicinal Products for Human Use referred to in Article 87(1) shall adjust its rules of procedure so as to take account of the tasks incumbent upon it under this Regulation.

The adjustments shall provide that:

(a) the opinion of the said Standing Committee is to be given in writing;

(b) Member States shall have 22 days to forward their written observations on the draft decision to the Commission. However, if a decision has to be taken urgently, a shorter time-limit may be set by the Chairman according to the degree of urgency involved. This time-limit shall not, otherwise than in exceptional circumstances, be shorter than 5 days;

(c) Member States may request in writing that the draft decision referred to in paragraph 1 be discussed by a plenary meeting of the said Standing Committee, stating their reasons in detail.

4. Where, in the opinion of the Commission, a Member State's written observations raise important new questions of a scientific or technical nature which the opinion delivered by the Agency has not addressed, the Chairman shall suspend the procedure and refer the application back to the Agency for further consideration.

5. The Commission shall adopt the provisions necessary for the implementation of paragraph 4 in accordance with the procedure referred to in Article 87(2).

6. The Agency shall disseminate the documents referred to in Article 9(4)(a), (b), (c) and (d).

Article 11

If an applicant withdraws an application for a marketing authorisation submitted to the Agency before an opinion has been given on the application, the applicant shall communicate its reasons for doing so to the Agency. The Agency shall make this information publicly accessible and shall publish the assessment report, if available, after deletion of all information of a commercially confidential nature.

Article 12

1. The marketing authorisation shall be refused if, after verification of the particulars and documents submitted in accordance with Article 6, it appears that the applicant has not properly or sufficiently demonstrated the quality, safety or efficacy of the medicinal product.

Authorisation shall likewise be refused if particulars or documents provided by the applicant in accordance with Article 6 are incorrect or if the labelling and package leaflet proposed by the applicant are not in accordance with Title V of Directive 2001/83/EC.

2. The refusal of a Community marketing authorisation shall constitute a prohibition on the placing on the market of the medicinal product concerned throughout the Community.

3. Information about all refusals and the reasons for them shall be made publicly accessible.

Article 13

1. Without prejudice to Article 4(4) of Directive 2001/83/EC, a marketing authorisation which has been granted in accordance with this Regulation shall be valid throughout the Community. It shall confer the same rights and obligations in each of the Member States as a marketing authorisation granted by that Member State in accordance with Article 6 of Directive 2001/83/EC.

Authorised medicinal products for human use shall be entered in the Community Register of Medicinal Products and shall be given a number, which shall appear on the packaging.

2. Notification of marketing authorisation shall be published in the Official Journal of the European Union, quoting in particular the date of authorisation and the registration number in the Community Register, any International Non-proprietary Name (INN) of the active substance of the medicinal product, its pharmaceutical form, and any Anatomical Therapeutic Chemical Code (ATC).

3. The Agency shall immediately publish the assessment report on the medicinal product for human use drawn up by the Committee for Medicinal Products for Human Use and the reasons for its opinion in favour of granting authorisation, after deletion of any information of a commercially confidential nature.

The European Public Assessment Report (EPAR) shall include a summary written in a manner that is understandable to the public. The summary shall contain in particular a section relating to the conditions of use of the medicinal product.

4. After a marketing authorisation has been granted, the holder of the authorisation shall inform the Agency of the dates of actual marketing of the medicinal product for human use in the Member States, taking into account the various presentations authorised.

The holder shall also notify the Agency if the product ceases to be placed on the market, either temporarily or permanently. Such notification shall, otherwise than in exceptional circumstances, be made no less than 2 months before the interruption in the placing on the market of the product.

Upon request by the Agency, particularly in the context of pharmacovigilance, the marketing authorisation holder shall provide the Agency with all data relating to the volume of sales of the medicinal product at Community level, broken down by Member State, and any data in the holder's possession relating to the volume of prescriptions.

Article 14

1. Without prejudice to paragraphs 4, 5 and 7 a marketing authorisation shall be valid for five years.

2. The marketing authorisation may be renewed after five years on the basis of a re-evaluation by the Agency of the risk-benefit balance.

To this end, the marketing authorisation holder shall provide the Agency with a consolidated version of the file in respect of quality, safety and efficacy, including all variations introduced since the marketing authorisation was granted, at least six months before the marketing authorisation ceases to be valid in accordance with paragraph 1.

3. Once renewed, the marketing authorisation shall be valid for an unlimited period, unless the Commission decides, on justified grounds relating to pharmacovigilance, to proceed with one additional five-year renewal in accordance with paragraph 2.

4. Any authorisation which is not followed by the actual placing of the medicinal product for human use on the Community market within three years after authorisation shall cease to be valid.

5. When an authorised medicinal product previously placed on the market is no longer actually present on the market for three consecutive years, the authorisation shall cease to be valid.

6. In exceptional circumstances and on public health grounds the Commission may grant exemptions from paragraphs 4 and 5. Such exemptions must be duly justified.

7. Following consultation with the applicant, an authorisation may be granted subject to certain specific obligations, to be reviewed annually by the Agency. The list of these obligations shall be made publicly accessible.

By way of derogation from paragraph 1, such authorisation shall be valid for one year, on a renewable basis.

The provisions for granting such authorisation shall be laid down in a Commission Regulation adopted in accordance with the procedure referred to in Article 87(2).

8. In exceptional circumstances and following consultation with the applicant, the authorisation may be granted subject to a requirement for the applicant to introduce specific procedures, in particular concerning the safety of the medicinal product, notification to the competent authorities of any incident relating to its use, and action to be taken. This authorisation may be granted only for objective, verifiable reasons and must be based on one of the grounds set out in Annex I to Directive 2001/83/EC. Continuation of the authorisation shall be linked to the annual reassessment of these conditions.

9. When an application is submitted for a marketing authorisation in respect of medicinal products for human use which are of major interest from the point of view of public health and in particular from the viewpoint of therapeutic innovation, the applicant may request an accelerated assessment procedure. The request shall be duly substantiated.

If the Committee for Medicinal Products for Human Use accepts the request, the time-limit laid down in Article 6(3), first subparagraph, shall be reduced to 150 days.

10. When adopting its opinion, the Committee for Medicinal Products for Human Use shall include a proposal concerning the criteria for the prescription or use of the medicinal products in accordance with Article 70(1) of Directive 2001/83/EC.

11. Without prejudice to the law on the protection of industrial and commercial property, medicinal products for human use which have been authorised in accordance with the provisions of this Regulation shall benefit from an eight-year period of data protection and a ten-year period of marketing protection, in which connection the latter period shall be extended to a maximum of 11 years if, during the first eight years of those ten years, the marketing authorisation holder obtains an authorisation for one or more new therapeutic indications which, during the scientific evaluation prior to their authorisation, are held to bring a significant clinical benefit in comparison with existing therapies.

Article 15

The granting of authorisation shall not affect the civil or criminal liability of the manufacturer or of the holder of the marketing authorisation pursuant to the applicable national law in Member States.

Chapter 2

Supervision and penalties

Article 16

1. After an authorisation has been granted in accordance with this Regulation, the holder of the marketing authorisation for a medicinal product for human use shall, in respect of the methods of manufacture and control provided for in Article 8(3)(d) and (h) of Directive 2001/83/EC, take account of technical and scientific progress and make any variations that may be required to enable the medicinal products to be manufactured and checked by means of generally accepted scientific methods. He shall apply for approval of such variations in accordance with this Regulation.

2. The holder of the marketing authorisation shall forthwith supply to the Agency, to the Commission and to the Member States any new information which might entail the variation of the particulars or documents referred to in Articles 8(3), 10, 10a, 10b and 11 of Directive 2001/83/EC, in Annex I thereto, or in Article 9(4) of this Regulation.

In particular, he shall forthwith inform the Agency, the Commission and the Member States of any prohibition or restriction imposed by the competent authorities of any country in which the medicinal product for human use is marketed and of any other new information which might influence the evaluation of the benefits and risks of the medicinal product for human use concerned.

In order that the risk-benefit balance may be continuously assessed, the Agency may at any time ask the holder of the marketing authorisation to forward data demonstrating that the risk-benefit balance remains favourable.

3. If the holder of the authorisation for a medicinal product for human use proposes to make any variation of the particulars and documents referred to in paragraph 2, he shall submit the relevant application to the Agency.

4. The Commission shall, after consulting the Agency, adopt appropriate provisions for the examination of variations to marketing authorisations in the form of a regulation in accordance with the procedure referred to in Article 87(2).

Article 17

The applicant or the holder of a marketing authorisation shall be responsible for the accuracy of the documents and of the data submitted.

Article 18

1. In the case of medicinal products for human use manufactured within the Community, the supervisory authorities shall be the competent authorities of the Member State or Member States which granted the manufacturing authorisation provided for in Article 40(1) of Directive 2001/83/EC in respect of the medicinal product concerned.

2. In the case of medicinal products imported from third countries, the supervisory authorities shall be the competent authorities of the Member State or Member States that granted the authorisation provided for in Article 40(3) of Directive 2001/83/EC to the importer, unless appropriate agreements have been made between the Community and the exporting country to ensure that those controls are carried out in the exporting country and that the manufacturer applies standards of good manufacturing practice at least equivalent to those laid down by the Community.

A Member State may request assistance from another Member State or from the Agency.

Article 19

1. The supervisory authorities shall be responsible for verifying on behalf of the Community that the holder of the marketing authorisation for the medicinal product for human use or the manufacturer or importer established within the Community satisfies the requirements laid down in Titles IV, IX and XI of Directive 2001/83/EC.

2. Where, in accordance with Article 122 of Directive 2001/83/EC, the Commission is informed of serious differences of opinion between Member States as to whether the holder of the marketing authorisation for the medicinal product for human use or a manufacturer or importer established within the Community satisfies the requirements referred to in paragraph 1, the Commission may, after consultation with the Member States concerned, request an inspector from the supervisory authority to undertake a new inspection of the marketing authorisation holder, the manufacturer or the importer; the inspector in question shall be accompanied by two inspectors from Member States which are not party to the dispute or by two experts nominated by the Committee for Medicinal Products for Human Use.

3. Subject to any agreements which may have been concluded between the Community and third countries in accordance with Article 18(2), the Commission may, following a reasoned request from a Member State or from the said Committee, or on its own initiative, require a manufacturer established in a third country to submit to an inspection.

The inspection shall be undertaken by inspectors from the Member States who possess the appropriate qualifications; they may be accompanied by a rapporteur or expert appointed by the said Committee. The report of the inspectors shall be made available to the Commission, the Member States and the said Committee.

Article 20

1. Where the supervisory authorities or the competent authorities of any other Member State are of the opinion that the manufacturer or importer established within the Community territory is no longer fulfilling the obligations laid down in Title IV of Directive 2001/83/EC, they shall forthwith inform the Committee for Medicinal Products for Human Use and the Commission, stating their reasons in detail and indicating the course of action proposed.

The same shall apply where a Member State or the Commission considers that one of the measures envisaged in Titles IX and XI of Directive 2001/83/EC should be applied in respect of the medicinal product concerned or where the said Committee has delivered an opinion to that effect in accordance with Article 5 of this Regulation.

2. The Commission shall request the opinion of the Agency within a time-limit which it shall determine in the light of the urgency of the matter, in order to examine the reasons advanced. Whenever practicable, the holder of the authorisation for placing the medicinal product for human use on the market shall be invited to provide oral or written explanations.

3. Following an opinion by the Agency, the Commission shall adopt the necessary provisional measures, which shall be applied immediately.

A final decision shall be adopted within six months, in accordance with the procedure referred to in Article 87(3).

4. Where urgent action is essential to protect human health or the environment, a Member State may, on its own initiative or at the Commission's request, suspend the use in its territory of a medicinal product for human use which has been authorised in accordance with this Regulation.

When it does so on its own initiative, it shall inform the Commission and the Agency of the reasons for its action at the latest on the next working day following the suspension. The Agency shall inform the other Member States without delay. The Commission shall immediately initiate the procedure provided for in paragraphs 2 and 3.

5. In this case, the Member State shall ensure that health-care professionals are rapidly informed of its action and the reasons for the action. Networks set up by professional associations may be used to this effect. The Member States shall inform the Commission and the Agency of actions taken for this purpose.

6. The suspensive measures referred to in paragraph 4 may be maintained in force until such time as a definitive decision has been reached in accordance with the procedure referred to in Article 87(3).

7. The Agency shall, upon request, inform any person concerned of the final decision and make the decision publicly accessible immediately after it has been taken.

Chapter 3

Pharmacovigilance

Article 21

For the purposes of this Chapter, Article 106(2) of Directive 2001/83/EC shall apply.

Article 22

The Agency, acting in close cooperation with the national pharmacovigilance systems established in accordance with Article 102 of Directive 2001/83/EC, shall receive all relevant information concerning suspected adverse reactions to medicinal products for human use which have been authorised by the Community in accordance with this Regulation. Where appropriate, the Committee for Medicinal Products for Human Use shall, in accordance with Article 5 of this Regulation, draw up opinions on the measures necessary. These opinions shall be made publicly accessible.

The measures referred to in the first paragraph may include amendments to the marketing authorisation granted in accordance with Article 10. They shall be adopted in accordance with the procedure referred to in Article 87(3).

The holder of the marketing authorisation and the competent authorities of Member States shall ensure that all relevant information concerning suspected adverse reactions to the medicinal products authorised under this Regulation are brought to the attention of the Agency in accordance with the provisions of this Regulation. Patients shall be encouraged to communicate any adverse reaction to health-care professionals.

Article 23

The holder of an authorisation for a medicinal product for human use granted in accordance with the provisions of this Regulation shall have permanently and continuously at his disposal an appropriately qualified person responsible for pharmacovigilance.

That qualified person shall reside in the Community and shall be responsible for the following:

a) establishing and managing a system which ensures that information concerning all suspected adverse reactions which are reported to the personnel of the company and to medical representatives is collected, evaluated and collated so that it may be accessed at a single point within the Community;

b) preparing the reports referred to in Article 24(3) for the competent authorities of the Member States and the Agency in accordance with the requirements of this Regulation;

c) ensuring that any request from the competent authorities for the provision of additional information necessary for the evaluation of the risks and benefits of a medicinal product is answered fully and promptly, including the provision of information regarding the volume of sales or prescriptions for the medicinal product concerned;

d) providing the competent authorities with any other information relevant to the evaluation of the risks and benefits of a medicinal product, particularly information concerning post-authorisation safety studies.

Article 24

1. The holder of the marketing authorisation for a medicinal product for human use shall ensure that all suspected serious adverse reactions to a medicinal product authorised in accordance with this Regulation occurring within the Community which a health-care professional brings to his attention are recorded and reported promptly to Member States within the territory of which the incident occurred, and no later than 15 days following the receipt of the information.

The holder of the marketing authorisation shall record any other suspected serious adverse reactions occurring within the Community, in accordance with the guide referred to in Article 26, of which he may reasonably be expected to be aware, and promptly notify the competent authority of Member States in the territory of which the incident occurred and the Agency, and no later than 15 days following receipt of the information.

2. The holder of the marketing authorisation for a medicinal product for human use shall ensure that all suspected serious unexpected adverse reactions and any suspected transmission via a medicinal product of any infectious agent occurring in the territory of a third country are reported promptly to Member States and the Agency, and no later than 15 days following receipt of the information. The provisions for the reporting of suspected unexpected adverse reactions which are not serious, whether occurring in the Community or in a third country, shall be adopted in accordance with the procedure referred to in Article 87(2).

Save in exceptional circumstances, these reactions shall be transmitted electronically in the form of a report and in accordance with the guide referred to in Article 26.

3. The holder of the marketing authorisation for a medicinal product for human use shall maintain detailed records of all suspected adverse reactions within or outside the Community which are reported to him by a health-care professional.

Unless other requirements have been laid down as a condition for the granting of the marketing authorisation by the Community, these records shall be submitted, in the form of a periodic safety update report, to the Agency and Member States immediately upon request or at least every six months after authorisation until the placing on the market. Periodic safety update reports shall also be submitted immediately upon request or at least every six months during the first two years following the initial placing on the Community market and once a year for the following two years. Thereafter, the reports shall be submitted at three-yearly intervals, or immediately upon request.

These reports shall be accompanied by a scientific evaluation, particularly of the risk-benefit balance of the medicinal product.

4. The Commission may lay down provisions to amend paragraph 3 in view of experience gained with its operation. The Commission shall adopt any such provisions in accordance with the procedure referred to in Article 87(2).

5. The holder of a marketing authorisation may not communicate information relating to pharmacovigilance concerns to the general public in relation to its authorised medicinal product without giving prior or simultaneous notification to the Agency.

In any case, the marketing authorisation holder shall ensure that such information is presented objectively and is not misleading.

Member States shall take the necessary measures to ensure that a marketing authorisation holder who fails to discharge these obligations is subject to effective, proportionate and dissuasive penalties.

Article 25

Each Member State shall ensure that all suspected serious adverse reactions occurring within their territory to a medicinal product for human use authorised in accordance with this Regulation which are brought to their attention are recorded and reported promptly to the Agency and the marketing authorisation holder, and no later than 15 days following receipt of the information.

The Agency shall forward the information to the national pharmacovigilance systems set up in accordance with Article 102 of Directive 2001/83/EC.

Article 26

The Commission, in consultation with the Agency, Member States and interested parties, shall draw up a guide on the collection, verification and presentation of adverse-reaction reports. This guide shall contain, in particular, for the benefit of health-care professionals, recommendations concerning the communication of information on adverse reactions.

In accordance with this guide, holders of marketing authorisations shall use the medical terminology accepted at international level for the transmission of adverse-reaction reports.

The Agency, in consultation with Member States and the Commission, shall set up a data-processing network for the rapid transmission of information to the competent Community authorities in the event of an alert relating to faulty manufacture, serious adverse reactions and other pharmacovigilance data regarding medicinal products authorised in accordance with Article 6 of Directive 2001/83/EC. Such data shall be made publicly accessible, if relevant, after evaluation.

For a period of five years following the initial placing on the market in the Community, the Agency may request that the marketing authorisation holder arrange for specific pharmacovigilance data to be collected from targeted groups of patients. The Agency shall state the reasons for the request. The marketing authorisation holder shall collate and assess the data collected and submit it to the Agency for evaluation.

Article 27

The Agency shall collaborate with the World Health Organisation in matters of international pharmacovigilance and shall take the necessary steps to submit to it, promptly, appropriate and adequate information regarding the measures taken in the Community which may have a bearing on public health protection in third countries; it shall send a copy thereof to the Commission and the Member States.

Article 28

The Agency and Member States' competent authorities shall cooperate to continuously develop pharmacovigilance systems capable of achieving high standards of public health protection for all medicinal products, regardless of routes of authorisation, including the use of collaborative approaches, to maximise use of resources available within the Community.

Article 29

Any amendment which may be necessary to update the provisions of this Chapter in order to take account of scientific and technical progress shall be adopted in accordance with the procedure referred to in Article 87(2).

TITLE III

AUTHORISATION AND SUPERVISION OF VETERINARY MEDICINAL PRODUCTS

Chapter 1

Submission and examination of applications — Authorisations

Article 30

1. A Committee for Medicinal Products for Veterinary Use is hereby established. The Committee shall be part of the Agency.

2. Without prejudice to Article 56 and other tasks which Community law may confer on it, in particular under Regulation (EEC) No 2377/90 [1], the Committee for Medicinal Products for Veterinary Use shall be responsible for drawing up the opinion of the Agency on any question concerning the admissibility of files submitted in accordance with the centralised procedure, the granting, variation, suspension or revocation of an authorisation to place a veterinary medicinal product on the market arising in accordance with the provisions of this Title, and pharmacovigilance.

3. At the request of the Executive Director of the Agency or the Commission representative, the Committee for Medicinal Products for Veterinary Use shall also draw up opinions on any scientific matters concerning the evaluation of veterinary medicinal products. The Committee shall take due account of any requests from Member States for an opinion. The Committee shall also formulate an opinion whenever there is disagreement in the assessment of a veterinary medicinal product through the mutual recognition procedure. The opinion of the Committee shall be made publicly accessible.

[1] Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin (OJ L 224, 18.8.1990, p. 1). Regulation as last amended by Commission Regulation (EC) No 1029/2003 (OJ L 149, 17.6.2003, p. 15).

Article 31

1. Each application for the authorisation of a medicinal product for veterinary use shall specifically and exhaustively include the particulars and documents as referred to in Articles 12(3), 13, 13a, 13b and 14 of, and Annex I to, Directive 2001/82/EC. These particulars and documents shall take account of the unique, Community nature of the authorisation requested and, otherwise than in exceptional cases relating to the application of the law on trade marks, shall include the use of a single name for the medicinal product.

The application shall be accompanied by the fee payable to the Agency for the examination of the application.

2. In the case of a veterinary medicinal product containing or consisting of genetically modified organisms within the meaning of Article 2 of Directive 2001/18/EC, the application shall also be accompanied by:

a) a copy of the written consent of the competent authorities to the deliberate release into the environment of the genetically modified organisms for research and development purposes, as provided for in Part B of Directive 2001/18/EC or in Part B of Directive 90/220/EEC;

b) the complete technical file supplying the information required under Annexes III and IV to Directive 2001/18/EC;

c) the environmental risk assessment in accordance with the principles set out in Annex II to Directive 2001/18/EC; and

d) the results of any investigations performed for the purposes of research or development.

Articles 13 to 24 of Directive 2001/18/EC shall not apply to veterinary medicinal products containing or consisting of genetically modified organisms.

3. The Agency shall ensure that the opinion of the Committee for Medicinal Products for Veterinary Use is given within 210 days after the receipt of a valid application.

In the case of a veterinary medicinal product containing or consisting of genetically modified organisms, the opinion of the said Committee must respect the environmental safety requirements laid down by Directive 2001/18/EC. During the process of evaluating applications for marketing authorisations for veterinary medicinal products containing or consisting of genetically modified organisms, necessary consultations shall be held by the rapporteur with the bodies set up by the Community or the Member States in accordance with Directive 2001/18/EC.

4. The Commission shall, in consultation with the Agency, Member States and interested parties, draw up a detailed guide regarding the form in which applications for authorisation are to be presented.

Article 32

1. In order to prepare its opinion, the Committee for Medicinal Products for Veterinary Use:

a) shall verify that the particulars and documents submitted in accordance with Article 31 comply with the requirements of Directive 2001/82/EC and examine whether the conditions specified in this Regulation for granting a marketing authorisation are satisfied;

b) may request that an Official Medicines Control Laboratory or a laboratory that a Member State has designated for that purpose test the veterinary medicinal product, its starting materials and, where appropriate, its intermediate products or other constituent materials in order to ensure that the control methods employed by the manufacturer and described in the application are satisfactory;

c) may request a Community reference laboratory, Official Medicines Control Laboratory or laboratory that a Member State has designated for that purpose to verify, using samples provided by the applicant, that the analytical detection method proposed by the applicant for the purposes of Article 12(3)(j), second indent, of Directive 2001/82/EC is satisfactory and is suitable for use to reveal the presence of residue levels, particularly those above the maximum residue level accepted by the Community in accordance with the provisions of Regulation (EEC) No 2377/90;

d) may request the applicant to supplement the particulars accompanying the application within a specific time-limit. Where the said Committee avails itself of this option, the time-limit laid down in Article 31(3), first subparagraph shall be suspended until such time as the supplementary information requested has been provided. Likewise, the time-limit shall be suspended for the time allowed to the applicant to prepare oral or written explanations.

2. In those cases where the analytical method has not been subject to verification by one of the abovementioned laboratories under the procedures established by Regulation (EEC) No 2377/90, the verification shall be carried out within the framework of this Article.

Article 33

1. Upon receipt of a written request from the Committee for Medicinal Products for Veterinary Use, a Member State shall forward the information establishing that the manufacturer of a veterinary medicinal product or the importer from a third country is able to manufacture the veterinary medicinal product concerned and/or carry out the necessary control tests in accordance with the particulars and documents supplied pursuant to Article 31.

2. Where it considers it necessary in order to complete its examination of the application, the said Committee may require the applicant to undergo a specific inspection of the manufacturing site of the veterinary medicinal product concerned. Such inspections may be made unannounced.

The inspection, which shall be completed within the time-limit referred to in Article 31(3), first subparagraph, shall be undertaken by inspectors from the Member State who possess the appropriate qualifications; they may be accompanied by a rapporteur or expert appointed by the said Committee.

Article 34

1. The Agency shall forthwith inform the applicant if the opinion of the Committee for Medicinal Products for Veterinary Use is that:

a) the application does not satisfy the criteria for authorisation set out in this Regulation;

b) the summary of the product characteristics should be amended;

c) the labelling or package leaflet of the product is not in compliance with Title V of Directive 2001/82/EC;

d) the authorisation should be granted subject to the conditions provided for in Article 39(7).

2. Within 15 days after receipt of the opinion referred to in paragraph 1, the applicant may provide written notice to the Agency that he wishes to request a re-examination of the opinion. In that case the applicant shall forward to the Agency the detailed grounds for the request within 60 days after receipt of the opinion.

Within 60 days after receipt of the grounds for the request, the said Committee shall re-examine its opinion in accordance with the conditions laid down in Article 62(1), fourth subparagraph. The reasons for the conclusion reached shall be annexed to the final opinion.

3. Within 15 days after its adoption, the Agency shall forward the final opinion of the said Committee to the Commission, to Member States and to the applicant, together with a report describing the assessment of the veterinary medicinal product by the Committee and stating the reasons for its conclusions.

4. If an opinion is favourable to the granting of the relevant authorisation to place the relevant veterinary medicinal product on the market, the following documents shall be annexed to the opinion:

a) a draft summary of the product characteristics, as referred to in Article 14 of Directive 2001/82/EC; where appropriate, this draft shall reflect differences in the veterinary conditions in the Member States;

b) in the case of a veterinary medicinal product intended for administration to food-producing animals, a statement of the maximum residue level which may be accepted by the Community in accordance with Regulation (EEC) No 2377/90;

c) details of any conditions or restrictions which should be imposed on the supply or use of the veterinary medicinal product concerned, including the conditions under which the veterinary medicinal product may be made available to users, in conformity with the criteria laid down in Directive 2001/82/EC;

d) details of any recommended conditions or restrictions with regard to the safe and effective use of the medicinal product;

e) the draft text of the labelling and package leaflet proposed by the applicant, presented in accordance with Title V of Directive 2001/82/EC;

f) the assessment report.

Article 35

1. Within 15 days after receipt of the opinion referred to in Article 30(2), the Commission shall prepare a draft of the decision to be taken in respect of the application.

Where a draft decision envisages the granting of marketing authorisation, it shall include or make reference to the documents mentioned in Article 34(4)(a) to (e).

Where the draft decision is not in accordance with the opinion of the Agency, the Commission shall annex a detailed explanation of the reasons for the differences.

The draft decision shall be forwarded to Member States and the applicant.

2. The Commission shall take a final decision in accordance with, and within 15 days after the end of, the procedure referred to in Article 87(3).

3. The Standing Committee for Veterinary Medicinal Products referred to in Article 87(1) shall adjust its rules of procedure so as to take account of the tasks assigned to it by this Regulation.

The adjustments shall provide that:

(a) the opinion of the said Standing Committee is to be given in writing;

(b) Member States shall have 22 days to forward their written observations on the draft decision to the Commission; however, if a decision has to be taken urgently, a shorter time-limit may be set by the Chairman according to the degree of urgency involved. This time-limit shall not, otherwise than in exceptional circumstances, be shorter than 5 days;

(c) Member States may request in writing that the draft decision referred to in paragraph 1 be discussed at a plenary meeting of the said Standing Committee, stating their reasons in detail.

4. Where, in the opinion of the Commission, the written observations of a Member State raise important new questions of a scientific or technical nature which have not been addressed in the opinion delivered by the Agency, the Chairman shall suspend the procedure and refer the application back to the Agency for further consideration.

5. The provisions necessary for the implementation of paragraph 4 shall be adopted by the Commission in accordance with the procedure referred to in Article 87(2).

6. The Agency shall disseminate the documents referred to in Article 34(4) (a) to (e).

Article 36

If an applicant withdraws an application for a marketing authorisation submitted to the Agency before an opinion has been given on the application, the applicant shall communicate its reasons for doing so to the Agency. The Agency shall make this information publicly accessible and shall publish the assessment report, if available, after deletion of all information of a commercially confidential nature.

Article 37

1. The marketing authorisation shall be refused if, after verification of the particulars and documents submitted in accordance with Article 31, it appears that:

a) the applicant has not properly or sufficiently demonstrated the quality, safety or efficacy of the veterinary medicinal product;

b) in the case of zootechnical veterinary medicinal products and performance enhancers, when the safety and welfare of the animals and/or consumer safety have not been sufficiently taken into account;

c) the withdrawal period recommended by the applicant is not long enough to ensure that foodstuffs obtained from treated animals do not contain residues which might constitute a health hazard for the consumer or is insufficiently substantiated;

d) the veterinary medicinal product is presented for a use prohibited under other Community provisions.

Authorisation shall likewise be refused if particulars or documents provided by the applicant in accordance with Article 31 are incorrect or if the labelling and package leaflets proposed by the applicant are not in accordance with Title V of Directive 2001/82/EC.

2. The refusal of a Community marketing authorisation shall constitute a prohibition on the placing on the market of the veterinary medicinal product concerned throughout the Community.

3. Information about all refusals and the reasons for them shall be made publicly accessible.

Article 38

1. Without prejudice to Article 71 of Directive 2001/82/EC, a marketing authorisation which has been granted in accordance with this Regulation shall be valid throughout the Community. It shall confer the same rights and obligations in each of the Member States as a marketing authorisation granted by that Member State in accordance with Article 5 of Directive 2001/82/EC.

Authorised veterinary medicinal products shall be entered in the Community Register of Medicinal Products and shall be given a number which shall appear on the packaging.

2. Notification of marketing authorisation shall be published in the Official Journal of the European Union, quoting in particular the date of authorisation and the number in the Community Register, any International Non-proprietary Name (INN) of the active substance of the medicinal product, its pharmaceutical form, and any Anatomical Therapeutic Chemical Veterinary Code (ATC Vet Code).

3. The Agency shall immediately publish the assessment report on the veterinary medicinal product drawn up by the Committee for Medicinal Products for Veterinary Use and the reasons for its opinion in favour of granting authorisation, after deletion of any information of a commercially confidential nature.

The European Public Assessment Report (EPAR) shall include a summary written in a manner that is understandable to the public. The summary shall contain in particular a section relating to the conditions of use of the medicinal product.

4. After a marketing authorisation has been granted, the holder of the authorisation shall inform the Agency of the dates of actual placing on the market of the veterinary medicinal product in Member States, taking into account the various presentations authorised.

The holder shall also notify the Agency if the product ceases to be placed on the market, either temporarily or permanently. Such notification shall, other than in exceptional circumstances, be made no less than 2 months before the interruption in the placing of the product on the market.

Upon request by the Agency, particularly in the context of pharmacovigilance, the marketing authorisation holder shall provide the Agency with all data relating to the volume of sales of the medicinal product at Community level, broken down by Member State, and any data in the holder's possession relating to the volume of prescriptions.

Article 39

1. Without prejudice to paragraphs 4 and 5, a marketing authorisation shall be valid for five years.

2. The marketing authorisation may be renewed after five years on the basis of a re-evaluation by the Agency of the risk-benefit balance.

To this end, the marketing authorisation holder shall submit a consolidated list of all documents submitted in respect of quality, safety and efficacy, including all variations introduced since the marketing authorisation was granted, at least six months before the marketing authorisation ceases to be valid in accordance with paragraph 1. The Agency may require the applicant to submit the listed documents at any time.

3. Once renewed, the marketing authorisation shall be valid for an unlimited period, unless the Commission decides, on justified grounds relating to pharmacovigilance, to proceed with one additional five-year renewal in accordance with paragraph 2.

4. Any authorisation which is not followed by the actual placing of the medicinal product for veterinary use on the Community market within three years after authorisation shall cease to be valid.

5. When an authorised medicinal product previously placed on the market is no longer actually present on the market for three consecutive years, the authorisation shall cease to be valid.

6. In exceptional circumstances and on public and/or animal health grounds the Commission may grant exemptions from the provisions of paragraphs 4 and 5. Such exemptions must be duly justified.

7. In exceptional circumstances and following consultation with the applicant, authorisation may be granted subject to a requirement for the applicant to introduce specific procedures, in particular concerning product safety, notification to the relevant authorities of any incident relating to its use, and action to be taken. This authorisation may be granted only for objective, verifiable reasons. Continuation of the authorisation shall be linked to the annual reassessment of these conditions.

8. When an application is submitted for a marketing authorisation in respect of veterinary medicinal products of major interest, particularly from the point of view of animal health and from the viewpoint of therapeutic innovation, the applicant may request an accelerated assessment procedure. The request shall be duly substantiated.

If the Committee for Medicinal Products for Veterinary Use accepts the request, the time-limit laid down in Article 31(3), first subparagraph, shall be reduced to 150 days.

9. When adopting its opinion, the said Committee shall include a proposal concerning the conditions for the prescription or use of the veterinary medicinal products.

10. Veterinary medicinal products which have been authorised in accordance with the provisions of this Regulation shall benefit from the provisions on protection in Articles 13 and 13a of Directive 2001/82/EC.

Article 40

The granting of authorisation shall not affect the civil or criminal liability of the manufacturer or the holder of the marketing authorisation pursuant to the applicable national law in Member States.

Chapter 2

Supervision and sanctions

Article 41

1. After an authorisation has been granted in accordance with this Regulation, the holder of the marketing authorisation shall, in respect of the methods of manufacture and control provided for in Article 12(3)(d) and (i) of Directive 2001/82/EC, take account of technical and scientific progress and make any variations that may be required to enable the medicinal products to be manufactured and checked by means of generally accepted scientific methods. He shall apply for approval of these variations in accordance with this Regulation.

2. The competent authority of a Member State or the Agency may require the holder of the marketing authorisation to provide substances in sufficient quantities for the performance of tests to detect the presence of residues of the veterinary medicinal products concerned in foodstuffs of animal origin.

3. At the request of the competent authority of a Member State or the Agency, the holder of the marketing authorisation shall provide technical expertise to facilitate the implementation of the analytical method for detecting residues of veterinary medicinal products by the Community reference laboratory or, where appropriate, national reference laboratories designated in accordance with Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products ([1]).

4. The holder of the marketing authorisation shall forthwith supply to the Agency, the Commission and the Member States any new information which might entail the variation of the particulars or documents referred to in Articles 12(3), 13, 13a, 13b and 14 of Directive 2001/82/EC, in Annex I thereto, or in Article 34(4) of this Regulation.

([1]) OJ L 125, 23.5.1996, p. 10. Directive as amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

He shall forthwith inform the Agency, the Commission and the Member States of any prohibition or restriction imposed by the competent authorities of any country in which the veterinary medicinal product is marketed and of any other new information which might influence the evaluation of the benefits and risks of the veterinary medicinal product concerned.

In order that the risk-benefit balance may be continuously assessed, the Agency may at any time ask the holder of the marketing authorisation to forward data justifying that the risk-benefit balance remains favourable.

5. If the holder of the marketing authorisation for the veterinary medicinal product proposes to make any variation of the particulars and documents referred to in paragraph 4, he shall submit the relevant application to the Agency.

6. The Commission shall, after consulting the Agency, adopt appropriate provisions for the examination of variations to marketing authorisations in the form of a regulation in accordance with the procedure referred to in Article 87(2).

Article 42

The applicant or the holder of a marketing authorisation shall be responsible for the accuracy of the documents and of the data submitted.

Article 43

1. In the case of veterinary medicinal products manufactured within the Community, the supervisory authorities shall be the competent authorities of the Member State or Member States which granted the manufacturing authorisation provided for in Article 44(1) of Directive 2001/82/EC in respect of the manufacture of the medicinal product concerned.

2. In the case of veterinary medicinal products imported from third countries, the supervisory authorities shall be the competent authorities of the Member State or Member States that granted the authorisation provided for in Article 44(3) of Directive 2001/82/EC to the importer, unless appropriate agreements have been made between the Community and the exporting country to ensure that those controls are carried out in the exporting country and that the manufacturer applies standards of good manufacturing practice at least equivalent to those laid down by the Community.

A Member State may request assistance from another Member State or the Agency.

Article 44

1. The supervisory authorities shall be responsible for verifying on behalf of the Community that the holder of the marketing authorisation for the veterinary medicinal product or the manufacturer or importer established within the Community satisfies the requirements laid down in Titles IV, VII and VIII of Directive 2001/82/EC.

2. Where, in accordance with Article 90 of Directive 2001/82/EC, the Commission is informed of serious differences of opinion between Member States as to whether the holder of the marketing authorisation for the veterinary medicinal product or a manufacturer or importer established within the Community satisfies the requirements referred to in paragraph 1, the Commission may, after consultation with the Member States concerned, request an inspector from the supervisory authority to undertake a new inspection of the holder of the marketing authorisation, the manufacturer or the importer; the inspector in question shall be accompanied by two inspectors from Member States which are not party to the dispute and/or by two experts nominated by the Committee for Medicinal Products for Veterinary Use.

3. Subject to any agreements which may have been concluded between the Community and third countries in accordance with Article 43(2), the Commission may, upon receipt of a reasoned request from a Member State or from the said Committee, or on its own initiative, require a manufacturer established in a third country to submit to an inspection.

The inspection shall be undertaken by inspectors from the Member State who possess the appropriate qualifications; they may be accompanied by a rapporteur or expert appointed by the said Committee. The report of the inspectors shall be made available to the Commission, the Member States and the said Committee.

Article 45

1. Where the supervisory authorities or the competent authorities of any other Member State are of the opinion that the manufacturer or importer established within the Community is no longer fulfilling the obligations laid down in Title VII of Directive 2001/82/EC, they shall forthwith inform the Committee for Medicinal Products for Veterinary Use and the Commission, stating their reasons in detail and indicating the course of action proposed.

The same shall apply where a Member State or the Commission considers that one of the measures envisaged in Title VIII of Directive 2001/82/EC should be applied in respect of the veterinary medicinal product concerned or where the said Committee has delivered an opinion to that effect in accordance with Article 30 of this Regulation.

2. The Commission shall request the opinion of the Agency within a time-limit which it shall determine in the light of the urgency of the matter, in order to examine the reasons advanced. Whenever practicable, the holder of the marketing authorisation for the medicinal product shall be invited to provide oral or written explanations.

3. Following an opinion by the Agency, the Commission shall adopt the necessary provisional measures, which shall be applied immediately.

A final decision shall be adopted within six months, in accordance with the procedure referred to in Article 87(3).

4. Where urgent action is essential to protect human or animal health or the environment, a Member State may, on its own initiative or at the Commission's request, suspend the use on its territory of a veterinary medicinal product which has been authorised in accordance with this Regulation.

When it does so on its own initiative, the Member State shall inform the Commission and the Agency of the reasons for its action at the latest on the next working day following the suspension. The Agency shall inform the other Member States without delay. The Commission shall immediately initiate the procedure provided for in paragraphs 2 and 3.

5. In this case, the Member State shall ensure that health-care professionals are rapidly informed of its action and the reasons for the action. Networks set up by professional associations may be used to this effect. Member States shall inform the Commission and the Agency of actions taken for this purpose.

6. The suspensive measures referred to in paragraph 4 may be maintained until such time as a definitive decision has been reached in accordance with the procedure referred to in Article 87(3).

7. The Agency shall, upon request, inform any person concerned of the final decision and make the decision publicly accessible, immediately after it has been taken.

Chapter 3

Pharmacovigilance

Article 46

For the purpose of this Chapter, Article 77(2) of Directive 2001/82/EC shall apply.

Article 47

The Agency, acting in close cooperation with the national pharmacovigilance systems established in accordance with Article 73 of Directive 2001/82/EC, shall receive all relevant information about suspected adverse reactions to veterinary medicinal products which have been authorised by the Community in accordance with this Regulation. Where appropriate the Committee for Medicinal Products for Veterinary Use shall, in accordance with Article 30 of this Regulation, draw up opinions on the measures necessary. These opinions shall be made publicly accessible.

These measures may include amendments to the marketing authorisation granted in accordance with Article 35. They shall be adopted in accordance with the procedure referred to in Article 87(3).

The holder of the marketing authorisation and the competent authorities of the Member States shall ensure all relevant information about suspected adverse reactions to the veterinary medicinal products authorised under this Regulation is brought to the attention of the Agency in accordance with the provisions of this Regulation. Animal owners and breeders shall be encouraged to communicate any adverse reaction to health-care professionals or to the competent national authorities responsible for pharmacovigilance.

Article 48

The holder of the marketing authorisation for a veterinary medicinal product granted in accordance with the provisions of this Regulation shall have permanently and continuously at his disposal an appropriately qualified person responsible for pharmacovigilance.

That qualified person shall reside in the Community and shall be responsible for the following:

a) establishing and managing a system which ensures that information about all suspected adverse reactions which are reported to the personnel of the company and to medical representatives is collected, evaluated and collated so that it may be accessed at a single point within the Community;

b) preparing the reports referred to in Article 49(3) for the competent authorities of the Member States and the Agency in accordance with the requirements of this Regulation;

c) ensuring that any request from the competent authorities for the provision of additional information necessary for the evaluation of the risks and benefits of a veterinary medicinal product is answered fully and promptly, including the provision of information about the volume of sales or prescriptions for the veterinary medicinal product concerned;

d) providing the competent authorities with any other information relevant to the evaluation of the risks and benefits of a veterinary medicinal product, particularly information concerning post-authorisation safety studies, including information regarding the validity of the withdrawal period or lack of expected efficacy or potential environmental problems.

Article 49

1. The holder of the marketing authorisation for a veterinary medicinal product shall ensure that all suspected serious adverse reactions, and adverse human reactions to a veterinary medicinal product authorised in accordance with the provisions of this Regulation occurring within the Community which a health-care professional brings to his attention are recorded and reported promptly to the Member States in the territory of which the incident occurred no later than 15 days following receipt of the information.

The holder of the marketing authorisation shall record any other suspected serious adverse reactions and human adverse reactions occurring within the Community, in accordance with the guidelines referred to in Article 51, of which he may reasonably be expected to be aware, and promptly notify Member States in the territory of which the incident occurred and the Agency, and no later than 15 days following receipt of the information.

2. The holder of the marketing authorisation for a veterinary medicinal product shall ensure that all suspected serious unexpected adverse reactions, and adverse human reactions, and any suspected transmission via a medicinal product of any infectious agent occurring in the territory of a third country are reported promptly to the Member States and the Agency, and no later than 15 days following receipt of the information. The provisions for the reporting of suspected unexpected adverse reactions which are not serious, whether occurring in the Community or in a third country, shall be adopted in accordance with the procedure referred to in Article 87(2).

Save in exceptional circumstances, these reactions shall be transmitted electronically in the form of a report and in accordance with the guide referred to in Article 51.

3. The holder of the marketing authorisation for a veterinary medicinal product shall maintain detailed records of all suspected adverse reactions occurring within or outside the Community which are reported to him.

Unless other requirements have been laid down as a condition for the granting of the marketing authorisation by the Community, these records shall be submitted, in the form of a periodic safety update report, to the Agency and Member States immediately upon request or at least every six months after authorisation until the placing on the market. Periodic safety update reports shall also be submitted immediately upon request or at least every six months during the first two years following the initial placing on the Community market and once a year for the following two years. Thereafter, the reports shall be submitted at three-yearly intervals, or immediately upon request.

These reports shall be accompanied by a scientific evaluation, particularly of the risk-benefit balance of the medicinal product.

4. The Commission may lay down provisions to amend paragraph 3 in view of experience gained with its operation. The Commission shall adopt any such provisions in accordance with the procedure referred to in Article 87(2).

5. The holder of a marketing authorisation may not communicate information relating to pharmacovigilance concerns to the general public in relation to its authorised medicinal product without giving prior or simultaneous notification to the Agency.

In any case, the marketing authorisation holder shall ensure that such information is presented objectively and is not misleading.

Member States shall take the necessary measures to ensure that a marketing authorisation holder who fails to discharge these obligations is subject to effective, proportionate and dissuasive penalties.

Article 50

Each Member State shall ensure that all suspected serious adverse reactions, and adverse human reactions, occurring within its territory to a veterinary medicinal product authorised in accordance with the provisions of this Regulation which are brought to its attention are recorded and reported promptly to the Agency and the holder of the marketing authorisation for the veterinary medicinal product, and no later than 15 days following receipt of the information.

The Agency shall forward the information to the national pharmacovigilance systems set up in accordance with Article 73 of Directive 2001/82/EC.

Article 51

The Commission, in consultation with the Agency, Member States and interested parties, shall draw up a guide on the collection, verification and presentation of adverse-reaction reports. This guide shall contain, in particular, for the benefit of health-care professionals, recommendations concerning the communication of information on adverse reactions.

In accordance with this guide, holders of marketing authorisations shall use the medical terminology accepted at international level for the transmission of adverse-reaction reports.

The Agency, in consultation with the Member States and the Commission, shall set up a data-processing network for the rapid transmission of data between the competent Community authorities in the event of an alert relating to faulty manufacture, serious adverse reactions and other pharmacovigilance data regarding veterinary medicinal products authorised in accordance with Article 5 of Directive 2001/82/EC.

For a period of five years following the initial placing on the market in the Community, the Agency may request that the marketing authorisation holder arrange for specific pharmacovigilance data to be collected from targeted groups of animals. The Agency shall state the reasons for the request. The marketing authorisation holder shall collate and assess the data collected and submit it to the Agency for evaluation.

Article 52

The Agency shall cooperate with international organisations concerned with veterinary pharmacovigilance.

Article 53

The Agency and the Member States' competent authorities shall cooperate to continuously develop pharmacovigilance systems capable of achieving high standards of public health protection for all medicinal products, regardless of routes of authorisation, including the use of collaborative approaches, to maximise use of resources available within the Community.

Article 54

Any amendment which may be necessary to update the provisions of this Chapter in order to take account of scientific and technical progress shall be adopted in accordance with the procedure referred to in Article 87(2).

TITLE IV

THE EUROPEAN MEDICINES AGENCY RESPONSIBILITIES AND ADMINISTRATIVE STRUCTURE

Chapter 1

Tasks of the Agency

Article 55

A European Medicines Agency is hereby established.

The Agency shall be responsible for coordinating the existing scientific resources put at its disposal by Member States for the evaluation, supervision and pharmacovigilance of medicinal products.

Article 56

1. The Agency shall comprise:

a) the Committee for Medicinal Products for Human Use, which shall be responsible for preparing the opinion of the Agency on any question relating to the evaluation of medicinal products for human use;

b) the Committee for Medicinal Products for Veterinary Use, which shall be responsible for preparing the opinion of the Agency on any question relating to the evaluation of medicinal products for veterinary use;

c) the Committee on Orphan Medicinal Products;

d) the Committee on Herbal Medicinal Products;

e) a Secretariat, which shall provide technical, scientific and administrative support for the committees and ensure appropriate coordination between them;

f) an Executive Director, who shall exercise the responsibilities set out in Article 64;

g) a Management Board, which shall exercise the responsibilities set out in Articles 65, 66 and 67.

2. The committees referred to in paragraph 1(a) to (d) may each establish standing and temporary working parties. The committees referred to in paragraph 1(a) and (b) may establish scientific advisory groups in connection with the evaluation of specific types of medicinal products or treatments, to which the committee concerned may delegate certain tasks associated with drawing up the scientific opinions referred to in Articles 5 and 30.

When establishing working parties and scientific advisory groups, the committees shall in their rules of procedures referred to in Article 61(8) provide for:

a) the appointment of members of these working parties and scientific advisory groups on the basis of the lists of experts referred to in the second subparagraph of Article 62(2); and

b) consultation of these working parties and scientific advisory groups.

3. The Executive Director, in close consultation with the Committee for Medicinal Products for Human Use and the Committee for Medicinal Products for Veterinary Use, shall set up the administrative structures and procedures allowing the development of advice for undertakings, as referred to in Article 57(1)(n), particularly regarding the development of new therapies.

Each committee shall establish a standing working party with the sole remit of providing scientific advice to undertakings.

4. The Committee for Medicinal Products for Human Use and the Committee for Medicinal Products for Veterinary Use may, if they consider it appropriate, seek guidance on important questions of a general scientific or ethical nature.

Article 57

1. The Agency shall provide the Member States and the institutions of the Community with the best possible scientific advice on any question relating to the evaluation of the quality, safety and efficacy of medicinal products for human or veterinary use which is referred to it in accordance with the provisions of Community legislation relating to medicinal products.

To this end, the Agency, acting particularly through its committees, shall undertake the following tasks:

a) coordination of the scientific evaluation of the quality, safety and efficacy of medicinal products which are subject to Community marketing authorisation procedures;

b) transmitting on request and making publicly available assessment reports, summaries of product characteristics, labels and package leaflets or inserts for these medicinal products;

c) coordination of the supervision, under practical conditions of use, of medicinal products which have been authorised within the Community and the provision of advice on the measures necessary to ensure the safe and effective use of these products, in particular by evaluation, coordination of the implementation of pharmacovigilance obligations and the monitoring of such implementation;

d) ensuring the dissemination of information on adverse reactions to medicinal products authorised in the Community, by means of a database permanently accessible to all Member States; health-care professionals, marketing authorisation holders and the public shall have appropriate levels of access to these databases, with personal data protection being guaranteed;

e) assisting Member States with the rapid communication of information concerning pharmacovigilance to health-care professionals;

f) distributing appropriate pharmacovigilance information to the general public;

g) advising on the maximum limits for residues of veterinary medicinal products which may be accepted in foodstuffs of animal origin in accordance with Regulation (EEC) No 2377/90;

h) providing scientific advice on the use of antibiotics in food-producing animals in order to minimise the occurrence of bacterial resistance in the Community; this advice shall be updated when needed;

i) coordinating the verification of compliance with the principles of good manufacturing practice, good laboratory practice, good clinical practice and the verification of compliance with pharmacovigilance obligations;

j) upon request, providing technical and scientific support in order to improve cooperation between the Community, its Member States, international organisations and third countries on scientific and technical issues relating to the evaluation of medicinal products, in particular in the context of discussions organised in the framework of international conferences on harmonisation;

k) recording the status of marketing authorisations for medicinal products granted in accordance with Community procedures;

l) creating a database on medicinal products, to be accessible to the general public, and ensuring that it is updated, and managed independently of pharmaceutical companies; the database shall facilitate the search for information already authorised for package leaflets; it shall include a section on medicinal products authorised for the treatment of children; the information provided to the public shall be worded in an appropriate and comprehensible manner;

m) assisting the Community and Member States in the provision of information to health-care professionals and the general public about medicinal products evaluated by the Agency;

n) advising undertakings on the conduct of the various tests and trials necessary to demonstrate the quality, safety and efficacy of medicinal products;

o) checking that the conditions laid down in Community legislation on medicinal products and in the marketing authorisations are observed in the case of parallel distribution of medicinal products authorised in accordance with this Regulation;

p) drawing up, at the Commission's request, any other scientific opinion concerning the evaluation of medicinal products or the starting materials used in the manufacture of medicinal products;

q) with a view to the protection of public health, compilation of scientific information concerning pathogenic agents which might be used in biological warfare, including the existence of vaccines and other medicinal products available to prevent, or to treat, the effects of such agents;

r) coordination of the supervision of the quality of medicinal products placed on the market by requesting testing of compliance with their authorised specifications by an Official Medicines Control Laboratory or by a laboratory that a Member State has designated for that purpose;

s) forwarding annually to the budgetary authority any information relevant to the outcome of the evaluation procedures.

2. The database provided for in paragraph 1(l) shall include the summaries of product characteristics, the patient or user package leaflet and the information shown on the labelling. The database shall be developed in stages, priority being given to medicinal products authorised under this Regulation and those authorised under Chapter 4 of Title III of Directive 2001/83/EC and of Directive 2001/82/EC respectively. The database shall subsequently be extended to include any medicinal product placed on the market within the Community.

Where appropriate, the database shall also include references to data on clinical trials currently being carried out or already completed, contained in the clinical trials database provided for in Article 11 of Directive 2001/20/EC. The Commission shall, in consultation with the Member States, issue guidelines on data fields which could be included and which may be accessible to the public.

Article 58

1. The Agency may give a scientific opinion, in the context of cooperation with the World Health Organisation, for the evaluation of certain medicinal products for human use intended exclusively for markets outside the Community. For this purpose, an application shall be submitted to the Agency in accordance with the provisions of Article 6. The Committee for Medicinal Products for Human Use may, after consulting the World Health Organisation, draw up a scientific opinion in accordance with Articles 6 to 9. The provisions of Article 10 shall not apply.

2. The said Committee shall establish specific procedural rules for the implementation of paragraph 1, as well as for the provision of scientific advice.

Article 59

1. The Agency shall take care to ensure early identification of potential sources of conflict between its scientific opinions and those of other bodies established under Community law carrying out a similar task in relation to issues of common concern.

2. Where the Agency identifies a potential source of conflict, it shall contact the body concerned in order to ensure that any relevant scientific information is shared and to identify the scientific points which potentially conflict.

3. Where there is a fundamental conflict over scientific points and the body concerned is a Community agency or a scientific committee, the Agency and the body concerned shall work together either to resolve the conflict or to submit a joint document to the Commission clarifying the scientific points of conflict. This document shall be published immediately after its adoption.

4. Save as otherwise provided in this Regulation, in Directive 2001/83/EC or in Directive 2001/82/EC, where there is a fundamental conflict over scientific points and the body concerned is a body in a Member State, the Agency and the national body concerned shall work together either to resolve the conflict or to prepare a joint document clarifying the scientific points of conflict. This document shall be published immediately after its adoption.

Article 60

At the request of the Commission, the Agency shall, in respect of authorised medicinal products, collect any available information on methods that Member States' competent authorities use to determine the added therapeutic value that any new medicinal product provides.

Article 61

1. Each Member State shall, after consultation of the Management Board, appoint, for a three-year term which may be renewed, one member and one alternate to the Committee for Medicinal Products for Human Use and one member and one alternate to the Committee for Medicinal Products for Veterinary Use.

The alternates shall represent and vote for the members in their absence and may act as rapporteurs in accordance with Article 62.

Members and alternates shall be chosen for their role and experience in the evaluation of medicinal products for human and veterinary use as appropriate and shall represent the competent national authorities.

2. The committees may co-opt a maximum of five additional members chosen on the basis of their specific scientific competence. These members shall be appointed for a term of three years, which may be renewed, and shall not have alternates.

With a view to the co-opting of such members, the committees shall identify the specific complementary scientific competence of the additional member(s). Co-opted members shall be chosen among experts nominated by Member States or the Agency.

3. The members of each Committee may be accompanied by experts in specific scientific or technical fields.

4. The Executive Director of the Agency or his representative and representatives of the Commission shall be entitled to attend all meetings of the committees, working parties and scientific advisory groups and all other meetings convened by the Agency or its committees.

5. In addition to their task of providing objective scientific opinions to the Community and Member States on the questions which are referred to them, the members of each committee shall ensure that there is appropriate coordination between the tasks of the Agency and the work of competent national authorities, including the consultative bodies concerned with the marketing authorisation.

6. Members of the committees and experts responsible for evaluating medicinal products shall rely on the scientific evaluation and resources available to national marketing authorisation bodies. Each competent national authority shall monitor the scientific level and independence of the evaluation carried out and facilitate the activities of nominated committee members and experts. Member States shall refrain from giving committee members and experts any instruction which is incompatible with their own individual tasks or with the tasks and responsibilities of the Agency.

7. When preparing the opinion, each committee shall use its best endeavours to reach a scientific consensus. If such a consensus cannot be reached, the opinion shall consist of the position of the majority of members and divergent positions, with the grounds on which they are based.

8. Each committee shall establish its own rules of procedure.

These rules shall, in particular, lay down:

a) procedures for appointing and replacing the Chairman;

b) procedures relating to working parties and scientific advisory groups; and

c) a procedure for the urgent adoption of opinions, particularly in relation to the provisions of this Regulation on market surveillance and pharmacovigilance.

They shall enter into force after receiving a favourable opinion from the Commission and the Management Board.

Article 62

1. Where, in accordance with the provisions of this Regulation, the Committee for Medicinal Products for Human Use, the Committee on Herbal Medicinal Products or the Committee for Medicinal Products for Veterinary Use is required to evaluate a medicinal product, it shall appoint one of its members to act as rapporteur for the coordination of the evaluation. The Committee concerned may appoint a second member to act as co-rapporteur.

When consulting the scientific advisory groups referred to in Article 56(2), the Committee shall forward to them the draft assessment report(s) drawn up by the rapporteur or the co-rapporteur. The opinion issued by the scientific advisory group shall be forwarded to the chairman of the relevant Committee in such a way as to ensure that the deadlines laid down in Article 6(3) and Article 31(3) are met.

The substance of the opinion shall be included in the assessment report published pursuant to Article 13(3) and Article 38(3).

If there is a request for re-examination of one of its opinions, the Committee concerned shall appoint a different rapporteur and, where necessary, a different co-rapporteur from those appointed for the initial opinion. The re-examination procedure may deal only with the points of the opinion initially identified by the applicant and may be based only on the scientific data available when the Committee adopted the initial opinion. The applicant may request that the Committee consult a scientific advisory group in connection with the re-examination.

2. Member States shall transmit to the Agency the names of national experts with proven experience in the evaluation of medicinal products who would be available to serve on working parties or scientific advisory groups of the Committee for Medicinal Products for Human Use, the Committee on Herbal Medicinal Products or the Committee for Medicinal Products for Veterinary Use, together with an indication of their qualifications and specific areas of expertise.

The Agency shall keep an up-to-date list of accredited experts. The list shall include the experts referred to in the first subparagraph and other experts appointed directly by the Agency. The list shall be updated.

3. The provision of services by rapporteurs or experts shall be governed by a written contract between the Agency and the person concerned, or where appropriate between the Agency and his employer.

The person concerned, or his employer, shall be remunerated in accordance with a scale of fees to be included in the financial arrangements established by the Management Board.

4. The performance of scientific services for which there are several potential providers may result in a call for an expression of interest, if the scientific and technical context allows, and if it is compatible with the tasks of the Agency, in particular to ensure a high level of public health protection.

The Management Board shall adopt the appropriate procedures on a proposal from the Executive Director.

5. The Agency or any of the committees referred to in Article 56(1) may use the services of experts for the discharge of other specific tasks for which they are responsible.

Article 63

1. The membership of the committees referred to in Article 56(1) shall be made public. When each appointment is published, the professional qualifications of each member shall be specified.

2. Members of the Management Board, members of the committees, rapporteurs and experts shall not have financial or other interests in the pharmaceutical industry which could affect their impartiality. They shall undertake to act in the public interest and in an independent manner, and shall make an annual declaration of their financial interests. All indirect interests which could relate to this industry shall be entered in a register held by the Agency which is accessible to the public, on request, at the Agency's offices.

The Agency's code of conduct shall provide for the implementation of this Article with particular reference to the acceptance of gifts.

Members of the Management Board, members of the committees, rapporteurs and experts who participate in meetings or working groups of the Agency shall declare, at each meeting, any specific interests which could be considered to be prejudicial to their independence with respect to the items on the agenda. These declarations shall be made available to the public.

Article 64

1. The Executive Director shall be appointed by the Management Board, on a proposal from the Commission, for a period of five years on the basis of a list of candidates proposed by the Commission following a call for expressions of interest published in the Official Journal of the European Union and elsewhere. Before appointment, the candidate nominated by the Management Board shall be invited forthwith to make a statement to the European Parliament and to answer any questions put by its Members. His mandate may be renewed once. The Management Board may, upon a proposal from the Commission, remove the Executive Director from his post.

2. The Executive Director shall be the legal representative of the Agency. He shall be responsible:

a) for the day-to-day administration of the Agency;

b) for managing all the Agency resources necessary for conducting the activities of the committees referred to in Article 56(1), including making available appropriate scientific and technical support;

c) for ensuring that the time-limits laid down in Community legislation for the adoption of opinions by the Agency are complied with;

d) for ensuring appropriate coordination between the committees referred to in Article 56(1);

e) for the preparation of the draft statement of estimates of the Agency's revenue and expenditure, and execution of its budget;

f) for all staff matters;

g) for providing the secretariat for the Management Board.

3. Each year the Executive Director shall submit a draft report covering the activities of the Agency in the previous year and a draft work programme for the coming year to the Management Board for approval, making a distinction between the Agency's activities concerning medicinal products for human use, those concerning herbal medicinal products and those concerning veterinary medicinal products.

The draft report covering the activities of the Agency in the previous year shall include information about the number of applications evaluated within the Agency, the time taken for completion of the evaluation and the medicinal products authorised, rejected or withdrawn.

Article 65

1. The Management Board shall consist of one representative of each Member State, two representatives of the Commission and two representatives of the European Parliament.

In addition, two representatives of patients' organisations, one representative of doctors' organisations and one representative of veterinarians' organisations shall be appointed by the Council in consultation with the European Parliament on the basis of a list drawn up by the Commission which includes appreciably more names than there are posts to be filled. The list drawn up by the Commission shall be forwarded to the European Parliament, together with the relevant background documents. As quickly as possible, and within three months of notification, the European Parliament may submit its views for consideration to the Council, which shall then appoint the Management Board.

The members of the Management Board shall be appointed in such a way as to guarantee the highest levels of specialist qualifications, a broad spectrum of relevant expertise and the broadest possible geographic spread within the European Union.

2. The members of the Management Board shall be appointed on the basis of their relevant expertise in management and, if appropriate, experience in the field of medicinal products for human or veterinary use.

3. Each Member State and the Commission shall appoint their members of the Management Board as well as an alternate who will replace the member in his absence and vote on his behalf

4. The term of office of the representatives shall be three years. The term of office may be renewed.

5. The Management Board shall elect its Chairman from among its members.

The term of office of the Chairman shall be three years and shall expire when he ceases to be a member of the Management Board. The term of office may be renewed once.

6. Decisions of the Management Board shall be adopted by a majority of two-thirds of its members.

7. The Management Board shall adopt its rules of procedure.

8. The Management Board may invite the chairmen of the scientific committees to attend its meetings, but they shall not have the right to vote.

9. The Management Board shall approve the annual work programme of the Agency programme and forward it to the European Parliament, the Council, the Commission and the Member States.

10. The Management Board shall adopt the annual report on the Agency's activities and forward it by 15 June at the latest to the European Parliament, the Council, the Commission, the European Economic and Social Committee, the Court of Auditors and the Member States.

Article 66

The Management Board shall:

a) adopt an opinion on the rules of procedures of the Committee for Medicinal Products for Human Use and the Committee for Medicinal Products for Veterinary Use (Article 61);

b) adopt procedures for the performance of scientific services (Article 62);

c) appoint the Executive Director (Article 64);

d) adopt the annual work programme and forward it to the European Parliament, the Council, the Commission and the Member States (Article 65);

e) approve the annual report on the Agency's activities and forward it by 15 June at the latest to the European Parliament, the Council, the Commission, the European Economic and Social Committee, the Court of Auditors and the Member States (Article 65);

f) adopt the budget of the Agency (Article 67);

g) adopt the internal financial provisions (Article 67);

h) adopt provisions implementing the Staff Regulations (Article 75);

i) develop contacts with stakeholders and stipulate the conditions applicable (Article 78);

j) adopt provisions for providing assistance to pharmaceutical companies (Article 79);

k) adopt rules to ensure the availability to the public of information concerning the authorisation or supervision of medicinal products (Article 80).

Chapter 2

Financial Provisions

Article 67

1. Estimates of all the revenue and expenditure of the Agency shall be prepared for each financial year, corresponding to the calendar year, and shall be shown in the budget of the Agency.

2. The revenue and expenditure shown in the budget shall be in balance.

3. The Agency's revenue shall consist of a contribution from the Community and fees paid by undertakings for obtaining and maintaining Community marketing authorisations and for other services provided by the Agency.

The European Parliament and the Council (hereinafter referred to as 'the budgetary authority') shall re-examine, when necessary, the level of the Community contribution on the basis of an evaluation of needs and taking account of the level of fees.

4. Activities relating to pharmacovigilance, to the operation of communications networks and to market surveillance shall receive adequate public funding commensurate with the tasks conferred.

5. The expenditure of the Agency shall include staff remuneration, administrative and infrastructure costs, and operating expenses as well as expenses resulting from contracts entered into with third parties.

6. Each year the Management Board, on the basis of a draft drawn up by the Executive Director, shall produce an estimate of revenue and expenditure for the Agency for the following financial year. This estimate, which shall include a draft establishment plan, shall be forwarded by the Management Board to the Commission by 31 March at the latest.

7. The estimate shall be forwarded by the Commission to the budgetary authority together with the preliminary draft general budget of the European Union.

8. On the basis of the estimate, 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 place before 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.

10. The budget shall be adopted by the Management Board. It shall become final following final adoption of the general budget of the European Union. Where appropriate, it shall be adjusted accordingly.

11. Any modification of the establishment plan and of the budget shall be the subject of an amending budget, which is forwarded for the purposes of information to the budgetary authority.

12. 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 its 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 68

1. The Executive Director shall implement the budget of the Agency.

2. 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 the Financial Regulation applicable to the general budget of the European Communities [1] (hereinafter referred to as the 'general Financial Regulation').

[1] Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 248, 16.9.2002, p. 1).

3. By 31 March at the latest following each financial year, the Commission's accounting officer shall submit 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 forwarded to the European Parliament and the Council.

4. 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 own responsibility and submit them to the Management Board for an opinion.

5. The Management Board of the Agency shall deliver an opinion on the Agency's final accounts.

6. The Executive Director shall, by 1 July at the latest following each financial year, forward the final accounts to the European Parliament, the Council, the Commission and the Court of Auditors, together with the Management Board's opinion.

7. The final accounts shall be published.

8. The Agency's Executive Director shall send the Court of Auditors a reply to its observations by 30 September at the latest. He shall also send this reply to the Management Board.

9. The Executive Director shall submit to the European Parliament, at the latter's request, any information required 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.

10. 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 year N.

11. 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 [1], unless specifically required for the Agency's operation and with the Commission's prior consent.

Article 69

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) [2] shall apply without restriction.

2. The Agency shall accede to the Interinstitutional Agreement of 25 May 1999 concerning internal investigations by the European Anti-Fraud Office (OLAF) and shall issue, without delay, the appropriate provisions applicable to all the employees of the Agency.

Article 70

1. The structure and the level of the fees referred to in Article 67(3) shall be established by the Council acting under the conditions provided for by the Treaty on a proposal from the Commission, once the Commission has consulted organisations representing the interests of the pharmaceutical industry at Community level.

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[1] OJ L 357, 31.12.2002, p. 72.
[2] OJ L 136, 31.5.1999, p. 1.

2. However, provisions shall be adopted in accordance with the procedure referred to in Article 87(2), establishing the circumstances in which small and medium-sized enterprises may pay reduced fees, defer payment of the fee, or receive administrative assistance.

Chapter 3

General Provisions governing the Agency

Article 71

The Agency shall have legal personality. In all Member States it shall enjoy the most extensive legal capacity accorded to legal persons under their laws. It may in particular acquire or dispose of movable and immovable property and may be a party to legal proceedings.

Article 72

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 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 by its servants in the performance of their duties.

The Court of Justice shall have jurisdiction in any dispute relating to compensation for any such damage.

3. The personal liability of its servants towards the Agency shall be governed by the relevant rules applying to the staff of the Agency.

Article 73

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 [1] shall apply to documents held by the Agency.

The Agency shall set up a register pursuant to Article 2(4) of Regulation (EC) No 1049/2001 to make available all documents that are publicly accessible pursuant to this Regulation.

The Management Board shall adopt the arrangements for implementing Regulation (EC) No 1049/2001 within six months of entry into force of this Regulation.

Decisions taken by the Agency pursuant to Article 8 of Regulation (EC) No 1049/2001 may give rise to the lodging of a complaint with the Ombudsman or form the subject of an action before the Court of Justice, under the conditions laid down in Articles 195 and 230 of the Treaty respectively.

Article 74

The Protocol on the Privileges and Immunities of the European Communities shall apply to the Agency.

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[1] OJ L 145, 31.5.2001, p. 43.

Article 75

The staff of the Agency shall be subject to the rules and regulations applicable to officials and other staff of the European Communities. In respect of its staff, the Agency shall exercise the powers which have been devolved to the appointing authority.

The Management Board, in agreement with the Commission, shall adopt the necessary implementing provisions.

Article 76

Members of the Management Board, members of the committees referred to in Article 56(1), and experts and officials and other servants of the Agency, shall be required, even after their duties have ceased, not to disclose information of the kind covered by the obligation of professional secrecy.

Article 77

The Commission may, in agreement with the Management Board and the relevant committee, invite representatives of international organisations with an interest in the harmonisation of regulations applicable to medicinal products to participate as observers in the work of the Agency. The conditions for participation shall be determined beforehand by the Commission.

Article 78

1. The Management Board shall, in agreement with the Commission, develop appropriate contacts between the Agency and the representatives of the industry, consumers and patients and the health professions. These contacts may include the participation of observers in certain aspects of the Agency's work, under conditions determined beforehand by the Management Board, in agreement with the Commission.

2. The committees referred to in Article 56(1) and any working parties and scientific advisory groups established in accordance with that Article shall in general matters establish contacts, on an advisory basis, with parties concerned with the use of medicinal products, in particular patient organisations and health-care professionals' associations. Rapporteurs appointed by these committees may, on an advisory basis, establish contacts with representatives of patient organisations and health-care professionals' associations relevant to the indication of the medicinal product concerned.

Article 79

The Management Board shall, in the case of veterinary medicinal products which have limited markets, or in the case of veterinary medicinal products intended for diseases with a regional distribution, adopt the necessary measures to provide assistance to companies at the time of submission of their applications.

Article 80

To ensure an appropriate level of transparency, the Management Board, on the basis of a proposal by the Executive Director and in agreement with the Commission, shall adopt rules to ensure the availability to the public of regulatory, scientific or technical information concerning the authorisation or supervision of medicinal products which is not of a confidential nature.

The internal rules and procedures of the Agency, its committees and its working groups shall be made available to the public at the Agency and on the Internet.

TITLE V

GENERAL AND FINAL PROVISIONS

Article 81

1. All decisions to grant, refuse, vary, suspend, withdraw or revoke a marketing authorisation which are taken in accordance with this Regulation shall state in detail the reasons on which they are based. Such decisions shall be notified to the party concerned.

2. An authorisation to place a medicinal product governed by this Regulation on the market shall not be granted, refused, varied, suspended, withdrawn or revoked except through the procedures and on the grounds set out in this Regulation.

Article 82

1. Only one authorisation may be granted to an applicant for a specific medicinal product.

However, the Commission shall authorise the same applicant to submit more than one application to the Agency for that medicinal product when there are objective verifiable reasons relating to public health regarding the availability of medicinal products to health-care professionals and/or patients, or for co-marketing reasons.

2. As regards medicinal products for human use, Article 98(3) of Directive 2001/83/EC shall apply to medicinal products authorised under this Regulation.

3. Without prejudice to the unique, Community nature of the content of the documents referred to in Article 9(4)(a), (b), (c) and (d) and in Article 34(4)(a) to (e), this Regulation shall not prohibit the use of two or more commercial designs for a given medicinal product covered by a single authorisation.

Article 83

1. By way of exemption from Article 6 of Directive 2001/83/EC Member States may make a medicinal product for human use belonging to the categories referred to in Article 3(1) and (2) of this Regulation available for compassionate use.

2. For the purposes of this Article, 'compassionate use' shall mean making a medicinal product belonging to the categories referred to in Article 3(1) and (2) available for compassionate reasons to a group of patients with a chronically or seriously debilitating disease or whose disease is considered to be life-threatening, and who can not be treated satisfactorily by an authorised medicinal product. The medicinal product concerned must either be the subject of an application for a marketing authorisation in accordance with Article 6 of this Regulation or must be undergoing clinical trials.

3. When a Member State makes use of the possibility provided for in paragraph 1 it shall notify the Agency.

4. When compassionate use is envisaged, the Committee for Medicinal Products for Human Use, after consulting the manufacturer or the applicant, may adopt opinions on the conditions for use, the conditions for distribution and the patients targeted. The opinions shall be updated on a regular basis.

5. Member States shall take account of any available opinions.

6. The Agency shall keep an up-to-date list of the opinions adopted in accordance with paragraph 4, which shall be published on its website. Article 24(1) and Article 25 shall apply mutatis mutandis.

7. The opinions referred to in paragraph 4 shall not affect the civil or criminal liability of the manufacturer or of the applicant for marketing authorisation.

8. Where a compassionate use programme has been set up, the applicant shall ensure that patients taking part also have access to the new medicinal product during the period between authorisation and placing on the market.

9. This Article shall be without prejudice to Directive 2001/20/EC and to Article 5 of Directive 2001/83/EC.

Article 84

1. Without prejudice to the Protocol on the Privileges and Immunities of the European Communities, each Member State shall determine the penalties to be applied for infringement of the provisions of this Regulation or the regulations adopted pursuant to it and shall take all measures necessary for their implementation. The penalties shall be effective, proportionate and dissuasive.

Member States shall inform the Commission of these provisions no later than 31 December 2004. They shall notify any subsequent alterations as soon as possible.

2. Member States shall inform the Commission immediately of any litigation instituted for infringement of this Regulation.

3. At the Agency's request, the Commission may impose financial penalties on the holders of marketing authorisations granted under this Regulation if they fail to observe certain obligations laid down in connection with the authorisations. The maximum amounts as well as the conditions and methods for collection of these penalties shall be laid down in accordance with the procedure referred to in Article 87(2).

The Commission shall publish the names of the marketing authorisation holders involved and the amounts of and reasons for the financial penalties imposed.

Article 85

This Regulation shall not affect the competences vested in the European Food Safety Authority created by Regulation (EC) No 178/2002 ([1]).

Article 86

At least every ten years, the Commission shall publish a general report on the experience acquired as a result of the operation of the procedures laid down in this Regulation, in Chapter 4 of Title III of Directive 2001/83/EC and in Chapter 4 of Title III of Directive 2001/82/EC.

Article 87

1. The Commission shall be assisted by the Standing Committee on Medicinal Products for Human Use set up by Article 121 of Directive 2001/83/EC and by the Standing Committee on Veterinary Medicinal Products set up by Article 89 of Directive 2001/82/EC.

([1]) Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1).

2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at one month.

4. The committees shall adopt their Rules of Procedure.

Article 88

Regulation (EEC) No 2309/93/EC is hereby repealed.

References to the repealed Regulation shall be construed as references to this Regulation.

Article 89

The periods of protection provided for in Articles 14(11) and 39(10) shall not apply to reference medicinal products for which an application for authorisation has been submitted before the date referred to in Article 90, second paragraph.

Article 90

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

By way of derogation from the first paragraph, Titles I, II, III and V shall apply from … (*) and point 3, fifth and sixth indent of the Annex shall apply from … (**).

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at …,

For the European Parliament
The President

For the Council
The President

(*) 18 months after the date of entry into force of this Regulation.
(**) Four years after the date of entry into force of this Regulation.

ANNEX

MEDICINAL PRODUCTS TO BE AUTHORISED BY THE COMMUNITY

1. Medicinal products developed by means of one of the following biotechnological processes:

— recombinant DNA technology,

— controlled expression of genes coding for biologically active proteins in prokaryotes and eukaryotes including transformed mammalian cells,

— hybridoma and monoclonal antibody methods.

2. Medicinal products for veterinary use intended primarily for use as performance enhancers in order to promote the growth of treated animals or to increase yields from treated animals.

3. Medicinal products for human use containing a new active substance which, on the date of entry into force of this Regulation, was not authorised in the Community, for which the therapeutic indication is the treatment of any of the following diseases:

— acquired immune deficiency syndrome,

— cancer,

— neurodegenerative disorder,

— diabetes,

and with effect from … (*)

— auto-immune diseases and other immune dysfunctions,

— viral diseases.

After … (*), the Commission, having consulted the Agency, may present any appropriate proposal modifying this point and the Council shall take a decision on that proposal by qualified majority.

4. Medicinal products that are designated as orphan medicinal products pursuant to Regulation (EC) No 141/2000.

(*) Four years after the date of entry into force of this Regulation.

P5_TA(2003)0577

Community code on medicinal products for human use ***II

European Parliament legislative resolution on the common position adopted by the Council with a view to adopting a European Parliament and Council directive amending Directive 2001/83/EC on the Community code relating to medicinal products for human use (10950/03/2003 — C5-0464/2003 — 2001/0253(COD))

(Codecision procedure: second reading)

The European Parliament,

— having regard to the Council common position (10950/3/2003 — C5-0464/2003) ([0]),

— having regard to its position at first reading ([1]) on the Commission proposal to Parliament and the Council (COM(2001) 404) ([2]),

— having regard to the amended Commission proposal (COM(2003) 163) ([3]),

([0]) OJ C 297 E, 9.12.2003, p. 41.
([1]) *Texts Adopted*, 23.10.2002, P5_TA(2002) 0505.
([2]) OJ C 75 E, 26.3.2002, p. 216.
([3]) Not yet published in OJ.

— having regard to Article 251(2) of the EC Treaty,

— having regard to Rule 80 of its Rules of Procedure,

— having regard to the recommendation for second reading of the Committee on the Environment, Public Health and Consumer Policy (A5-0446/2003),

1. Amends the common position as follows;

2. Instructs its President to forward its position to the Council and Commission.

P5_TC2-COD(2001)0253

Position of the European Parliament adopted at second reading on 17 December 2003 with a view to the adoption of Directive 2004/…/EC of the European Parliament and of the Council amending Directive 2001/83/EC on the Community code relating to medicinal products for human use

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 by the Commission [1],

Having regard to the Opinion of the European Economic and Social Committee [2],

After consulting the Committee of the Regions,

Acting in accordance with the procedure laid down in Article 251 of the Treaty [3],

Whereas:

(1) Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use [4], codified and consolidated in a single text the texts of Community legislation on medicinal products for human use, in the interests of clarity and rationalisation.

(2) The Community legislation so far adopted has made a major contribution to the achievement of the objective of the free and safe movement of medicinal products for human use and the elimination of obstacles to trade in such products. However, in the light of the experience acquired, it has become clear that new measures are necessary to eliminate the remaining obstacles to free movement.

(3) It is therefore necessary to align the national laws, regulations and administrative provisions which contain differences with regard to the basic principles in order to promote the operation of the internal market while realising a high level of human health protection.

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[1] OJ C 75 E, 26.3.2002, p. 216 and OJ C (not yet published in the Official Journal).
[2] OJ C 61, 14.3.2003, p. 1.
[3] Position of the European Parliament of 23 October 2002 (OJ C 300 E, 11.12.2003, p. 353), Council Common Position of 29 September 2003 (OJ C 297 E, 9.12.2003, p. 41), Position of the European Parliament of 17 December 2003.
[4] OJ L 311, 28.11.2001, p. 67. Directive as last amended by Commission Directive 2003/63/EC (OJ L 159, 27.6.2003, p. 46).

(4) The main purpose of any regulation on the manufacture and distribution of medicinal products for human use should be to safeguard public health. However, this objective should be achieved by means which do not hinder the development of the pharmaceutical industry or trade in medicinal products in the Community.

(5) Article 71 of Council Regulation (EEC) No 2309/93 of 22 July 1993 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Agency for the Evaluation of Medicinal Products [1] provided that, within six years of its entry into force, the Commission was required to publish a general report on the experience acquired as a result of the operation of the marketing authorisation procedures laid down in that Regulation and in other Community legal provisions.

(6) In the light of the Commission's report on the experience acquired, it has proved necessary to improve the operation of the marketing authorisation procedures for medicinal products in the Community.

(7) Particularly as a result of scientific and technical progress, the definitions and scope of Directive 2001/83/EC should be clarified in order to achieve high standards for the quality, safety and efficacy of medicinal products for human use. In order to take account both of the emergence of new therapies and of the growing number of so-called 'borderline' products between the medicinal product sector and other sectors, the definition of 'medicinal product' should be modified so as to avoid any doubt as to the applicable legislation when a product, whilst fully falling within the definition of a medicinal product, may also fall within the definition of other regulated products. This definition should specify the type of action that the medicinal product may exert on physiological functions. This enumeration of actions will also make it possible to cover medicinal products such as gene therapy, radiopharmaceutical products as well as certain medicinal products for topical use. Also, in view of the characteristics of pharmaceutical legislation, provision should be made for such legislation to apply. With the same objective of clarifying situations, where a given product comes under the definition of a medicinal product but could also fall within the definition of other regulated products, it is necessary, in case of doubt and in order to ensure legal certainty, to state explicitly which provisions have to be complied with. Where a product comes clearly under the definition of other product categories, in particular food, food supplements, medical devices, biocides or cosmetics, this Directive should not apply. It is also appropriate to improve the consistency of the terminology of pharmaceutical legislation.

(8) Wherever it is proposed to change the scope of the centralised procedure, it should no longer be possible to opt for the mutual-recognition procedure or the decentralised procedure in respect of orphan medicinal products and medicinal products which contain new active substances and for which the therapeutic indication is the treatment of acquired immune deficiency syndrome, cancer, neurodegenerative disorder or diabetes. Four years after the date of entry into force of Regulation (EC) No …/2004 [2], it should no longer be possible to opt for the mutual-recognition procedure or the decentralised procedure in respect of medicinal products which contain new active substances and for which the therapeutic indication is the treatment of auto-immune diseases and other immune dysfunctions and viral diseases.

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[1] OJ L 214, 21.8.1993, p. 1. Regulation repealed by Regulation (EC) No …/2004 (see p. … of this Official Journal). (Note to OJ: Regulation of the European Parliament and of the Council laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency.)

[2] OJ L … (note for OJ: Regulation No as in footnote to recital 5).

(9) On the other hand, in the case of generic medicinal products of which the reference medicinal product has been granted a marketing authorisation under the centralised procedure, applicants seeking marketing authorisation should be able to choose either of the two procedures, on certain conditions. Similarly, the mutual-recognition or decentralised procedure should be available as an option for medicinal products which represent a therapeutic innovation or which are of benefit to society or to patients.

(10) In order to increase availability of medicinal products, in particular on smaller markets, it should, in cases where an applicant does not apply for an authorisation for a medicinal product in the context of the mutual-recognition procedure in a given Member State, be possible for that Member State, for justified public health reasons, to authorise the placing on the market of the medicinal product.

(11) Evaluation of the operation of marketing authorisation procedures has revealed the need to revise, in particular, the mutual-recognition procedure in order to improve the opportunities for cooperation between Member States. This cooperation process should be formalised by setting up a coordination group for this procedure and by defining its operation so as to settle disagreements within the framework of a revised decentralised procedure.

(12) With regard to referrals, the experience acquired reveals the need for an appropriate procedure, particularly in the case of referrals relating to an entire therapeutic class or to all medicinal products containing the same active substance.

(13) There is a need to provide for the ethical requirements of Directive 2001/20/EC of the European Parliament and the Council of 4 April 2001 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the implementation of good clinical practice in the conduct of clinical trials on medicinal products for human use [1] to apply to all medicinal products authorised within the Community. In particular, with respect to clinical trials conducted outside the Community on medicinal products destined to be authorised within the Community, it should be verified, at the time of the evaluation of the application for authorisation, that these trials were conducted in accordance with the principles of good clinical practice and the ethical requirements equivalent to the provisions of that Directive.

(14) Since generic medicines account for a major part of the market in medicinal products, their access to the Community market should be facilitated in the light of the experience acquired. Furthermore, the period for protection of data relating to pre-clinical tests and clinical trials should be harmonised.

(15) Biological medicinal products similar to a reference medicinal product do not usually meet all the conditions to be considered as a generic medicinal product mainly due to manufacturing process characteristics, raw materials used, molecular characteristics and therapeutic modes of action. When a biological medicinal product does not meet all the conditions to be considered as a generic medicinal product, the results of appropriate tests should be provided in order to fulfil the requirements related to safety (pre-clinical tests) or to efficacy (clinical tests) or to both.

(16) The criteria of quality, safety and efficacy should enable the risk-benefit balance of all medicinal products to be assessed both when they are placed on the market and at any other time the competent authority deems this appropriate. In this connection, it is necessary to harmonise and adapt the criteria for refusal, suspension and revocation of marketing authorisations.

[1] OJ L 121, 1.5.2001, p. 34.

(17) A marketing authorisation should be renewed once five years after the granting of the marketing authorisation. Thereafter, the marketing authorisation should normally be of unlimited validity. Furthermore, any authorisation not used for three consecutive years, that is to say one which has not led to the placing on the market of a medicinal product in the Member States concerned during that period, should be considered invalid, in order, in particular, to avoid the administrative burden of maintaining such authorisations. However, exemptions from this rule should be granted when these are justified on public health grounds.

(18) The environmental impact should be assessed and, on a case-by-case basis, specific arrangements to limit it should be envisaged. In any event this impact should not constitute a criterion for refusal of a marketing authorisation.

(19) The quality of medicinal products for human use manufactured or available in the Community should be guaranteed by requiring that the active substances used in their composition comply with the principles of good manufacturing practice in relation to those medicinal products. It has proved necessary to reinforce the Community provisions on inspections and to compile a Community register of the results of those inspections.

(20) Pharmacovigilance and, more generally, market surveillance and sanctions in the event of failure to comply with the provisions should be stepped up. In the field of pharmacovigilance, account should be taken of the facilities offered by new information technologies to improve exchanges between Member States.

(21) As part of the proper use of medicinal products, the rules on packaging should be adapted to take account of the experience acquired.

(22) The measures necessary for the implementation of this Directive should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission [1].

(23) Directive 2001/83/EC should be amended accordingly,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Directive 2001/83/EC is hereby amended as follows:

1) Article 1 shall be amended as follows:

a) point 1 shall be deleted;

b) point 2 shall be replaced by the following:

‘2. Medicinal product:

(a) Any substance or combination of substances presented as having properties for treating or preventing disease in human beings; or

(b) Any substance or combination of substances which may be used in or administered to human beings either with a view to restoring, correcting or modifying physiological functions by exerting a pharmacological, immunological or metabolic action, or to making a medical diagnosis.’

[1] OJ L 184, 17.7.1999, p. 23.

(c) point 5 shall be replaced by the following:

'5) Homeopathic medicinal product:

Any medicinal product prepared from substances called homeopathic stocks in accordance with a homeopathic manufacturing procedure described by the European Pharmacopoeia or, in the absence thereof, by the pharmacopoeias currently used officially in the Member States. A homeopathic medicinal product may contain a number of principles.'

(d) the Title of point 8 shall be replaced by 'Kit';

(e) the following point shall be inserted:

'18a Representative of the marketing authorisation holder:

The person, commonly known as local representative, designated by the marketing authorisation holder to represent him in the Member State concerned'

(f) point 20 shall be replaced by the following:

'20. Name of the medicinal product:

The name, which may be either an invented name not liable to confusion with the common name, or a common or scientific name accompanied by a trade mark or the name of the marketing authorisation holder.'

(g) the heading of point 26 shall be replaced by the following:

(only concerns the Portuguese version);

(h) point 27 shall be replaced by the following:

'27. Agency:

The European Medicines Agency established by Regulation (EC) No …/2004 (*);

(*) OJ (Note for OJ: Regulation No as in footnote to Recital 5 and OJ number, date and page of the same Regulation in this OJ).'

(i) point 28 shall be replaced by the following points:

'28. Risks related to use of the medicinal product:

— any risk relating to the quality, safety or efficacy of the medicinal product as regards patients' health or public health;

— any risk of undesirable effects on the environment;

28a. Risk-benefit balance:

An evaluation of the positive therapeutic effects of the medicinal product in relation to the risks as defined in point 28, first indent.'

2) Article 2 shall be replaced by the following:

'Article 2

1. This Directive shall apply to medicinal products for human use intended to be placed on the market in Member States and either prepared industrially or manufactured by a method involving an industrial process.

2. In cases of doubt, where, taking into account all its characteristics, a product may fall within the definition of a "medicinal product" and within the definition of a product covered by other Community legislation the provisions of this Directive shall apply.

3. Notwithstanding paragraph 1 and Article 3(4), Title IV of this Directive shall apply to medicinal products intended only for export and to intermediate products.'

3) Article 3 shall be amended as follows:

a) point 2 shall be replaced by the following:

Any medicinal product which is prepared in a pharmacy in accordance with the prescriptions of a pharmacopoeia and is intended to be supplied directly to the patients served by the pharmacy in question (commonly known as the officinal formula).

b) point 3 shall be replaced by the following:

'3. Medicinal products intended for research and development trials, but without prejudice to the provisions of Directive 2001/20/EC of the European Parliament and of the Council of 4 April 2001 on the approximation of the laws, regulations and administrative provisions of the Member States relating to the implementation of good clinical practice in the conduct of clinical trials on medicinal products for human use (*).

(*) OJ L 121, 1.5.2001, p. 34.'

c) point 6 shall be replaced by the following:

'6. Whole blood, plasma or blood cells of human origin, except for plasma which is prepared by a method involving an industrial process.'

4) Article 5 shall be replaced by the following:

'Article 5

1. A Member State may, in accordance with legislation in force and to fulfil special needs, exclude from the provisions of this Directive medicinal products supplied in response to a bona fide unsolicited order, formulated in accordance with the specifications of an authorised health-care professional and for use by an individual patient under his direct personal responsibility.

2. Member States may temporarily authorise the distribution of an unauthorised medicinal product in response to the suspected or confirmed spread of pathogenic agents, toxins, chemical agents or nuclear radiation any of which could cause harm.

3. Without prejudice to paragraph 1, Member States shall lay down provisions in order to ensure that marketing authorisation holders, manufacturers and health professionals are not subject to civil or administrative liability for any consequences resulting from the use of a medicinal product otherwise than for the authorised indications or from the use of an unauthorised medicinal product, when such use is recommended or required by a competent authority in response to the suspected or confirmed spread of pathogenic agents, toxins, chemical agents or nuclear radiation any of which could cause harm. Such provisions shall apply whether or not national or Community authorisation has been granted.

4. Liability for defective products, as provided for by Council Directive 85/374/EEC of 25 July 1985 on the approximation of the laws, regulations and administrative provisions of the Member States, concerning liability for defective products (*), shall not be affected by paragraph 3.

(*) OJ L 210, 7.8.1985, p. 29. Directive as last amended by Directive 1999/34/EC of the European Parliament and of the Council (OJ L 141, 4.6.1999, p. 20).'

5) Article 6 shall be amended as follows:

a) in paragraph 1, the following subparagraph shall be added:

'When a medicinal product has been granted an initial marketing authorisation in accordance with the first subparagraph, any additional strengths, pharmaceutical forms, administration routes, presentations, as well as any variations and extensions shall also be granted an authorisation in accordance with the first subparagraph or be included in the initial marketing authorisation. All these marketing authorisations shall be considered as belonging to the same global marketing authorisation, in particular for the purpose of the application of Article 10(1).'

b) the following paragraph shall be inserted:

'1a The marketing authorisation holder shall be responsible for marketing the medicinal product. The designation of a representative shall not relieve the marketing authorisation holder of his legal responsibility.'

c) in paragraph 2, 'radionuclide kits' shall be replaced by 'kits';

6) in Article 7, 'radionuclide kits' shall be replaced by 'kits';

7) Article 8(3) shall be amended as follows:

a) points (b) and (c) shall be replaced by the following:

'(b) Name of the medicinal product.

(c) Qualitative and quantitative particulars of all the constituents of the medicinal product, including the reference to its international non-proprietary name (INN) recommended by the WHO, where an INN for the medicinal product exists, or a reference to the relevant chemical name;'

b) the following point shall be inserted:

'(ca) Evaluation of the potential environmental risks posed by the medicinal product. This impact shall be assessed and, on a case-by-case basis, specific arrangements to limit it shall be envisaged.'

c) points (g), (h), (i) and (j) shall be replaced by the following points:

'(g) Reasons for any precautionary and safety measures to be taken for the storage of the medicinal product, its administration to patients and for the disposal of waste products, together with an indication of potential risks presented by the medicinal product for the environment.

(h) Description of the control methods employed by the manufacturer.

(i) Results of:

— pharmaceutical (physico-chemical, biological or microbiological) tests,

— pre-clinical (toxicological and pharmacological) tests,

— clinical trials.

(ia) A detailed description of the pharmacovigilance and, where appropriate, of the risk-management system which the applicant will introduce.

(ib) A statement to the effect that clinical trials carried out outside the European Union meet the ethical requirements of Directive 2001/20/EC.

(j) A summary, in accordance with Article 11, of the product characteristics, a mock-up of the outer packaging, containing the details provided for in Article 54, and of the immediate packaging of the medicinal product, containing the details provided for in Article 55, together with a package leaflet in accordance with Article 59.'

d) the following points shall be added:

'(m) A copy of any designation of the medicinal product as an orphan medicinal product under Regulation (EC) No 141/2000 of the European Parliament and of the Council of 16 December 1999 on orphan medicinal products (*), accompanied by a copy of the relevant Agency opinion.

(n) Proof that the applicant has the services of a qualified person responsible for pharmacovigilance and has the necessary means for the notification of any adverse reaction suspected of occurring either in the Community or in a third country.

(*) OJ L 18, 22.1.2000, p. 1.'

e) the following subparagraph shall be added:

'The documents and information concerning the results of the pharmaceutical and pre-clinical tests and the clinical trials referred to in point (i) of the first subparagraph shall be accompanied by detailed summaries in accordance with Article 12.'

8) Article 10 shall be replaced by the following:

'Article 10

1. By way of derogation from Article 8(3)(i), and without prejudice to the law relating to the protection of industrial and commercial property, the applicant shall not be required to provide the results of pre-clinical tests and of clinical trials if he can demonstrate that the medicinal product is a generic of a reference medicinal product which is or has been authorised under Article 6 for not less than eight years in a Member State or in the Community.

A generic medicinal product authorised pursuant to this provision shall not be placed on the market until ten years have elapsed from the initial authorisation of the reference product.

The first subparagraph shall also apply if the reference medicinal product was not authorised in the Member State in which the application for the generic medicinal product is submitted. In this case, the applicant shall indicate in the application form the name of the Member State in which the reference medicinal product is or has been authorised. At the request of the competent authority of the Member State in which the application is submitted, the competent authority of the other Member State shall transmit within a period of one month, a confirmation that the reference medicinal product is or has been authorised together with the full composition of the reference product and if necessary other relevant documentation.

The ten-year period referred to in the second subparagraph shall be extended to a maximum of eleven years if, during the first eight years of those ten years, the marketing authorisation holder obtains an authorisation for one or more new therapeutic indications which, during the scientific evaluation prior to their authorisation, are held to bring a significant clinical benefit in comparison with existing therapies.

2. For the purposes of this Article:

a) "reference medicinal product" shall mean a medicinal product authorised under Article 6, in accordance with the provisions of Article 8;

b) "generic medicinal product" shall mean a medicinal product which has the same qualitative and quantitative composition in active substances and the same pharmaceutical form as the reference medicinal product, and whose bioequivalence with the reference medicinal product has been demonstrated by appropriate bioavailability studies. The different salts, esters, ethers, isomers, mixtures of isomers, complexes or derivatives of an active substance shall be considered to be the same active substance, unless they differ significantly in properties with regard to safety and/or efficacy. In such cases, additional information providing proof of the safety and/or efficacy of the various salts, esters or derivatives of an authorised active substance must be supplied by the applicant. The various immediate-release oral pharmaceutical forms shall be considered to be one and the same pharmaceutical form. Bioavailability studies need not be required of the applicant if he can demonstrate that the generic medicinal product meets the relevant criteria as defined in the appropriate detailed guidelines.

3. In cases where the medicinal product does not fall within the definition of a generic medicinal product as provided in paragraph 2(b) or where the bioequivalence cannot be demonstrated through bioavailability studies or in case of changes in the active substance(s), therapeutic indications, strength, pharmaceutical form or route of administration, vis-à-vis the reference medicinal product, the results of the appropriate pre-clinical tests or clinical trials shall be provided.

4. Where a biological medicinal product which is similar to a reference biological product does not meet the conditions in the definition of generic medicinal products, owing to, in particular, differences relating to raw materials or differences in manufacturing processes of the biological medicinal product and the reference biological medicinal product, the results of appropriate pre-clinical tests or clinical trials relating to these conditions must be provided. The type and quantity of supplementary data to be provided must comply with the relevant criteria stated in Annex I and the related detailed guidelines. The results of other tests and trials from the reference medicinal product's dossier shall not be provided.

5. In addition to the provisions laid down in paragraph 1, where an application is made for a new indication for a well-established substance, a non-cumulative period of one year of data exclusivity shall be granted, provided that significant pre-clinical or clinical studies were carried out in relation to the new indication.

6. Conducting the necessary studies and trials with a view to the application of paragraphs 1, 2, 3 and 4 and the consequential practical requirements shall not be regarded as contrary to patent rights or to supplementary protection certificates for medicinal products.'

9) the following Articles shall be inserted:

'Article 10a

By way of derogation from Article 8(3)(i), and without prejudice to the law relating to the protection of industrial and commercial property, the applicant shall not be required to provide the results of pre-clinical tests or clinical trials if he can demonstrate that the active substances of the medicinal product have been in well-established medicinal use within the Community for at least ten years, with recognised efficacy and an acceptable level of safety in terms of the conditions set out in Annex I. In that event, the test and trial results shall be replaced by appropriate scientific literature.

Article 10b

In the case of medicinal products containing active substances used in the composition of authorised medicinal products but not hitherto used in combination for therapeutic purposes, the results of new pre-clinical tests or new clinical trials relating to that combination shall be provided in accordance with Article 8(3)(i), but it shall not be necessary to provide scientific references relating to each individual active substance.

Article 10c

Following the granting of a marketing authorisation, the authorisation holder may allow use to be made of the pharmaceutical, pre-clinical and clinical documentation contained in the file on the medicinal product, with a view to examining subsequent applications relating to other medicinal products possessing the same qualitative and quantitative composition in terms of active substances and the same pharmaceutical form.'

10) Article 11 shall be replaced by the following:

'Article 11

The summary of the product characteristics shall contain, in the order indicated below, the following information:

1. name of the medicinal product followed by the strength and the pharmaceutical form.

2. qualitative and quantitative composition in terms of the active substances and constituents of the excipient, knowledge of which is essential for proper administration of the medicinal product. The usual common name or chemical description shall be used.

3. pharmaceutical form.

4. clinical particulars:

4.1. therapeutic indications,

4.2. posology and method of administration for adults and, where necessary for children,

4.3. contra-indications,

4.4. special warnings and precautions for use and, in the case of immunological medicinal products, any special precautions to be taken by persons handling such products and administering them to patients, together with any precautions to be taken by the patient,

4.5. interaction with other medicinal products and other forms of interactions,

4.6. use during pregnancy and lactation,

4.7. effects on ability to drive and to use machines,

4.8. undesirable effects,

4.9. overdose (symptoms, emergency procedures, antidotes).

5. pharmacological properties:

5.1. pharmacodynamic properties,

5.2. pharmacokinetic properties,

5.3. preclinical safety data.

6. pharmaceutical particulars:

6.1. list of excipients,

6.2. major incompatibilities,

6.3. shelf life, when necessary after reconstitution of the medicinal product or when the immediate packaging is opened for the first time,

6.4. special precautions for storage,

6.5. nature and contents of container,

6.6. special precautions for disposal of a used medicinal product or waste materials derived from such medicinal product, if appropriate.

7. marketing authorisation holder.

8. marketing authorisation number(s).

9. date of the first authorisation or renewal of the authorisation.

10. date of revision of the text.

11. for radiopharmaceuticals, full details of internal radiation dosimetry.

12. for radiopharmaceuticals, additional detailed instructions for extemporaneous preparation and quality control of such preparation and, where appropriate, maximum storage time during which any intermediate preparation such as an eluate or the ready-to-use pharmaceutical will conform with its specifications.

For authorisations under Article 10, those parts of the summary of product characteristics of the reference medicinal product referring to indications or dosage forms which were still covered by patent law at the time when a generic medicine was marketed need not be included.'

11) Article 12 shall be replaced by the following:

'Article 12

1. The applicant shall ensure that, before the detailed summaries referred to in the last subparagraph of Article 8(3) are submitted to the competent authorities, they have been drawn up and signed by experts with the necessary technical or professional qualifications, which shall be set out in a brief curriculum vitae.

2. Persons having the technical and professional qualifications referred to in paragraph 1 shall justify any use made of scientific literature under Article 10a in accordance with the conditions set out in Annex I.

3. The detailed summaries shall form part of the file which the applicant submits to the competent authorities.'

12) Article 13 shall be replaced by the following:

'Article 13

1. Member States shall ensure that homeopathic medicinal products manufactured and placed on the market within the Community are registered or authorised in accordance with Articles 14, 15 and 16, except where such medicinal products are covered by a registration or authorisation granted in accordance with national legislation on or before 31 December 1993. In the case of registrations, Article 28 and Article 29(1) to (3) shall apply.

2. Member States shall establish a special simplified registration procedure for the homeopathic medicinal products referred to in Article 14.'

13) Article 14 shall be amended as follows:

a) in paragraph 1, the following second subparagraph shall be inserted:

'If new scientific evidence so warrants, the Commission may amend the third indent of the first subparagraph by the procedure referred to in Article 121(2).'

b) paragraph 3 shall be deleted;

14) Article 15 shall be amended as follows:

a) the second indent shall be replaced by the following:

'— dossier describing how the homeopathic stock or stocks is/are obtained and controlled, and justifying its/their homeopathic use, on the basis of an adequate bibliography,'

b) the sixth indent shall be replaced by the following:

'— one or more mock-ups of the outer packaging and the immediate packaging of the medicinal products to be registered,'

15) Article 16 shall be amended as follows:

a) in paragraph 1, 'Articles 8, 10 and 11' shall be replaced by 'Articles 8, 10, 10a, 10b, 10c and 11'.

b) in paragraph 2, 'toxicological and pharmacological tests' shall be replaced by 'pre-clinical tests';

16) Articles 17 and 18 shall be replaced by the following:

'Article 17

1. Member States shall take all appropriate measures to ensure that the procedure for granting a marketing authorisation for medicinal products is completed within a maximum of 210 days after the submission of a valid application.

Applications for marketing authorisations in two or more Member States in respect of the same medicinal product shall be submitted in accordance with Articles 27 to 39.

2. Where a Member State notes that another marketing authorisation application for the same medicinal product is being examined in another Member State, the Member State concerned shall decline to assess the application and shall advise the applicant that Articles 27 to 39 apply.

Article 18

Where a Member State is informed in accordance with Article 8(3)(1) that another Member State has authorised a medicinal product which is the subject of a marketing authorisation application in the Member State concerned, it shall reject the application unless it was submitted in compliance with Articles 27 to 39.'

17) Article 19 shall be amended as follows:

a) in the introductory sentence, 'Articles 8 and 10(1)' shall be replaced by 'Articles 8, 10, 10a, 10b and 10c';

b) in point 1, 'Articles 8 and 10(1)' shall be replaced by 'Articles 8, 10, 10a, 10b and 10c';

c) in point 2, 'a State laboratory or a laboratory designated for that purpose' shall be replaced by 'an Official Medicines Control Laboratory or a laboratory that a Member State has designated for that purpose';

d) in point 3, 'Articles 8(3) and 10(1)' shall be replaced by 'Articles 8(3), 10, 10a, 10b and 10c';

18) in point (b) of Article 20, 'in exceptional and justifiable cases' shall be replaced by 'in justifiable cases';

19) in Article 21, paragraphs 3 and 4 shall be replaced by the following:

'3. The competent authorities shall make publicly available without delay the marketing authorisation together with the summary of the product characteristics for each medicinal product which they have authorised.

4. The competent authorities shall draw up an assessment report and comments on the file as regards the results of the pharmaceutical and pre-clinical tests and the clinical trials of the medicinal product concerned. The assessment report shall be updated whenever new information becomes available which is of importance for the evaluation of the quality, safety or efficacy of the medicinal product concerned.

The competent authorities shall make publicly accessible without delay the assessment report, together with the reasons for their opinion, after deletion of any information of a commercially confidential nature. The justification shall be provided separately for each indication applied for.'

20) Article 22 shall be replaced by the following:

'Article 22

In exceptional circumstances and following consultation with the applicant, the authorisation may be granted subject to a requirement for the applicant to meet certain conditions, in particular concerning the safety of the medicinal product, notification to the competent authorities of any incident relating to its use, and action to be taken. This authorisation may be granted only for objective, verifiable reasons and must be based on one of the grounds set out in Annex I. Continuation of the authorisation shall be linked to the annual reassessment of these conditions. The list of these conditions shall be made publicly accessible without delay, together with deadlines and dates of fulfilment.'

21) in Article 23, the following paragraphs shall be added:

'The authorisation holder shall forthwith supply to the competent authority any new information which might entail the amendment of the particulars or documents referred to in Articles 8(3), 10, 10a, 10b and 11, or 32(5), or Annex I.

In particular, he shall forthwith inform the competent authority of any prohibition or restriction imposed by the competent authorities of any country in which the medicinal product for human use is marketed and of any other new information which might influence the evaluation of the benefits and risks of the medicinal product for human use concerned.

In order that the risk-benefit balance may be continuously assessed, the competent authority may at any time ask the holder of the marketing authorisation to forward data demonstrating that the risk-benefit balance remains favourable.'

22) the following Article shall be inserted:

'Article 23a

After a marketing authorisation has been granted, the holder of the authorisation shall inform the competent authority of the authorising Member State of the date of actual marketing of the medicinal product for human use in that Member State, taking into account the various presentations authorised.

The holder shall also notify the competent authority if the product ceases to be placed on the market of the Member State, either temporarily or permanently. Such notification shall, otherwise than in exceptional circumstances, be made no less than 2 months before the interruption in the placing on the market of the product.

Upon request by the competent authority, particularly in the context of pharmacovigilance, the marketing authorisation holder shall provide the competent authority with all data relating to the volume of sales of the medicinal product, and any data in his possession relating to the volume of prescriptions.'

23) Article 24 shall be replaced by the following:

'Article 24

1. Without prejudice to paragraphs 4 and 5, a marketing authorisation shall be valid for five years.

2. The marketing authorisation may be renewed after five years on the basis of a re-evaluation of the risk-benefit balance by the competent authority of the authorising Member State.

To this end, the marketing authorisation holder shall provide the competent authority with a consolidated version of the file in respect of quality, safety and efficacy, including all variations introduced since the marketing authorisation was granted, at least six months before the marketing authorisation ceases to be valid in accordance with paragraph 1.

3. Once renewed, the marketing authorisation shall be valid for an unlimited period, unless the competent authority decides, on justified grounds relating to pharmacovigilance, to proceed with one additional five-year renewal in accordance with paragraph 2.

4. Any authorisation which within three years of its granting is not followed by the actual placing on the market of the authorised product in the authorising Member State shall cease to be valid.

5. When an authorised product previously placed on the market in the authorising Member State is no longer actually present on the market for a period of three consecutive years, the authorisation for that product shall cease to be valid.

6. The competent authority may, in exceptional circumstances and on public health grounds grant exemptions from paragraphs 4 and 5. Such exemptions must be duly justified.'

24) Article 26 shall be replaced by the following:

'Article 26

1. The marketing authorisation shall be refused if, after verification of the particulars and documents listed in Articles 8, 10, 10a, 10b and 10c, it is clear that:

a) the risk-benefit balance is not considered to be favourable; or

b) its therapeutic efficacy is insufficiently substantiated by the applicant; or

c) its qualitative and quantitative composition is not as declared.

2. Authorisation shall likewise be refused if any particulars or documents submitted in support of the application do not comply with Articles 8, 10, 10a, 10b and 10c.

3. The applicant or the holder of a marketing authorisation shall be responsible for the accuracy of the documents and the data submitted.'

25) the heading of Chapter 4 of Title III shall be replaced by the following:

'Chapter 4

Mutual recognition procedure and decentralised procedure'

26) Articles 27 to 32 shall be replaced by the following:

'Article 27

1. A coordination group shall be set up for the examination of any question relating to marketing authorisation of a medicinal product in two or more Member States in accordance with the procedures laid down in this Chapter. The Agency shall provide the secretariat of this coordination group.

2. The coordination group shall be composed of one representative per Member State appointed for a renewable period of three years. Members of the coordination group may arrange to be accompanied by experts.

3. The coordination group shall draw up its own Rules of Procedure, which shall enter into force after a favourable opinion has been given by the Commission. These Rules of Procedure shall be made public.

Article 28

1. With a view to the granting of a marketing authorisation for a medicinal product in more than one Member State, an applicant shall submit an application based on an identical dossier in these Member States. The dossier shall contain the information and documents referred to in Articles 8, 10, 10a, 10b, 10c and 11. The documents submitted shall include a list of Member States concerned by the application.

The applicant shall request one Member State to act as "reference Member State" and to prepare an assessment report on the medicinal product in accordance with paragraphs 2 or 3.

2. Where the medicinal product has already received a marketing authorisation at the time of application, the concerned Member States shall recognise the marketing authorisation granted by the reference Member State. To this end, the marketing authorisation holder shall request the reference Member State either to prepare an assessment report on the medicinal product or, if necessary, to update any existing assessment report. The reference Member State shall prepare or update the assessment report within 90 days of receipt of a valid application. The assessment report together with the approved summary of product characteristics, labelling and package leaflet shall be sent to the concerned Member States and to the applicant.

3. In cases where the medicinal product has not received a marketing authorisation at the time of application, the applicant shall request the reference Member State to prepare a draft assessment report, a draft summary of product characteristics and a draft of the labelling and package leaflet. The reference Member State shall prepare these draft documents within 120 days after receipt of a valid application and shall send them to the concerned Member States and to the applicant.

4. Within 90 days of receipt of the documents referred to in paragraphs 2 and 3, the Member States concerned shall approve the assessment report, the summary of product characteristics and the labelling and package leaflet and shall inform the reference Member State accordingly. The reference Member State shall record the agreement of all parties, close the procedure and inform the applicant accordingly.

5. Each Member State in which an application has been submitted in accordance with paragraph 1 shall adopt a decision in conformity with the approved assessment report, the summary of product characteristics and the labelling and package leaflet as approved, within 30 days after acknowledgement of the agreement.

Article 29

1. If, within the period laid down in Article 28(4), a Member State cannot approve the assessment report, the summary of product characteristics, the labelling and the package leaflet on the grounds of potential serious risk to public health, it shall give a detailed exposition of the reasons for its position to the reference Member State, to the other Member States concerned and to the applicant. The points of disagreement shall be forthwith referred to the coordination group.

2. Guidelines to be adopted by the Commission shall define a potential serious risk to public health.

3. Within the coordination group, all Member States referred to in paragraph 1 shall use their best endeavours to reach agreement on the action to be taken. They shall allow the applicant the opportunity to make his point of view known orally or in writing. If, within 60 days of the communication of the points of disagreement, the Member States reach an agreement, the reference Member State shall record the agreement, close the procedure and inform the applicant accordingly. Article 28(5) shall apply.

4. If the Member States fail to reach an agreement within the 60-day period laid down in paragraph 3, the Agency shall be immediately informed, with a view to the application of the procedure under Articles 32, 33 and 34. The Agency shall be provided with a detailed statement of the matters on which the Member States have been unable to reach agreement and the reasons for their disagreement. A copy shall be forwarded to the applicant.

5. As soon as the applicant is informed that the matter has been referred to the Agency, he shall forthwith forward to the Agency a copy of the information and documents referred to in the first subparagraph of Article 28(1).

6. In the circumstances referred to in paragraph 4, Member States that have approved the assessment report, the draft summary of product characteristics and the labelling and package leaflet of the reference Member State may, at the request of the applicant, authorise the medicinal product without waiting for the outcome of the procedure laid down in Article 32. In that event, the authorisation granted shall be without prejudice to the outcome of that procedure.

Article 30

1. If two or more applications submitted in accordance with Articles 8, 10, 10a, 10b, 10c and 11 have been made for marketing authorisation for a particular medicinal product, and if Member States have adopted divergent decisions concerning the authorisation of the medicinal product or its suspension or revocation, a Member State, the Commission or the applicant or the marketing authorisation holder may refer the matter to the Committee for Medicinal Products for Human Use, hereinafter referred to as "the Committee", for the application of the procedure laid down in Articles 32, 33 and 34.

2. In order to promote harmonisation of authorisations for medicinal products authorised in the Community, Member States shall, each year, forward to the coordination group a list of medicinal products for which a harmonised summary of product characteristics should be drawn up.

   The coordination group shall lay down a list taking into account the proposals from all Member States and shall forward this list to the Commission.

   The Commission or a Member State, in agreement with the Agency and taking into account the views of interested parties, may refer these products to the Committee in accordance with paragraph 1.

Article 31

1. The Member States or the Commission or the applicant or the marketing authorisation holder shall, in specific cases where the interests of the Community are involved, refer the matter to the Committee for application of the procedure laid down in Articles 32, 33 and 34 before any decision is reached on a request for a marketing authorisation or on the suspension or revocation of an authorisation, or on any other variation to the terms of a marketing authorisation which appears necessary, in particular to take account of the information collected in accordance with Title IX.

   The Member State concerned or the Commission shall clearly identify the question which is referred to the Committee for consideration and shall inform the applicant or the marketing authorisation holder.

   The Member States and the applicant or the marketing authorisation holder shall supply the Committee with all available information relating to the matter in question.

2. Where the referral to the Committee concerns a range of medicinal products or a therapeutic class, the Agency may limit the procedure to certain specific parts of the authorisation.

In that event, Article 35 shall apply to those medicinal products only if they were covered by the authorisation procedures referred to in this Chapter.

Article 32

1. When reference is made to the procedure laid down in this Article, the Committee shall consider the matter concerned and shall issue a reasoned opinion within 60 days of the date on which the matter was referred to it.

However, in cases submitted to the Committee in accordance with Articles 30 and 31, this period may be extended by the Committee for a further period of up to 90 days, taking into account the views of the applicants or the marketing authorisation holders concerned.

In an emergency, and on a proposal from its Chairman, the Committee may agree to a shorter deadline.

2. In order to consider the matter, the Committee shall appoint one of its members to act as rapporteur. The Committee may also appoint individual experts to advise it on specific questions. When appointing experts, the Committee shall define their tasks and specify the time-limit for the completion of these tasks.

3. Before issuing its opinion, the Committee shall provide the applicant or the marketing authorisation holder with an opportunity to present written or oral explanations within a time limit which it shall specify.

The opinion of the Committee shall be accompanied by a draft summary of product characteristics for the product and a draft text of the labelling and package leaflet.

If necessary, the Committee may call upon any other person to provide information relating to the matter before it.

The Committee may suspend the time-limit**s** referred to in paragraph 1 in order to allow the applicant or the marketing authorisation holder to prepare explanations.

4. The Agency shall forthwith inform the applicant or the marketing authorisation holder where the opinion of the Committee is that:

a) the application does not satisfy the criteria for authorisation; or

b) the summary of the product characteristics proposed by the applicant or the marketing authorisation holder in accordance with Article 11 should be amended; or

c) the authorisation should be granted subject to certain conditions, in view of conditions considered essential for the safe and effective use of the medicinal product including pharmacovigilance; or

d) a marketing authorisation should be suspended, varied or revoked.

Within 15 days after receipt of the opinion, the applicant or the marketing authorisation holder may notify the Agency in writing of his intention to request a re-examination of the opinion. In that case, he shall forward to the Agency the detailed grounds for the request within 60 days after receipt of the opinion.

Within 60 days following receipt of the grounds for the request, the Committee shall re-examine its opinion in accordance with the fourth subparagraph of Article 62(1) of Regulation (EC) No …/2004 (*). The reasons for the conclusion reached shall be annexed to the assessment report referred to in paragraph 5 of this Article.

5. Within 15 days after its adoption, the Agency shall forward the final opinion of the Committee to the Member States, to the Commission and to the applicant or the marketing authorisation holder, together with a report describing the assessment of the medicinal product and stating the reasons for its conclusions.

   In the event of an opinion in favour of granting or maintaining an authorisation to place the medicinal product concerned on the market, the following documents shall be annexed to the opinion:

   a) a draft summary of the product characteristics, as referred to in Article 11;

   b) any conditions affecting the authorisation within the meaning of paragraph 4(c);

   c) details of any recommended conditions or restrictions with regard to the safe and effective use of the medicinal product;

   d) the proposed text of the labelling and leaflet.

(*) Note to OJ: Regulation No as in footnote 1 to recital 5.'

27) Article 33 shall be amended as follows:

a) in the first paragraph, '30 days' shall be replaced by '15 days'

b) in the second paragraph, 'Article 32(5)(a) and (b)' shall be replaced by 'Article 32(5), second subparagraph';

c) in the fourth paragraph, the words 'or the marketing authorisation holder' shall be added after the word 'applicant';

28) Article 34 shall be replaced by the following:

'Article 34

1. The Commission shall take a final decision in accordance with, and within 15 days after the end of, the procedure referred to in Article 121(3).

2. The rules of procedure of the Standing Committee established by Article 121(1) shall be adjusted to take account of the tasks incumbent upon it under this Chapter.

   Those adjustments shall entail the following provisions:

   a) except in cases referred to in the third paragraph of Article 33, the opinion of the Standing Committee shall be given in writing;

   (b) Member States shall have 22 days to forward their written observations on the draft decision to the Commission. However, if a decision has to be taken urgently, a shorter time-limit may be set by the Chairman according to the degree of urgency involved. This time-limit shall not, otherwise than in exceptional circumstances, be shorter than 5 days;

   (c) Member States shall have the option of submitting a written request that the draft Decision be discussed in a plenary meeting of the Standing Committee.

Where, in the opinion of the Commission, the written observations of a Member State raise important new questions of a scientific or technical nature which have not been addressed in the opinion delivered by the Agency, the Chairman shall suspend the procedure and refer the application back to the Agency for further consideration.

The provisions necessary for the implementation of this paragraph shall be adopted by the Commission in accordance with the procedure referred to in Article 121(2).

3. The decision as referred to in paragraph 1 shall be addressed to all Member States and reported for information to the marketing authorisation holder or applicant. The concerned Member States and the reference Member State shall either grant or revoke the marketing authorisation, or vary its terms as necessary to comply with the decision within 30 days following its notification, and they shall refer to it. They shall inform the Commission and the Agency accordingly.'

29) the third subparagraph of Article 35(1) shall be deleted;

30) in Article 38**,** paragraph 2 shall be replaced by the following:

'2. At least every ten years the Commission shall publish a report on the experience acquired on the basis of the procedures described in this Chapter and shall propose any amendments which may be necessary to improve those procedures. The Commission shall submit this report to the European Parliament and to the Council.'

31) Article 39 shall be replaced by the following:

'Article 39

Article 29(4), (5) and (6) and Articles 30 to 34 shall not apply to the homeopathic medicinal products referred to in Article 14.

Articles 28 to 34 shall not apply to the homeopathic medicinal products referred to in Article 16(2).'

32) the following paragraph shall be added to Article 40:

'4. The Member States shall forward to the Agency a copy of the authorisation referred to in paragraph 1. The Agency shall enter that information on the Community database referred to in Article 111(6).'

33) in Article 46**,** point (f) shall be replaced by the following:

'f) to comply with the principles and guidelines of good manufacturing practice for medicinal products and to use as starting materials only active substances, which have been manufactured in accordance with the detailed guidelines on good manufacturing practice for starting materials.

This point shall also be applicable to certain excipients, the list of which as well as the specific conditions of application shall be established by a Directive adopted by the Commission in accordance with the procedure referred to in Article 121(2).'

34) the following Article shall be inserted:

'Article 46a

1. For the purposes of this Directive, manufacture of active substances used as starting materials shall include both total and partial manufacture or import of an active substance used as a starting material as defined in Part I, point 3.2.1.1 (b) Annex I, and the various processes of dividing up, packaging or presentation prior to its incorporation into a medicinal product, including repackaging or re-labelling, such as are carried out by a distributor of starting materials.

2. Any amendments necessary to adapt paragraph 1 to new scientific and technical developments shall be laid down in accordance with the procedure referred to in Article 121(2).'

35) in Article 47, the following paragraphs shall be added:

'The principles of good manufacturing practice for active substances used as starting materials referred to in point (f) of Article 46 shall be adopted in the form of detailed guidelines.

The Commission shall also publish guidelines on the form and content of the authorisation referred to in Article 40(1), on the reports referred to in Article 111(3) and on the form and content of the certificate of good manufacturing practice referred to in Article 111(5).'

36) in Article 49(1), 'minimum' shall be deleted;

37) in Article 49(2), fourth subparagraph, first indent 'Applied physics' shall be replaced by 'Experimental physics';

38) in Article 50(1), 'in the State concerned' shall be replaced by 'within the Community';

39) in Article 51(1), point (b) shall be replaced by the following:

'b) in the case of medicinal products coming from third countries, irrespective of whether the product has been manufactured in the Community, that each production batch has undergone in a Member State a full qualitative analysis, a quantitative analysis of at least all the active substances and all the other tests or checks necessary to ensure the quality of medicinal products in accordance with the requirements of the marketing authorisation.'

40) Article 54 shall be amended as follows:

a) point (a) shall be replaced by the following:

'a) the name of the medicinal product followed by its strength and pharmaceutical form, and, if appropriate, whether it is intended for babies, children or adults; where the product contains up to three active substances, the international non-proprietary name (INN) shall be included, or, if one does not exist, the common name;'

b) in point (d), 'guidelines' shall be replaced by 'detailed guidance';

(c) Point (e) shall be replaced by the following:

'e) the method of administration and, if necessary, the route of administration. Space shall be provided for the prescribed dose to be indicated.'

d) point (f) shall be replaced by the following:

'f) a special warning that the medicinal product must be stored out of the reach and sight of children;'

(e) Point (j) shall be replaced by the following:

'j) specific precautions relating to the disposal of unused medicinal products or waste derived from medicinal products, where appropriate, as well as reference to any appropriate collection system in place;'

f) point (k) shall be replaced by the following:

'k) the name and address of the marketing authorisation holder and, where applicable, the name of the representative appointed by the holder to represent him;'

g) point (n) shall be replaced by the following:

'n) in the case of non-prescription medicinal products, instructions for use'

41) Article 55 shall be amended as follows:

a) in paragraph 1, 'in Articles 54 and 62' shall be replaced by 'in Article 54';

b) the first indent of paragraph 2 shall be replaced by the following:

'— the name of the medicinal product as laid down in point (a) of Article 54,'

c) the first indent of paragraph 3 shall be replaced by the following:

'— the name of the medicinal product as laid down in point (a) of Article 54 and, if necessary, the route of administration,'

42) the following Article shall be inserted:

'Article 56a

The name of the medicinal product, as referred to in Article 54, point (a) must also be expressed in Braille format on the packaging. The marketing authorisation holder shall ensure that the package information leaflet is made available on request from patients' organisations in formats appropriate for the blind and partially-sighted.'

43) in Article 57, the following paragraph shall be added:

'For medicinal products authorised under Regulation (EC) No …/2004 (*), Member States shall, when applying this Article, observe the detailed guidance referred to in Article 65 of this Directive.

(*) Note to OJ. Regulation No as in footnote to recital 5.'

44) Article 59 shall be replaced by the following:

'Article 59

1. The package leaflet shall be drawn up in accordance with the summary of the product characteristics; it shall include, in the following order:

a) for the identification of the medicinal product:

i) the name of the medicinal product followed by its strength and pharmaceutical form, and, if appropriate, whether it is intended for babies, children or adults. The common name shall be included where the product contains only one active substance and if its name is an invented name;

ii) the pharmaco-therapeutic group or type of activity in terms easily comprehensible for the patient;

b) the therapeutic indications;

c) a list of information which is necessary before the medicinal product is taken:

i) contra-indications;

ii) appropriate precautions for use;

iii) forms of interaction with other medicinal products and other forms of interaction (e.g. alcohol, tobacco, foodstuffs) which may affect the action of the medicinal product;

iv) special warnings;

d) the necessary and usual instructions for proper use, and in particular:

i) the dosage,

ii) the method and, if necessary, route of administration;

iii) the frequency of administration, specifying if necessary the appropriate time at which the medicinal product may or must be administered;

and, as appropriate, depending on the nature of the product:

iv) the duration of treatment, where it should be limited;

v) the action to be taken in case of an overdose (such as symptoms, emergency procedures);

vi) what to do when one or more doses have not been taken;

vii) indication, if necessary, of the risk of withdrawal effects;

viii) a specific recommendation to consult the doctor or the pharmacist, as appropriate, for any clarification on the use of the product;

e) a description of the adverse reactions which may occur under normal use of the medicinal product and, if necessary, the action to be taken in such a case; the patient should be expressly asked to communicate any adverse reaction which is not mentioned in the package leaflet to his doctor or pharmacist;

f) a reference to the expiry date indicated on the label, with:

i) a warning against using the product after that date;

ii) where appropriate, special storage precautions;

iii) if necessary, a warning concerning certain visible signs of deterioration;

iv) the full qualitative composition (in active substances and excipients) and the quantitative composition in active substances, using common names, for each presentation of the medicinal product;

v) for each presentation of the product, the pharmaceutical form and content in weight, volume or units of dosage;

vi) the name and address of the marketing authorisation holder and, where applicable, the name of his appointed representatives in the Member States;

vii) the name and address of the manufacturer;

g) where the medicinal product is authorised in accordance with Articles 28 to 39 under different names in the Member States concerned, a list of the names authorised in each Member State;

h) the date on which the package leaflet was last revised.

2. The list set out in point (c) of paragraph 1 shall:

a) take into account the particular condition of certain categories of users (children, pregnant or breastfeeding women, the elderly, persons with specific pathological conditions);

b) mention, if appropriate, possible effects on the ability to drive vehicles or to operate machinery;

c) list those excipients knowledge of which is important for the safe and effective use of the medicinal product and which are included in the detailed guidance published pursuant to Article 65.

3. The package leaflet shall reflect the results of consultations with target patient groups to ensure that it is legible, clear and easy to use.'

45) Article 61(1) shall be replaced by the following:

'1. One or more mock-ups of the outer packaging and the immediate packaging of a medicinal product, together with the draft package leaflet, shall be submitted to the authorities competent for authorising marketing when the marketing authorisation is requested. The results of assessments carried out in cooperation with target patient groups shall also be provided to the competent authority.'

46) in Article 61(4), 'or as appropriate' shall be replaced by 'and';

47) in Article 62, 'for health education' shall be replaced by 'for the patient';

48) Article 63 shall be amended as follows:

a) the following subparagraph shall be added to paragraph 1:

'In the case of certain orphan medicinal products, the particulars listed in Article 54 may, on reasoned request, appear in only one of the official languages of the Community.'

b) paragraphs 2 and 3 shall be replaced by the following:

'2. The package leaflet must be written and designed to be clear and understandable, enabling the users to act appropriately, when necessary with the help of health professionals. The package leaflet must be clearly legible in the official language or languages of the Member State in which the medicinal product is placed on the market.

The first subparagraph shall not prevent the package leaflet from being printed in several languages, provided that the same information is given in all the languages used.

3. When the product is not intended to be delivered directly to the patient, the competent authorities may grant an exemption to the obligation that certain particulars should appear on the labelling and in the package leaflet and that the leaflet must be in the official language or languages of the Member State in which the product is placed on the market.'

49) Article 65 shall be replaced by the following:

'Article 65

In consultation with the Member States and the parties concerned, the Commission shall draw up and publish detailed guidance concerning in particular:

a) the wording of certain special warnings for certain categories of medicinal products;

b) the particular information needs relating to non-prescription medicinal products;

c) the legibility of particulars on the labelling and package leaflet;

d) the methods for the identification and authentication of medicinal products;

e) the list of excipients which must feature on the labelling of medicinal products and the way in which these excipients must be indicated;

f) harmonised provisions for the implementation of Article 57.'

50) Article 66(3), fourth indent shall be replaced by:

'— the name and address of the manufacturer,'

51) Article 69(1) shall be amended as follows:

a) the first indent shall be replaced by the following:

'— the scientific name of the stock or stocks followed by the degree of dilution, making use of the symbols of the pharmacopoeia used in accordance with Article 1(5); if the homeopathic medicinal product is composed of two or more stocks, the scientific names of the stocks on the labelling may be supplemented by an invented name'

b) the last indent shall be replaced by the following:

'— a warning advising the user to consult a doctor if the symptoms persist'

52) Article 70(2) shall be amended as follows:

a) point (a) shall be replaced by the following:

'a) medicinal products on medical prescription for renewable or non-renewable delivery;'

b) point (c) shall be replaced by the following:

'c) medicinal products on "restricted" medical prescription, reserved for use in certain specialised areas.'

53) Article 74 shall be replaced by the following:

'Article 74

When new facts are brought to their attention, the competent authorities shall examine and, as appropriate, amend the classification of a medicinal product by applying the criteria listed in Article 71.'

54) the following Article shall be inserted:

'Article 74a

Where a change of classification of a medicinal product has been authorised on the basis of significant pre-clinical tests or clinical trials, the competent authority shall not refer to the results of those tests or trials when examining an application by another applicant for or holder of marketing authorisation for a change of classification of the same substance for one year after the initial change was authorised.'

55) Article 76 shall be amended as follows:

a) the existing text shall become paragraph 1;

b) the following paragraphs shall be added:

'2. In the case of wholesale distribution and storage, medicinal products shall be covered by a marketing authorisation granted pursuant to Regulation (EC) No …/2004 (*) or by the competent authorities of a Member State in accordance with this Directive.

3. Any distributor, not being the marketing authorisation holder, who imports a product from another Member State shall notify the marketing authorisation holder and the competent authority in the Member State to which the product will be imported of his intention to import it. In the case of products which have not been granted an authorisation pursuant to Regulation (EC) No …/2004 (*), the notification to the competent authority shall be without prejudice to additional procedures provided for in the legislation of that Member State.

(*) Note to OJ: Regulation No as in footnote to recital 5.'

56) the second indent of point (e) of Article 80 shall be replaced by the following:

'— name of the medicinal product,'

57) Article 81 shall be replaced by the following:

'Article 81

With regard to the supply of medicinal products to pharmacists and persons authorised or entitled to supply medicinal products to the public, Member States shall not impose upon the holder of a distribution authorisation which has been granted by another Member State any obligation, in particular public service obligations, more stringent than those they impose on persons whom they have themselves authorised to engage in equivalent activities.

The holder of a marketing authorisation for a medicinal product and the distributors of the said medicinal product actually placed on the market in a Member State shall, within the limits of their responsibilities, ensure appropriate and continued supplies of that medicinal product to pharmacies and persons authorised to supply medicinal products so that the needs of patients in the Member State in question are covered.

The arrangements for implementing this Article should, moreover, be justified on grounds of public health protection and be proportionate in relation to the objective of such protection, in compliance with the Treaty rules, particularly those concerning the free movement of goods and competition.'

58) in Article 82, the second indent of the first paragraph shall be replaced by the following:

'— the name and pharmaceutical form of the medicinal product,'

59) Article 84 shall be replaced by the following:

'Article 84

The Commission shall publish guidelines on good distribution practice. To this end, it shall consult the Committee for Medicinal Products for Human Use and the Pharmaceutical Committee established by Council Decision 75/320/EEC (*).

(*) OJ L 147, 9.6.1975, p. 23.'

60) Article 85 shall be replaced by the following:

'Article 85

This Title shall apply to homeopathic medicinal products.'

61) the fourth indent of Article 86(2) shall be replaced by the following:

'— information relating to human health or diseases, provided that there is no reference, even indirect, to medicinal products'

62) Article 88 shall be replaced by the following:

'Article 88

1. Member States shall prohibit the advertising to the general public of medicinal products which:

   a) are available on medical prescription only, in accordance with Title VI;

   b) contain substances defined as psychotropic or narcotic by international convention, such as the United Nations Conventions of 1961 and 1971.

2. Medicinal products may be advertised to the general public which, by virtue of their composition and purpose, are intended and designed for use without the intervention of a medical practitioner for diagnostic purposes or for the prescription or monitoring of treatment, with the advice of the pharmacist, if necessary.

3. Member States shall be entitled to ban, on their territory, advertising to the general public of medicinal products the cost of which may be reimbursed.

4. The prohibition contained in paragraph 1 shall not apply to vaccination campaigns carried out by the industry and approved by the competent authorities of the Member States.

5. The prohibition referred to in paragraph 1 shall apply without prejudice to Article 14 of Directive 89/552/EEC.

6. Member States shall prohibit the direct distribution of medicinal products to the public by the industry for promotional purposes.'

63) the following text is inserted after Article 88:

'TITLE VIIIa:

INFORMATION AND ADVERTISING

Article 88a

Within three years of the entry into force of Directive 2004/…/EC (*), the Commission shall, following consultations with patients' and consumers' organisations, doctors' and pharmacists' organisations, Member States and other interested parties, present to the European Parliament and the Council a report on current practice with regard to information provision — particularly on the Internet — and its risks and benefits for patients.

Following analysis of the above data, the Commission shall, if appropriate, put forward proposals setting out an information strategy to ensure good-quality, objective, reliable and non-promotional information on medicinal products and other treatments and shall address the question of the information source's liability.

(*) Note for OJ: Insert number of present Directive.'

64) Article 89 shall be amended as follows:

a) the first indent of point (b) of paragraph 1 shall be replaced by the following:

'(does not affect the English version);'

b) paragraph 2 shall be replaced by the following:

'2. Member States may decide that the advertising of a medicinal product to the general public may, notwithstanding paragraph 1, include only the name of the medicinal product or its international non-proprietary name, where this exists, or the trademark if it is intended solely as a reminder.'

65) in Article 90, point (l) shall be deleted;

66) in Article 91**,** paragraph 2 shall be replaced by the following:

'2. Member States may decide that the advertising of a medicinal product to persons qualified to prescribe or supply such products may, notwithstanding paragraph 1, include only the name of the medicinal product, or its international non-proprietary name, where this exists, or the trademark, if it is intended solely as a reminder.'

67) Article 94(2) shall be replaced by the following:

'2. Hospitality at sales promotion events shall always be strictly limited to their main purpose and must not be extended to persons other than health-care professionals.'

68) Article 95 shall be replaced by the following:

'Article 95

The provisions of Article 94(1) shall not prevent hospitality being offered, directly or indirectly, at events for purely professional and scientific purposes; such hospitality shall always be strictly limited to the main scientific objective of the event; it must not be extended to persons other than health-care professionals.'

69) point (d) of Article 96(1) shall be replaced by the following:

'd) each sample shall be no larger than the smallest presentation on the market;'

70) in Article 98, the following paragraph shall be added:

'3. The Member States shall not prohibit the co-promotion of a medicinal product by the holder of the marketing authorisation and one or more companies nominated by him.'

71) Article 100 shall be replaced by the following:

'Article 100

Advertising of the homeopathic medicinal products referred to in Article 14(1) shall be subject to the provisions of this Title with the exception of Article 87(1).

However, only the information specified in Article 69(1) may be used in the advertising of such medicinal products.'

72) in Article 101, the second paragraph shall be replaced by the following:

'The Member States may impose specific requirements on doctors and other health-care professionals in respect of the reporting of suspected serious or unexpected adverse reactions.'

73) Article 102 shall be replaced by the following:

'Article 102

In order to ensure the adoption of appropriate and harmonised regulatory decisions concerning the medicinal products authorised within the Community, having regard to information obtained about adverse reactions to medicinal products under normal conditions of use, the Member States shall operate a pharmacovigilance system. This system shall be used to collect information useful in the surveillance of medicinal products, with particular reference to adverse reactions in human beings, and to evaluate such information scientifically.

Member States shall ensure that suitable information collected within this system is communicated to the other Member States and the Agency. The information shall be recorded in the database referred to in point (l) of the second subparagraph of Article 57(1) of Regulation (EC) No …/2004 (*) and shall be permanently accessible to all Member States and without delay to the public.

This system shall also take into account any available information on misuse and abuse of medicinal products which may have an impact on the evaluation of their benefits and risks.

(*) Note to OJ: Regulation No as in footnote to recital 5.'

74) the following Article shall be inserted:

'Article 102a

The management of funds intended for activities connected with pharmacovigilance, the operation of communication networks and market surveillance shall be under the permanent control of the competent authorities in order to guarantee their independence.'

75) in Article 103, the introductory phrase of the second paragraph shall be replaced by the following:

'That qualified person shall reside in the Community and shall be responsible for the following:'

76) Articles 104 to 107 shall be replaced by the following:

'Article 104

1. The marketing authorisation holder shall be required to maintain detailed records of all suspected adverse reactions occurring either in the Community or in a third country.

   Save in exceptional circumstances, these reactions shall be communicated electronically in the form of a report in accordance with the guidelines referred to in Article 106(1).

2. The marketing authorisation holder shall be required to record all suspected serious adverse reactions which are brought to his attention by a health-care professional and to report them promptly to the competent authority of the Member State on whose territory the incident occurred, and no later than 15 days following the receipt of the information.

3. The marketing authorisation holder shall be required to record and report all other suspected serious adverse reactions which meet the notification criteria in accordance with the guidelines referred to in Article 106(1), of which he can reasonably be expected to have knowledge, promptly to the competent authority of the Member State in whose territory the incident occurred, and no later than 15 days following the receipt of the information.

4. The marketing authorisation holder shall ensure that all suspected serious unexpected adverse reactions and any suspected transmission via a medicinal product of any infectious agent occurring in the territory of a third country are reported promptly in accordance with the guidelines referred to in Article 106(1), so that the Agency and the competent authorities of the Member States in which the medicinal product is authorised are informed of them, and no later than 15 days following the receipt of the information.

5. By way of derogation from paragraphs 2, 3 and 4, in the case of medicinal products which are covered by Directive 87/22/EEC or which have qualified for the procedures laid down in Articles 28 and 29 of this Directive or which have been the subject of the procedures under Articles 32, 33 and 34 of this Directive, the marketing authorisation holder shall also ensure that all suspected serious adverse reactions occurring in the Community are reported in such a way as to be accessible to the reference Member State or to any competent authority acting as reference Member State. The reference Member State shall assume the responsibility of analysing and monitoring such adverse reactions.

6. Unless other requirements have been laid down as a condition for the granting of the marketing authorisation, or subsequently as indicated in the guidelines referred to in Article 106(1), reports of all adverse reactions shall be submitted to the competent authorities in the form of a periodic safety update report, immediately upon request or at least every six months after authorisation and until the placing on the market. Periodic safety update reports shall also be submitted immediately upon request or at least every six months during the first two years following the initial placing on the market and once a year for the following two years. Thereafter, the reports shall be submitted at three-yearly intervals, or immediately upon request.

   The periodic safety update reports shall include a scientific evaluation of the risk-benefit balance of the medicinal product.

7. The Commission may lay down provisions to amend paragraph 6 in view of experience gained through its operation. The Commission shall adopt the provisions in accordance with the procedure referred to in Article 121(2).

8. Following the granting of a marketing authorisation, the marketing authorisation holder may request the amendment of the periods referred to in paragraph 6 in accordance with the procedure laid down by Commission Regulation (EC) No 1084/2003 (*).

9. The holder of a marketing authorisation may not communicate information relating to pharmacovigilance concerns to the general public in relation to its authorised medicinal product without giving prior or simultaneous notification to the competent authority.

   In any case, the marketing authorisation holder shall ensure that such information is presented objectively and is not misleading.

   Member States shall take the necessary measures to ensure that a marketing authorisation holder who fails to discharge these obligations is subject to effective, proportionate and dissuasive penalties.

Article 105

1. The Agency, in collaboration with the Member States and the Commission, shall set up a data-processing network to facilitate the exchange of pharmacovigilance information regarding medicinal products marketed in the Community in order to allow all competent authorities to share the information at the same time.

2. Making use of the network referred to in paragraph 1, Member States shall ensure that reports of suspected serious adverse reactions that have taken place on their territory are promptly made available to the Agency and the other Member States, and in any case within 15 days after their notification at the latest.

3. The Member States shall ensure that reports of suspected serious adverse reactions that have taken place on their territory are promptly made available to the marketing authorisation holder, and in any case within 15 days after their notification at the latest.

Article 106

1. In order to facilitate the exchange of information on pharmacovigilance within the Community, the Commission, after consulting the Agency, the Member States and interested parties, shall draw up guidelines on the collection, verification and presentation of adverse reaction reports, including technical requirements for electronic exchange of pharmacovigilance information in accordance with internationally agreed formats, and shall publish a reference to an internationally agreed medical terminology.

Acting in accordance with the guidelines, marketing authorisation holders shall use internationally agreed medical terminology for the reporting of adverse reactions.

These guidelines shall be published in Volume 9 of The Rules governing Medicinal Products in the European Community and shall take account of international harmonisation work carried out in the field of pharmacovigilance.

2. For the interpretation of the definitions referred to in points (11) to (16) of Article 1 and of the principles outlined in this Title, the marketing authorisation holder and the competent authorities shall follow the guidelines referred to in paragraph 1.

Article 107

1. Where, as a result of the evaluation of pharmacovigilance data, a Member State considers that a marketing authorisation should be suspended, revoked or varied in accordance with the guidelines referred to in Article 106(1), it shall forthwith inform the Agency, the other Member States and the marketing authorisation holder.

2. Where urgent action to protect public health is necessary, the Member State concerned may suspend the marketing authorisation of a medicinal product, provided that the Agency, the Commission and the other Member States are informed no later than the following working day.

When the Agency is informed in accordance with paragraph 1 in relation to suspensions and revocation, or the first subparagraph of this paragraph, the Committee shall prepare an opinion within a time-frame to be determined depending on the urgency of the matter. In relation to variations, the Committee may upon request from a Member State prepare an opinion.

Acting on the basis of this opinion, the Commission may request all Member States in which the product is being marketed to take temporary measures immediately.

The final measures shall be adopted in accordance with the procedure referred to in Article 121(3).

(*) OJ L 159, 27.6.2003, p. 1.'

77) Article 111 shall be amended as follows:

a) paragraph 1 shall be replaced by the following:

'1. The competent authority of the Member State concerned shall ensure, by means of repeated inspections, and if necessary unannounced inspections, and, where appropriate, by asking an Official Medicines Control Laboratory or a laboratory designated for that purpose to carry out tests on samples, that the legal requirements governing medicinal products are complied with.

The competent authority may also carry out unannounced inspections at the premises of manufacturers of active substances used as starting materials, or at the premises of marketing authorisation holders whenever it considers that there are grounds for suspecting non-compliance with the principles and guidelines of good manufacturing practice referred to in Article 47. These inspections may also be carried out at the request of a Member State, the Commission or the Agency.

In order to verify whether the data submitted in order to obtain a conformity certificate comply with the monographs of the European Pharmacopoeia, the standardisation body of the nomenclatures and the quality norms within the meaning of the Convention relating to the elaboration of the European Pharmacopoeia (*) (European Directorate for the quality of Medicinal Products) may ask the Commission or the Agency to request such an inspection when the starting material concerned is the subject of a European Pharmacopoeia monograph.

The competent authority of the Member State concerned may carry out inspections of starting material manufacturers at the specific request of the manufacturer himself.

Such inspections shall be carried out by officials representing the competent authority who shall be empowered to:

a) inspect the manufacturing or commercial establishments of manufacturers of medicinal products or of active substances used as starting materials, and any laboratories employed by the holder of the manufacturing authorisation to carry out checks pursuant to Article 20;

b) take samples including with a view to independent tests being carried out by an Official Medicines Control Laboratory or a laboratory designated for that purpose by a Member State;

c) examine any documents relating to the object of the inspection, subject to the provisions in force in the Member States on 21 May 1975 placing restrictions on these powers with regard to the description of the manufacturing method;

d) inspect the premises, records and documents of marketing authorisation holders or any firms employed by the marketing authorisation holder to perform the activities described in Title IX, and in particular Articles 103 and 104.

(*) OJ L 158, 25.6.1994, p. 19.'

b) paragraph 3 shall be replaced by the following:

'3. After every inspection as referred to in paragraph 1, the officials representing the competent authority shall report on whether the manufacturer complies with the principles and guidelines of good manufacturing practice laid down in Article 47 or, where appropriate, with the requirements laid down in Articles 101 to 108. The content of such reports shall be communicated to the manufacturer or marketing authorisation holder who has undergone the inspection.'

c) the following paragraphs shall be added:

'4. Without prejudice to any arrangements which may have been concluded between the Community and third countries, a Member State, the Commission or the Agency may require a manufacturer established in a third country to submit to an inspection as referred to in paragraph 1.

5. Within 90 days of an inspection as referred to in paragraph 1, a certificate of good manufacturing practice shall be issued to a manufacturer if the outcome of the inspection shows that the manufacturer complies with the principles and guidelines of good manufacturing practice as provided for by Community legislation.

If inspections are performed as part of the certification procedure for the monographs of the European Pharmacopoeia, a certificate shall be drawn up.

6. Member States shall enter the certificates of good manufacturing practice which they issue in a Community database managed by the Agency on behalf of the Community.

7. If the outcome of the inspection as referred to in paragraph 1 is that the manufacturer does not comply with the principles and guidelines of good manufacturing practice as provided for by Community legislation, the information shall be entered in the Community database as referred to in paragraph 6.'

78) in Article 114(1) and (2), the terms 'by a State laboratory or a laboratory designated for that purpose' shall be replaced by the terms 'by an Official Medicines Control Laboratory or a laboratory that a Member State has designated for that purpose';

79) Article 116 shall be replaced by the following:

'Article 116

The competent authorities shall suspend, revoke, withdraw or vary a marketing authorisation if the view is taken that the product is harmful under normal conditions of use, or that it lacks therapeutic efficacy, or that the risk-benefit balance is not positive under the normal conditions of use, or that its qualitative and quantitative composition is not as declared. Therapeutic efficacy is lacking when it is concluded that therapeutic results cannot be obtained from the medicinal product.

An authorisation shall also be suspended, revoked, withdrawn or varied where the particulars supporting the application as provided for in Article 8 or Articles 10, 10a, 10b, 10c and 11 are incorrect or have not been amended in accordance with Article 23, or where the controls referred to in Article 112 have not been carried out.'

80) Article 117(1) shall be replaced by the following:

'1. Without prejudice to the measures provided for in Article 116, Member States shall take all appropriate steps to ensure that the supply of the medicinal product is prohibited and the medicinal product withdrawn from the market, if the view is taken that:

a) the medicinal product is harmful under normal conditions of use; or

b) it lacks therapeutic efficacy; or

c) the risk-benefit balance is not favourable under the authorised conditions of use; or

d) its qualitative and quantitative composition is not as declared; or

e) the controls on the medicinal product and/or on the ingredients and the controls at an intermediate stage of the manufacturing process have not been carried out or if some other requirement or obligation relating to the grant of the manufacturing authorisation has not been fulfilled.'

81) Article 119 shall be replaced by the following:

'Article 119

The provisions of this Title shall apply to homeopathic medicinal products.'

82) Articles 121 and 122 shall be replaced by the following:

'Article 121

1. The Commission shall be assisted by the Standing Committee on Medicinal Products for Human Use, hereinafter called "the Standing Committee", in the task of adapting to technical progress the directives on the removal of technical barriers to trade in the medicinal products sector.

2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at one month.

4. The Standing Committee shall adopt its own rules of procedure which shall be made public.

Article 122

1. Member States shall take all appropriate measures to ensure that the competent authorities concerned communicate to each other such information as is appropriate to guarantee that the requirements placed on the authorisations referred to in Articles 40 and 77, on the certificates referred to in Article 111(5) or on the marketing authorisations are fulfilled.

2. Upon reasoned request, Member States shall forthwith communicate the reports referred to in Article 111(3) to the competent authorities of another Member State.

3. The conclusions reached in accordance with Article 111(1) shall be valid throughout the Community.

However, in exceptional cases, if a Member State is unable, for reasons relating to public health, to accept the conclusions reached following an inspection under Article 111(1), that Member State shall forthwith inform the Commission and the Agency. The Agency shall inform the Member States concerned.

When the Commission is informed of these divergences of opinion, it may, after consulting the Member States concerned, ask the inspector who performed the original inspection to perform a new inspection; the inspector may be accompanied by two other inspectors from Member States which are not parties to the disagreement.'

83) in Article 125, the third subparagraph shall be replaced by the following:

'Decisions to grant or revoke a marketing authorisation shall be made publicly available.'

84) the following Article shall be inserted:

'Article 126a

1. In the absence of a marketing authorisation or of a pending application for a medicinal product authorised in another Member State in accordance with this Directive, a Member State may for justified public health reasons authorise the placing on the market of the said medicinal product.

2. When a Member State avails itself of this possibility, it shall adopt the necessary measures in order to ensure that the requirements of this Directive are complied with, in particular those referred to in Titles V, VI, VIII, IX and XI.

3. Before granting such an authorisation a Member State shall:

   a) notify the marketing authorisation holder, in the Member State in which the medicinal product concerned is authorised, of the proposal to grant an authorisation under this Article in respect of the product concerned; and

   b) request the competent authority in that State to furnish a copy of the assessment report referred to in Article 21(4) and of the marketing authorisation in force in respect of the said medicinal product.

4. The Commission shall set up a publicly accessible register of medicinal products authorised under paragraph 1. Member States shall notify the Commission if any medicinal product is authorised, or ceases to be authorised, under paragraph 1, including the name or corporate name and permanent address of the authorisation holder. The Commission shall amend the register of medicinal products accordingly and make this register available on their website.

5. No later than … (*), the Commission shall present a report to the European Parliament and the Council concerning the application of this provision with a view to proposing any necessary amendments.

(*) Four years after the date of entry into force of this Directive.'

85) the following Article 126b is inserted:

'Article 126b

In order to guarantee independence and transparency, the Member States shall ensure that members of staff of the competent authority responsible for granting authorisations, rapporteurs and experts concerned with the authorisation and surveillance of medicinal products have no financial or other interests in the pharmaceutical industry which could affect their impartiality. These persons shall make an annual declaration of their financial interests.

In addition, the Member States shall ensure that the competent authority makes publicly accessible its rules of procedure and those of its committees, agendas for its meetings and records of its meetings, accompanied by decisions taken, details of votes and explanations of votes, including minority opinions.'

86) the following Article shall be inserted:

'Article 127a

When a medicinal product is to be authorised in accordance with Regulation (EC) …/2004 (*) and the Scientific Committee in its opinion refers to recommended conditions or restrictions with regard to the safe and effective use of the medicinal product as provided for in Article 9(4) (c) of that Regulation, a decision addressed to the Member States shall be adopted in accordance with the procedure provided for in Articles 33 and 34 of this Directive, for the implementation of those conditions or restrictions.

(*) Note to OJ. Regulation No as in footnote to recital 5.'

87) the following Article shall be inserted:

'Article 127b

Member States shall ensure that appropriate collection systems are in place for medicinal products that are unused or have expired.'

Article 2

The periods of protection provided for in Article 1, point 8, which amends Article 10(1) of Directive 2001/83/EC, shall not apply to reference medicinal products for which an application for authorisation has been submitted before the date of transposition referred to in Article 3 first paragraph.

Article 3

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive no later than … (*). They shall immediately inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. The methods of making such reference shall be laid down by the Member States.

Article 4

This Directive shall enter into force on the day of its publication in the Official Journal of the European Union.

Article 5

This Directive is addressed to the Member States.

Done at …,

For the European Parliament
The President

For the Council
The President

(*) 18 months after the entry into force of this Directive.

Wednesday 17 December 2003

P5_TA(2003)0578

Community code on veterinary medicinal products ***II

European Parliament legislative resolution on the common position adopted by the Council with a view to adopting a European Parliament and Council directive amending Directive 2001/82/EC on the Community code relating to veterinary medicinal products (10951/3/2003 — C5-0465/2003 — 2001/0254(COD))

(Codecision procedure: second reading)

The European Parliament,

— having regard to the Council common position (10951/3/2003 — C5-0465/2003) ([1]),

— having regard to its position at first reading ([2]) on the Commission proposal to Parliament and the Council (COM(2001) 404) ([3]),

— having regard to the amended proposal (COM(2003) 163) ([4]),

— having regard to Article 251(2) of the EC Treaty,

— having regard to Rule 80 of its Rules of Procedure,

— having regard to the recommendation for second reading of the Committee on the Environment, Public Health and Consumer Policy (A5-0444/2003),

1. Amends the common position as follows;

2. Instructs its President to forward its position to the Council and Commission.

([1]) OJ C 297 E, 9.12.2003, p. 72.
([2]) *Texts Adopted,* 23.10.2002, P5_TA(2003)0506.
([3]) OJ C 75 E, 26.3.2002, p. 234.
([4]) Not yet published in OJ.

P5_TC2-COD(2001)0254

Position of the European Parliament adopted at second reading on 17 December 2003 with a view to the adoption of Directive 2004/…/EC of the European Parliament and of the Council amending Directive 2001/82/EC on the Community code relating to veterinary medicinal products

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 95 and Article 152(4)(b) thereof,

Having regard to the proposal of the Commission ([1]),

Having regard to the Opinion of the European Economic and Social Committee ([2]),

After consulting the Committee of the Regions,

Acting in accordance with the procedure referred to in Article 251 of the Treaty ([3]),

Whereas:

([1]) OJ C 75E, 26.3.2002, p. 234.
([2]) OJ C 61, 14.3.2003, p. 1.
([3]) Position of the European Parliament of 23 October 2002 (OJ C 300 E, 11.12.2003, p. 390), Council Common Position of 29 September 2003 (OJ C 297 E, 9.12.2003, p. 72), Position of the European Parliament of 17 December 2003.

(1) Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products [1] codified and consolidated previous Community legislation on veterinary medicinal products in a single text in the interests of clarity and rationalisation.

(2) The Community legislation so far adopted has made a major contribution to the achievement of the objective of free and safe movement of veterinary medicinal products and the elimination of obstacles to trade in such products. However, in the light of the experience gained, it has become clear that new measures are necessary to eliminate the remaining obstacles to free movement.

(3) It is therefore necessary to align national laws, regulations and administrative provisions that contain differences with regard to the basic principles in order to promote the operation of the internal market without adversely affecting public health.

(4) The main purpose of any regulation on the manufacture and distribution of veterinary medicinal products should be to safeguard animal health and welfare as well as public health. The legislation on marketing authorisations for veterinary medicinal products, and the criteria governing the granting of authorisations, are such as to strengthen the protection of public health. That aim should, however, be achieved by means that do not hinder the development of the pharmaceutical industry or trade in veterinary medicinal products within the Community.

(5) Article 71 of Council Regulation (EEC) No 2309/93 of 22 July 1993 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Agency for the Evaluation of Medicinal Products [2] provided that, within six years of its entry into force, the Commission was required to publish a general report on the experience acquired as a result of the operation of the marketing authorisation procedures laid down in that Regulation and in other Community legal provisions.

(6) In the light of the Commission's report on the experience acquired, it has proved necessary to improve the operation of the marketing authorisation procedures for veterinary medicinal products in the Community.

(7) Particularly as a result of scientific and technical progress in the field of animal health, the definitions and scope of Directive 2001/82/EC should be clarified in order to achieve high standards for the quality, safety and efficacy of veterinary medicinal products. In order to take account both of the emergence of new therapies and of the growing number of so-called 'borderline' products between the medicinal product sector and other sectors, the definition of 'medicinal product' should be modified so as to avoid any doubt as to the applicable legislation when a product, whilst fully falling within the definition of a medicinal product, may also fall within the definition of other regulated products. Also, in view of the characteristics of pharmaceutical legislation, provision should be made for such legislation to apply. With the same objective of clarifying situations, where a given product comes under the definition of a veterinary medicinal product, but could also fall within the definition of other regulated products, it is necessary, in cases of doubt and in order to ensure legal certainty, to state explicitly which provisions have to be complied with. Where a product comes clearly under the definition of other product categories, in particular food, feed, feed additives or biocides, this Directive should not apply. It is also appropriate to improve the consistency of the terminology of pharmaceutical legislation.

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[1] OJ L 311, 28.11.2001, p. 1.

[2] OJ L 214, 24.8.1993, p. 1. Regulation repealed by Regulation (EC) No /2004 (see p. of this Official Journal). (Note to the OJ. Regulation of the European Parliament and of the Council laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency.)

(8) The veterinary medicinal products sector has a number of very specific features. Veterinary medicinal products for food-producing animals may be authorised only on conditions that guarantee that the foodstuffs produced will be harmless to consumers as regards any residues of such medicinal products.

(9) The costs of research and development to meet increased requirements as regards the quality, safety and efficacy of veterinary medicinal products are leading to a gradual reduction in the range of products authorised for the species and indications representing smaller market sectors.

(10) The provisions of Directive 2001/82/EC also need, therefore, to be adapted to the specific features of the sector, particularly to meet the health and welfare needs of food-producing animals on terms that guarantee a high level of consumer protection, and in a context that provides adequate economic interest for the veterinary medicinal products industry.

(11) In certain circumstances, particularly where certain types of pets are concerned, the need to obtain a marketing authorisation for a veterinary medicinal product in accordance with Community provisions is clearly disproportionate. Moreover, the absence of authorisation to market an immunological product in the Community should not be an obstacle to international movements of certain live animals for the purpose of which binding health measures have to be taken. The provisions on the authorisation or use of such medicinal products to take account of measures to combat certain infectious animal diseases at Community level also need to be adapted.

(12) Evaluation of the operation of market authorisation procedures has revealed the need to revise, in particular, the mutual-recognition procedure in order to improve the opportunities for cooperation between Member States. This cooperation process should be formalised by setting up a coordination group for this procedure and by defining its operation so as to settle disagreements within the framework of a revised decentralised procedure.

(13) With regard to referrals, the experience acquired reveals the need for an appropriate procedure, particularly in the case of referrals relating to an entire therapeutic class or to all veterinary medicinal products containing the same active substance.

(14) Marketing authorisation for veterinary medicinal products should be limited initially to five years. After this first renewal, the marketing authorisation should normally be valid for an unlimited period. Furthermore, any authorisation not used for three consecutive years, that is to say, one which has not led to the placing on the market of a veterinary medicinal product in the Member States concerned during that period, should be considered invalid, in order, in particular, to avoid the administrative burden of maintaining such authorisations. However, exemptions from this rule should be granted when these are justified on public or animal health grounds.

(15) Biological medicinal products similar to a reference medicinal product do not usually meet all the conditions to be considered as a generic medicinal product mainly due to manufacturing process characteristics, raw materials used, molecular characteristics and therapeutic modes of action. When a biological product does not meet all the conditions to be considered as a generic medicinal product, the results of appropriate tests should be provided in order to fulfil the requirements related to safety (pre-clinical tests) or to efficacy (clinical tests) or to both.

(16) The criteria of quality, safety and efficacy should enable the risk-benefit balance of all veterinary medicinal products to be assessed both when they are placed on the market and at any other time the competent authority deems this appropriate. In this connection, it is necessary to harmonise and adapt the criteria for refusal, suspension and revocation of marketing authorisations.

(17) In the veterinary sector, if no medicinal product has been authorised for a given species or a given disorder, the possibility of using other existing products should be made a straightforward matter, but without prejudicing consumer health in the case of medicinal products intended for administration to food-producing animals. In particular, medicinal products should be used only under conditions that guarantee that the foodstuffs produced will be harmless to consumers as regards any residues of medicinal products.

(18) There is also a need to stimulate the interest of the veterinary pharmaceuticals industry in certain market segments in order to encourage the development of new veterinary medicinal products. The period of administrative data-protection vis-à-vis generics should be harmonised.

(19) There is also a need to clarify the obligations of, and division of responsibilities between, the applicant for a marketing authorisation, the holder of a marketing authorisation and the competent authorities in charge of monitoring the quality of foodstuffs, particularly through compliance with the provisions on the use of veterinary medicinal products. In addition, in order to facilitate the testing of new medicinal products while guaranteeing a high level of protection for consumers, sufficiently long withdrawal periods should be laid down for foodstuffs that animals involved in tests might produce.

(20) Without prejudice to the provisions aimed at guaranteeing consumer protection, the specific characteristics of homeopathic veterinary medicinal products, and particularly their use in organic farming, should be taken into account by establishing a simplified procedure for registration on terms defined in advance.

(21) In order to increase the information available to users and to improve consumer protection in the case of food-producing animals, the provisions on the labelling of veterinary medicinal products and the accompanying package leaflet should be strengthened. The requirement that a veterinary medicinal product may only be dispensed after a veterinary prescription has been made out should, as a general principle, be extended to all medicinal products for food-producing animals. However, it should be possible to grant exemptions, where appropriate. The administrative procedures for supplying medicinal products for pets, on the other hand, should be simplified.

(22) The quality of veterinary medicinal products manufactured or available in the Community should be guaranteed by requiring that the active substances used in their composition comply with the principles of good manufacturing practice. It has proved necessary to reinforce the Community provisions on inspections and to compile a Community register of the results of those inspections. The provisions for the official release of batches of immunological medicinal products should be reviewed in order to take account of the improvement of the general system for monitoring the quality of medicinal products and to reflect technical and scientific progress, and also in order to make mutual recognition fully effective.

(23) The environmental impact should be studied and consideration should be given on a case-by-case basis to specific provisions seeking to limit it.

(24) Pharmacovigilance and, more generally, market surveillance and sanctions in the event of failure to comply with the provisions should be stepped up. In the field of pharmacovigilance, account should be taken of the facilities offered by new information technologies to improve exchanges between Member States.

(25) The measures necessary for the implementation of this Directive should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ([1]).

(26) Directive 2001/82/EC should be amended accordingly,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Directive 2001/82/EC shall be amended as follows:

1) Article 1 shall be amended as follows:

a) point 1 shall be deleted;

b) point 2 shall be replaced by the following:

'2. Veterinary medicinal product:

a) any substance or combination of substances presented as having properties for treating or preventing disease in animals; or

b) any substance or combination of substances which may be used in or administered to animals with a view either to restoring, correcting or modifying physiological functions by exerting a pharmacological, immunological or metabolic action, or to making a medical diagnosis.'

c) point 3 shall be deleted;

d) points 8, 9 and 10 shall be replaced by the following:

'8. Homeopathic veterinary medicinal product:

Any veterinary medicinal product prepared from substances called homeopathic stocks in accordance with a homeopathic manufacturing procedure described by the European Pharmacopoeia or, in the absence thereof, by the pharmacopoeias currently used officially in Member States. A homeopathic veterinary medicinal product may contain a number of principles.

9. Withdrawal period:

The period necessary between the last administration of the veterinary medicinal product to animals, under normal conditions of use and in accordance with the provisions of this Directive, and the production of foodstuffs from such animals, in order to protect public health by ensuring that such foodstuffs do not contain residues in quantities in excess of the maximum residue limits for active substances laid down pursuant to Regulation (EEC) No 2377/90.

([1]) OJ L 184, 17.7.1999, p. 23.

10. Adverse reaction:

A reaction to a veterinary medicinal product which is harmful and unintended and which occurs at doses normally used in animals for the prophylaxis, diagnosis or treatment of disease or to restore, correct or modify a physiological function.'

e) the following point shall be inserted:

'17a. Representative of the marketing authorisation holder:

The person, commonly known as local representative, designated by the marketing authorisation holder to represent him in the Member State concerned.'

f) point 18 shall be replaced by the following:

'18. Agency:

The European Medicines Agency established by Regulation (EC) No …/2004 (*);

(*) OJ L. (Note for OJ: Regulation No as in footnote to Recital 5 and 7, number, date and page on the same Regulation in this OJ.'

g) point 19 shall be replaced by the following:

'19) Risks relating to use of the product:

— any risk relating to the quality, safety and efficacy of the veterinary medicinal products as regards animal or human health;

— any risk of undesirable effects on the environment.'

h) the following points shall be added:

'20. Risk/benefit balance:

An evaluation of the positive therapeutic effects of the veterinary medicinal product in relation to the risks as defined above.

21. Veterinary prescription:

Any prescription for a veterinary medicinal product issued by a professional person qualified to do so in accordance with applicable national law.

22. Name of veterinary medicinal product:

The name, which may be either an invented name not liable to confusion with the common name, or a common or scientific name accompanied by a trademark or the name of the marketing authorisation holder.

23. Common name:

The international non-proprietary name recommended by the World Health Organisation, or, if one does not exist, the usual common name.

24. Strength:

The content of active substances, expressed quantitatively per dosage unit, per unit of volume or weight according to the dosage form.

25. Immediate packaging:

The container or any other form of packaging that is in direct contact with the medicinal product.

26. Outer packaging:

The packaging into which is placed the immediate packaging.

27. Labelling:

Information on the immediate or outer packaging.

28. Package leaflet:

"The leaflet containing information for the user that accompanies the medicinal product.";'

2) Articles 2 and 3 shall be replaced by the following:

'Article 2

1. This Directive shall apply to veterinary medicinal products, including pre-mixes for medicated feedingstuffs, intended to be placed on the market in Member States and prepared industrially or by a method involving an industrial process.

2. In cases of doubt, where, taking into account all its characteristics, a product may fall within the definition of a "veterinary medicinal product" and within the definition of a product covered by other Community legislation, the provisions of this Directive shall apply.

3. Notwithstanding paragraph 1, this Directive shall also apply to active substances used as starting materials to the extent set out in Articles 50, 50a, 51 and 80 and additionally to certain substances that may be used as veterinary medicinal products that have anabolic, anti-infectious, anti-parasitic, anti-inflammatory, hormonal or psychotropic properties to the extent set out in Article 68.

Article 3

1. This Directive shall not apply to:

a) medicated feedingstuffs as defined in Council Directive 90/167/EEC of 26 March 1990 laying down the conditions governing the preparation, placing on the market and use of medicated feedingstuffs in the Community (*);

b) inactivated immunological veterinary medicinal products which are manufactured from pathogens and antigens obtained from an animal or animals from a holding and used for the treatment of that animal or the animals of that holding in the same locality;

c) veterinary medicinal products based on radio-active isotopes;

d) any additives covered by Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs (**) where they are incorporated in animal feedingstuffs and supplementary animal feedingstuffs in accordance with that Directive; and

e) without prejudice to Article 95, medicinal products for veterinary use intended for research and development trials.

However, medicated feedingstuffs referred to in subparagraph (a) may be prepared only from premixes that have been authorised under this Directive.

(*) OJ L 92, 7.4.1990, p. 42.
(**) OJ L 270, 14.12.1970, p. 1. Directive as last amended by Regulation (EC) No 1756/2002 (OJ L 265, 3.10.2002, p. 1).'

2. Except for the provisions on the possession, prescription, dispensing and administration of veterinary medicinal products, this Directive shall not apply to:

a) any medicinal product prepared in a pharmacy in accordance with a veterinary prescription for an individual animal or a small group of animals, commonly known as the magistral formula; and

b) any medicinal product prepared in a pharmacy in accordance with the prescriptions of a pharmacopoeia and intended to be supplied directly to the end-user, commonly known as the officinal formula.

3) Article 4(2) shall be replaced by the following:

'2. In the case of veterinary medicinal products intended solely for aquarium fish, cage birds, homing pigeons, terrarium animals, small rodents, and ferrets and rabbits kept exclusively as pets, Member States may permit exemptions, in their territory, from the provisions in Articles 5 to 8, provided that such products do not contain substances the use of which requires veterinary control and that all possible measures are taken to prevent unauthorised use of the products for other animals.'

4) Articles 5 and 6 shall be replaced by the following:

'Article 5

1. No veterinary medicinal product may be placed on the market of a Member State unless a marketing authorisation has been granted by the competent authorities of that Member State in accordance with this Directive or a marketing authorisation has been granted in accordance with Regulation (EC) No …/2004 (*).

When a veterinary medicinal product has been granted an initial authorisation in accordance with the first subparagraph, any additional species, strengths, pharmaceutical forms, administration routes, presentations, as well as any variations and extensions, shall also be granted an authorisation in accordance with the first subparagraph or be included in the initial marketing authorisation. All these marketing authorisations shall be considered as belonging to the same global marketing authorisation, in particular for the purpose of the application of Article 13(1).

2. The marketing authorisation holder shall be responsible for the marketing of the medicinal product. The designation of a representative shall not relieve the marketing authorisation holder of his legal responsibility.

Article 6

1. A veterinary medicinal product may not be the subject of a marketing authorisation for the purpose of administering it to one or more food-producing species unless the pharmacologically active substances which it contains appear in Annexes I, II or III to Regulation (EEC) No 2377/90.

2. If an amendment to the Annexes to Regulation (EEC) No 2377/90 so warrants, the marketing authorisation holder or, where appropriate, the competent authorities shall take all necessary measures to amend or revoke the marketing authorisation within 60 days of the date on which the amendment to the Annexes to that Regulation was published in the Official Journal of the European Union.

3. By way of derogation from paragraph 1, a veterinary medicinal product containing pharmacologically active substances not included in Annexes I, II or III to Regulation (EEC) No 2377/90 may be authorised for particular animals of the equidae family that have been declared, in accordance with Commission Decision 93/623/EEC of 20 October 1993 establishing the identification document (passport) accompanying registered equidae (**) and Commission Decision 2000/68/EC of 22 December 1999 amending Decision 93/623/EEC and establishing the identification of equidae for breeding and production (***), as not being intended for slaughter for human consumption. Such veterinary medicinal products shall neither include active substances that appear in Annex IV to Regulation (EEC) No 2377/90 nor be intended for use in the treatment of conditions, as detailed in the authorised Summary of Product Characteristics, for which a veterinary medicinal product is authorised for animals of the equidae family.

(*) Note to OJ. Regulation No as in footnote to Recital 5.
(**) OJ L 298, 3.12.1993, p. 45. Decision as amended by Commission Decision 2000/68/EC (OJ L 23, 28.1.2000, p. 72).
(***) OJ L 23, 28.1.2000, p. 72.'

5) Article 8 shall be replaced by the following:

'Article 8

In the event of serious epizootic diseases, Member States may provisionally allow the use of immunological veterinary medicinal products without a marketing authorisation, in the absence of a suitable medicinal product and after informing the Commission of the detailed conditions of use.

The Commission may avail itself of the option set out in the first paragraph when explicit provision is made for that option under Community rules concerning certain serious epizootic diseases.

If an animal is being imported from, or exported to, a third country and is thereby subject to specific binding health rules, a Member State may permit the use, for the animal in question, of an immunological veterinary medicinal product that is not covered by a marketing authorisation in the Member State in question but is authorised under the legislation of the third country. Member States shall take all appropriate measures concerning the supervision of the importation and the use of such immunological products.'

6) Articles 10 to 13 shall be replaced by the following:

'Article 10

1. Member States shall take the necessary measures to ensure that, if there is no authorised veterinary medicinal product in a Member State for a condition affecting a non food-producing species, by way of exception, the veterinarian responsible may, under his/her direct personal responsibility and in particular to avoid causing unacceptable suffering, treat the animal concerned with:

a) a veterinary medicinal product authorised in the Member State concerned under this Directive or under Regulation (EC) No …/2004 (*) for use with another animal species, or for another condition in the same species; or

b) if there is no product as referred to in point (a), either:

i) a medicinal product authorised for human use in the Member State concerned in accordance with Directive 2001/83/EC of the European Parliament and of the Council or under Regulation (EC) No …/2004 (*), or

ii) in accordance with specific national measures, a veterinary medicinal product authorised in another Member State in accordance with this Directive for use in the same species or in another species for the condition in question or for another condition; or

c) if there is no product as referred to in subparagraph (b), and within the limits of the law of the Member State concerned, a veterinary medicinal product prepared extemporaneously by a person authorised to do so under national legislation in accordance with the terms of a veterinary prescription.

The veterinarian may administer the medicinal product personally or allow another person to do so under the veterinarian's responsibility.

2. By way of derogation from Article 11, the provisions of paragraph 1 of this Article shall also apply to the treatment by a veterinarian of an animal belonging to the equidae family provided that it has been declared, in accordance with Commission Decisions 93/623/EEC and 2000/68/EC, as not being intended for slaughter for human consumption.

3. By way of derogation from Article 11, and in accordance with the procedure referred to in Article 89(2), the Commission shall establish a list of substances essential for the treatment of equidae and for which the withdrawal period shall be not less than six months according to the control mechanisms laid down in Commission Decisions 93/623/EEC and 2000/68/EC.

Article 11

1. Member States shall take the necessary measures to ensure that, if there is no authorised veterinary medicinal product in a Member State for a condition affecting a food-producing species, by way of exception, the veterinarian responsible may, under his direct personal responsibility and in particular to avoid causing unacceptable suffering, treat the animals concerned on a particular holding with:

a) a veterinary medicinal product authorised in the Member State concerned under this Directive or under Regulation (EC) No …/2004 (*) for use with another animal species, or for another condition in the same species; or

b) if there is no product as referred to in point (a), either:

i) a medicinal product for human use authorised in the Member State concerned in accordance with Directive 2001/83/EC or under Regulation (EC) No …/2004 (*), or

ii) a veterinary medicinal product authorised in another Member State in accordance with this Directive for use in the same species or in another food-producing species for the condition in question or for another condition; or

c) if there is no product as referred to in subparagraph (b), and within the limits of the law of the Member State concerned, a veterinary medicinal product prepared extemporaneously by a person authorised to do so under national legislation in accordance with the terms of a veterinary prescription.

The veterinarian may administer the medicinal product personally or allow another person to do so under the veterinarian's responsibility.

2. Paragraph 1 shall apply provided that pharmacologically active substances included in the medicinal product are listed in Annex I, II or III to Regulation (EEC) No 2377/90, and that the veterinarian specifies an appropriate withdrawal period.

Unless the medicinal product used indicates a withdrawal period for the species concerned, the specified withdrawal period shall not be less than:

— 7 days for eggs,

— 7 days for milk,

— 28 days for meat from poultry and mammals including fat and offal,

— 500 degree-days for fish meat.

However, these specific withdrawal periods may be modified in accordance with the procedure referred to in Article 89(2).

3. With regard to homeopathic veterinary medicinal products in which active principles figure in Annex II to Regulation (EEC) No 2377/90, the withdrawal period referred to in the second subparagraph of paragraph 2 shall be reduced to zero.

4. When a veterinarian has recourse to the provisions of paragraphs 1 and 2 of this Article, he shall keep adequate records of the date of examination of the animals, details of the owner, the number of animals treated, the diagnosis, the medicinal products prescribed, the doses administered, the duration of treatment and the withdrawal periods recommended, and shall make these records available for inspection by the competent authorities for a period of at least five years.

5. Without prejudice to the other provisions of this Directive, Member States shall take all necessary measures concerning the import, distribution, dispensing of and information on the medicinal products which they permit for administration to food-producing animals in accordance with paragraph 1(b)(ii).

Article 12

1. For the purposes of obtaining a marketing authorisation in respect of a veterinary medicinal product, otherwise than under the procedure established by Regulation (EC) No …/2004 (*), an application shall be lodged with the competent authority of the Member State concerned.

In the case of veterinary medicinal products which are intended for one or more food-producing species but whose pharmacologically active substances have not yet been included, for the species in question, in Annexes I, II or III to Regulation (EEC) No 2377/90, a marketing authorisation may not be applied for until after a valid application has been made for the establishment of maximum residue limits in accordance with that Regulation. At least six months shall elapse between a valid application for the establishment of maximum residue limits and an application for a marketing authorisation.

However, in the case of veterinary medicinal products referred to in Article 6(3), a marketing authorisation may be applied for without a valid application in accordance with Regulation (EEC) No 2377/90. All the scientific documentation necessary for the demonstration of the quality, safety and efficacy of the veterinary medicinal product, as provided for in paragraph 3, shall be submitted.

2. A marketing authorisation may only be granted to an applicant established in the Community.

3. The application for marketing authorisation shall include all the administrative information and scientific documentation necessary for demonstrating the quality, safety and efficacy of the veterinary medicinal product in question. The file shall be submitted in accordance with Annex I and shall contain, in particular, the following information:

a) name or business name and permanent address or registered place of business of the person responsible for placing the product on the market and, if different, of the manufacturer or manufacturers involved and of the sites of manufacture;

b) name of veterinary medicinal product;

c) qualitative and quantitative particulars of all the constituents of the veterinary medicinal product, including its international non-proprietary name (INN) recommended by the WHO, where an INN exists, or its chemical name;

d) description of the method of manufacture;

e) therapeutic indications, contra-indications and adverse reactions;

f) dosage for the various species of animal for which the veterinary medicinal product is intended, its pharmaceutical form, method and route of administration and proposed shelf life;

g) reasons for any precautionary and safety measures to be taken when storing the veterinary medicinal product, administering it to animals and disposing of waste, together with an indication of potential risks that the veterinary medicinal product might pose to the environment, to human and animal health and to plants;

h) indication of the withdrawal period in the case of medicinal products intended for food-producing species;

i) description of the testing methods employed by the manufacturer;

j) results of:

— pharmaceutical (physico-chemical, biological or microbiological) tests,

— safety tests and residue tests,

— pre-clinical and clinical trials;

— tests assessing the potential risks posed by the medicinal product for the environment. This impact shall be studied and consideration shall be given on a case-by-case basis to specific provisions seeking to limit it.

k) a detailed description of the pharmacovigilance system and, where appropriate, the risk management system that the applicant will put in place;

l) a summary in accordance with Article 14 of the product characteristics, a mock-up of the immediate packaging and the outer packaging of the veterinary medicinal product, together with the package leaflet, in accordance with Articles 58 to 61;

m) a document showing that the manufacturer is authorised in his own country to produce veterinary medicinal products;

n) copies of any marketing authorisation obtained in another Member State or in a third country for the relevant veterinary medicinal product, together with a list of those Member States in which an application for authorisation submitted in accordance with this Directive is under examination. Copies of the summary of the product characteristics proposed by the applicant in accordance with Article 14 or approved by the competent authority of the Member State in accordance with Article 25 and copies of the package insert proposed, details of any decision to refuse authorisation, whether in the Community or a third country and the reasons for that decision. All this information shall be updated on a regular basis;

o) proof that the applicant has the services of a qualified person responsible for pharmacovigilance and has the necessary means for the notification of any adverse reaction suspected of occurring either in the Community or in a third country;

p) in the case of veterinary medicinal products intended for one or more food-producing species and containing one or more pharmacologically active substances not yet included, for the species in question, in Annexes I, II or III to Regulation (EEC) No 2377/90, a document certifying that a valid application for the establishment of maximum residue limits has been submitted to the Agency in accordance with the aforementioned Regulation.

The documents and particulars relating to the results of the tests referred to in point (j) of the first subparagraph shall be accompanied by detailed and critical summaries, drawn up as specified in Article 15.

Article 13

1. By way of derogation from point (j) of the first subparagraph of Article 12(3), and without prejudice to the law relating to the protection of industrial and commercial property, the applicant shall not be required to provide the results of the safety and residue tests or of the pre-clinical and clinical trials if he can demonstrate that the medicinal product is a generic of a reference medicinal product which is or has been authorised under Article 5 for not less than eight years in a Member State or the Community. A generic veterinary medicinal product authorised pursuant to this provision shall not be placed on the market until ten years have elapsed from the initial authorisation of the reference product.

The first subparagraph shall also apply when the reference medicinal product was not authorised in the Member State in which the application for the generic medicinal product is submitted. In this case, the applicant shall indicate in the application the Member State in which the reference medicinal product is or has been authorised. At the request of the competent authority of the Member State in which the application is submitted, the competent authority of the other Member State shall transmit, within a period of one month, confirmation that the reference medicinal product is or has been authorised together with the full composition of the reference product and if necessary other relevant documentation.

However, the ten-year period provided for in the second subparagraph shall be extended to 13 years in the case of veterinary medicinal products for fish or bees or other species designated in accordance with the procedure referred to in Article 89(2).

2. For the purposes of this Article:

a) "reference medicinal product" shall mean a product authorised within the meaning of Article 5 in accordance with the provisions of Article 12;

b) "generic medicinal product" shall mean a medicinal product which has the same qualitative and quantitative composition in active substances and the same pharmaceutical form as the reference medicinal product, and whose bioequivalence with the reference medicinal product has been demonstrated by appropriate bioavailability studies. The different salts, esters, ethers, isomers, mixtures of isomers, complexes or derivatives of an active substance shall be considered to be the same active substance, unless they differ significantly in properties with regard to safety and/or efficacy. In such cases, additional information intended to provide proof of the safety and/or efficacy of the various salts, esters or derivatives of an authorised active substance must be supplied by the applicant. The various immediate-release oral pharmaceutical forms shall be considered to be one and the same pharmaceutical form. Bioavailability studies need not be required of the applicant if he can demonstrate that the generic medicinal product meets the relevant criteria as defined in the appropriate detailed guidelines.

3. In cases where the veterinary medicinal product does not fall under the definition of a generic medicinal product set out in paragraph 2(b) or where bio-equivalence cannot be demonstrated through bioavailability studies or in the case of changes to the active substance(s), therapeutic indications, strength, pharmaceutical form or route of administration vis-à-vis the reference medicinal product, the results of the appropriate safety and residue tests and pre-clinical tests or clinical trials shall be provided.

4. Where a biological veterinary medicinal product which is similar to a reference biological veterinary medicinal product does not meet the conditions in the definition of generic medicinal products, owing to, in particular, differences relating to raw materials or in manufacturing processes of the biological veterinary medicinal product and the reference biological veterinary medicinal product, the results of appropriate pre-clinical tests or clinical trials relating to these conditions must be provided. The type and quantity of supplementary data to be provided must comply with the relevant criteria stated in Annex I and the related detailed guidelines. The results of other tests and trials from the reference medicinal product's dossier shall not be provided.

5. In the case of veterinary medicinal products intended for one or more food-producing species and containing a new active substance that has not been authorised in the Community by … (**) the ten-year period provided for in the second subparagraph of paragraph 1 shall be extended by one year for each extension of the marketing authorisation to another food-producing species, if it is authorised within the five years following the granting of the initial marketing authorisation.

This period shall not, however, exceed a total of 13 years, for a marketing authorisation for four or more food-producing species.

The extension of the ten-year period to 11, 12, or 13 years for a veterinary medicinal product intended for food-producing species shall be granted only if the marketing authorisation holder also originally applied for determination of the maximum residue limits established for the species covered by the authorisation.

6. Conducting the necessary studies, tests and trials with a view to the application of paragraphs 1 to 5 and the consequential practical requirements shall not be regarded as contrary to patent-related rights or to supplementary-protection certificates for medicinal products.

(*) Note to OJ. Regulation No as in footnote to Recital 5.
(**) The date of the entry into force of this Directive.'

7) the following Articles shall be inserted:

'Article 13a

1. By way of derogation from point (j) of the first subparagraph of Article 12(3), and without prejudice to the law on the protection of industrial and commercial property, the applicant shall not be required to provide the results of safety and residue tests or of pre-clinical tests or clinical trials if he can demonstrate that the active substances of the veterinary medicinal product have been in well-established veterinary use within the Community for at least ten years, with recognised efficacy and an acceptable level of safety in terms of the conditions set out in Annex I. In that event, the applicant shall provide appropriate scientific literature.

2. The assessment report published by the Agency following the evaluation of an application for the establishment of maximum residue limits in accordance with Regulation (EEC) No 2377/90 may be used in an appropriate manner as literature, particularly for the safety tests.

3. If an applicant makes use of scientific literature to obtain authorisation for a food-producing species, and submits, in respect of the same medicinal product and with a view to obtaining authorisation for another food-producing species, new residue studies in accordance with Regulation (EEC) No 2377/90, together with further clinical trials, it shall not be permissible for a third party to use such studies or such trials pursuant to Article 13, for a period of three years from the grant of the authorisation for which they were carried out.

Article 13b

In the case of veterinary medicinal products containing active substances used in the composition of authorised veterinary medicinal products but not hitherto used in combination for therapeutic purposes, the results of safety and residue tests, if necessary, and new pre-clinical tests or new clinical trials relating to that combination shall be provided in accordance with point (j) of the first subparagraph of Article 12(3), but it shall not be necessary to provide scientific references relating to each individual active substance.

Article 13c

After the marketing authorisation has been granted, the marketing authorisation holder may allow use to be made of the pharmaceutical, safety and residues, pre-clinical and clinical documentation contained in the file for the veterinary medicinal product with a view to examining a subsequent application for a veterinary medicinal product having the same qualitative and quantitative composition in active substances and the same pharmaceutical form.

Article 13d

By way of derogation from point (j) of the first subparagraph of Article 12(3), and in exceptional circumstances with respect to immunological veterinary medicinal products, the applicant shall not be required to provide the results of certain field trials on the target species if these trials cannot be carried out for duly substantiated reasons, in particular on account of other Community provisions.'

8) Articles 14 to 16 shall be replaced by the following:

'Article 14

The summary of the product characteristics shall contain, in the order indicated below, the following information:

1) name of the veterinary medicinal product followed by the strength and the pharmaceutical form;

2) qualitative and quantitative composition in terms of the active substances and constituents of the excipient, knowledge of which is essential for proper administration of the medicinal product. The usual common name or chemical description shall be used;

3) pharmaceutical form;

4) clinical particulars;

4.1. target species,

4.2. indications for use, specifying the target species,

4.3. contra-indications,

4.4. special warnings for each target species,

4.5. special precautions for use, including special precautions to be taken by the person administering the medicinal product to the animals,

4.6. adverse reactions (frequency and seriousness),

4.7. use during pregnancy, lactation or lay,

4.8. interaction with other medicinal products and other forms of interaction,

4.9. amounts to be administered and administration route,

4.10. overdose (symptoms, emergency procedures, antidotes), if necessary,

4.11. withdrawal periods for the various foodstuffs, including those for which the withdrawal period is zero;

5) pharmacological properties:

5.1. pharmacodynamic properties,

5.2. pharmacokinetic particulars;

6) pharmaceutical particulars:

6.1. list of excipients,

6.2. major incompatibilities,

6.3. shelf life, when necessary after reconstitution of the medicinal product or when the immediate packaging is opened for the first time,

6.4. special precautions for storage,

6.5. nature and composition of immediate packaging,

6.6. special precautions for the disposal of unused veterinary medicinal products or waste materials derived from the use of such products, if appropriate;

7) marketing authorisation holder;

8) marketing authorisation number(s);

9) date of the first authorisation or date of renewal of the authorisation;

10) date of revision of the text.

For authorisation under Article 13, those parts of the summary of product characteristics of the reference medicinal product referring to indications or dosage forms which were still covered by patent law at the time when a generic medicine was marketed need not be included.

Article 15

1. Applicants shall ensure that the detailed and critical summaries referred to in the second subparagraph of Article 12(3) are drafted and signed by persons with the requisite technical or professional qualifications, set out in a brief curriculum vitae, before being submitted to the competent authorities.

2. Persons with the technical or professional qualifications referred to in paragraph 1 shall justify any use made of the scientific literature referred to in Article 13a(1) in accordance with the conditions set out in Annex I.

3. A brief curriculum vitae of the persons referred to in paragraph 1 shall be appended to the detailed critical summaries.

Article 16

1. Member States shall ensure that homeopathic veterinary medicinal products manufactured and placed on the market within the Community are registered or authorised in accordance with Articles 17, 18 and 19, except where such veterinary medicinal products are covered by a registration or authorisation granted in accordance with national legislation on or before 31 December 1993. In the case of homeopathic medicinal products registered in accordance with Article 17, Article 32 and Article 33(1) to (3) shall apply.

2. Member States shall establish a simplified registration procedure for the homeopathic veterinary medicinal products referred to in Article 17.

3. By way of derogation from Article 10, homeopathic veterinary medicinal products may be administered to non-food producing animals under the responsibility of a veterinarian.

4. By way of derogation from Article 11(1) and (2), Member States shall permit the administration of homeopathic veterinary medicinal products intended for food-producing species the active constituents of which appear in Annex II to Regulation (EEC) No 2377/90 under the responsibility of a veterinarian. Member States shall take appropriate measures to control the use of veterinary homeopathic medicinal products registered or authorised in another Member State in accordance with this Directive for use in the same species.'

9) Article 17 shall be amended as follows:

a) paragraph 1 shall be replaced by the following:

'1. Without prejudice to the provisions of Regulation (EEC) No 2377/90 on the establishment of maximum residue limits of pharmacologically active substances intended for food-producing animals, only homeopathic veterinary medicinal products which satisfy all of the following conditions may be subject to a special, simplified registration procedure:

a) they are administered by a route described in the European Pharmacopoeia or, in the absence thereof, by the pharmacopoeias currently used officially in Member States;

b) no specific therapeutic indication appears on the labelling of the veterinary medicinal product or in any information relating thereto;

c) there is a sufficient degree of dilution to guarantee the safety of the medicinal product. In particular, the medicinal product shall not contain more than one part per 10 000 of the mother tincture.

If it appears justified in the light of new scientific evidence, points (b) and (c) of the first subparagraph may be adapted in accordance with the procedure referred to in Article 89(2).

At the time of registration, Member States shall determine the classification for the dispensing of the medicinal product.'

b) paragraph 3 shall be deleted;

10) Article 18 shall be amended as follows:

a) the third indent shall be replaced by the following:

'— manufacturing and control file for each pharmaceutical form and a description of the method of dilution and potentisation,'

b) the sixth indent shall be replaced by the following:

'— one or more mock-ups of the outer packaging and immediate packaging of the medicinal products to be registered,'

c) the following eighth indent shall be added:

'— proposed withdrawal period together with all requisite justification.'

11) Article 19 shall be replaced by the following:

'Article 19

1. Homeopathic veterinary medicinal products other than those referred to in Article 17(1) shall be authorised in accordance with Articles 12, 13a, 13b, 13c, 13d and 14.

2. A Member State may introduce or retain on its territory specific rules for the safety tests and pre-clinical and clinical trials of homeopathic veterinary medicinal products intended for pet species and non-food-producing exotic species other than those referred to in Article 17(1), in accordance with the principles and characteristics of homeopathy as practised in that Member State. In this case, the Member State concerned shall notify the Commission of the specific rules in force.'

12) Articles 21, 22 and 23 shall be replaced by the following:

'Article 21

1. Member States shall take all appropriate measures to ensure that the procedure for granting a marketing authorisation for a veterinary medicinal product is completed within a maximum of 210 days after the submission of a valid application.

Applications for marketing authorisations for the same veterinary medicinal product in two or more Member States, shall be submitted in accordance with Articles 31 to 43.

2. Where a Member State notes that another marketing authorisation application for the same medicinal product is being examined in another Member State, the Member State concerned shall decline to assess the application and shall advise the applicant that Articles 31 to 43 apply.

Article 22

Where a Member State is informed, in accordance with point (n) of Article 12(3), that another Member State has authorised a veterinary medicinal product which is the subject of an application for authorisation in the Member State concerned, that Member State shall reject the application unless it was submitted in compliance with Articles 31 to 43.

Article 23

In order to examine the application submitted pursuant to Articles 12 to 13d, Member States' competent authorities:

1) shall check that the documentation submitted in support of the application complies with Articles 12 to 13d and ascertain whether the conditions for the issue of the marketing authorisation have been fulfilled;

2) may submit the medicinal product, its starting materials and if necessary intermediate products or other constituent materials for testing by an Official Medicines Control Laboratory or a laboratory that a Member State has designated for that purpose, in order to ensure that the testing methods employed by the manufacturer and described in the application documents, in accordance with point (i) of the first subparagraph of Article 12(3), are satisfactory;

3) may similarly check, in particular through consultation of a national or Community reference laboratory, that the analytical method used for detecting residues presented by the applicant for the purposes of Article 12(3)(j), second indent is satisfactory;

4) may, where appropriate, require the applicant to provide further information as regards the items listed in Articles 12, 13a, 13b, 13c and 13d. Where the competent authorities take this course of action, the time-limits specified in Article 21 shall be suspended until the further data required have been provided. Similarly, these time-limits shall be suspended for any period which the applicant may be given to provide oral or written explanations.'

13) Article 25 shall be replaced by the following:

'Article 25

1. When granting a marketing authorisation, the competent authority shall inform the holder of the summary of product characteristics that it has approved.

2. The competent authority shall take all necessary measures to ensure that information concerning the veterinary medicinal product, and in particular the labelling and package leaflet, is in conformity with the summary of product characteristics approved when the marketing authorisation was granted or subsequently.

3. The competent authority shall make the marketing authorisation publicly available without delay, together with the summary of product characteristics for each veterinary medicinal product that it has authorised.

4. The competent authority shall draw up an assessment report and comments on the file as regards the results of the pharmaceutical, safety and residue tests and the pre-clinical and clinical trials of the veterinary medicinal product concerned. The assessment report shall be updated whenever new information becomes available which is of importance for the evaluation of the quality, safety or efficacy of the veterinary medicinal product concerned.

The competent authority shall make the assessment report and its reasons for the opinion publicly available without delay, after deleting any information of a commercially confidential nature.'

14) Article 26 shall be amended as follows:

a) paragraph 1 shall be replaced by the following:

'1. The marketing authorisation may require the holder to indicate on the immediate packaging and/or the outer wrapping and the package leaflet, where the latter is required, other particulars essential for safety or health protection, including any special precautions relating to use and any other warnings resulting from the clinical and pharmacological trials prescribed in Article 12(3)(j) and in Articles 13 to 13d or from experience gained during the use of the veterinary medicinal product once it has been marketed.'

b) paragraph 2 shall be deleted;

c) paragraph 3 shall be replaced by the following:

'3. In exceptional circumstances, and following consultation with the applicant, the authorisation may be granted subject to a requirement for the applicant to introduce specific procedures, in particular concerning the safety of the veterinary medicinal product, notification to the competent authorities of any incident relating to its use, and action to be taken. Such authorisations may be granted only for objective, verifiable reasons. Continuation of the authorisation shall be linked to the annual reassessment of these conditions.'

15) Article 27 shall be amended as follows:

a) paragraphs 2 and 3 shall be replaced by the following:

'2. The competent authority may require the applicant or the marketing authorisation holder to provide sufficient quantities of the substances to enable controls to be made on the identification of the presence of residues of the veterinary medicinal products in question.

At the competent authority's request, the marketing authorisation holder shall provide his technical expertise to facilitate the implementation of the analytical method for detecting residues of the veterinary medicinal products in the national reference laboratory designated under Council Directive 96/23/EC of 29 April 1996 on measures to monitor certain substances and residues thereof in live animals and animal products (*).

3. The authorisation holder shall immediately supply the competent authority with any new information that might entail the amendment of the particulars or documents referred to in Articles 12(3), 13, 13a, 13b and 14 or Annex I.

In particular, he shall immediately inform the competent authority of any prohibition or restriction imposed by the competent authorities of any country in which the veterinary medicinal product is placed on the market and of any other new information which might influence the assessment of the benefits and risks of the veterinary medicinal product concerned.

In order to permit continuous assessment of the risk-benefit balance, the competent authority may at any time ask the marketing authorisation holder to forward data demonstrating that the risk-benefit balance remains favourable.

(*) OJ L 125, 23.5.1996, p. 10. Directive as amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).'

b) paragraph 4 shall be deleted;

c) paragraph 5 shall be replaced by the following:

'5. The marketing authorisation holder shall immediately inform the competent authorities, with a view to authorisation, of any alteration which he proposes to make to the particulars or documents referred to in Articles 12 to 13d.'

16) the following Article shall be inserted:

'Article 27a

After a marketing authorisation has been granted, the holder of the authorisation shall inform the competent authority of the authorising Member State of the date of the actual placing on the market of the veterinary medicinal product in that Member State, taking into account the various presentations authorised.

The holder shall also notify the competent authority if the product ceases to be placed on the market of the Member State, either temporarily or permanently. Such notification shall, otherwise than in exceptional circumstances, be made no less than two months before the interruption in the placing on the market of the product.

Upon request by the competent authority, particularly in the context of pharmacovigilance, the marketing authorisation holder shall provide the competent authority with all data relating to the volume of sales of the veterinary medicinal product, and any data in his possession relating to the volume of prescriptions.'

17) Article 28 shall be replaced by the following:

'Article 28

1. Without prejudice to paragraphs 4 and 5, a marketing authorisation shall be valid for five years.

2. The authorisation may be renewed after five years on the basis of a re-evaluation of the risk-benefit balance.

To this end, the marketing authorisation holder shall submit a consolidated list of all documents submitted in respect of quality, safety and efficacy, including all variations introduced since the marketing authorisation was granted, at least six months before the marketing authorisation ceases to be valid in accordance with paragraph 1. The competent authority may require the applicant to submit the listed documents at any time.

3. Once renewed, the marketing authorisation shall be valid for an unlimited period, unless the competent authority decides, on justified grounds relating to pharmacovigilance, to proceed with one additional five-year renewal in accordance with paragraph 2.

4. Any authorisation that is not followed within three years of its granting by the actual placing on the market of the authorised veterinary medicinal product in the authorising Member State shall cease to be valid.

5. When an authorised veterinary medicinal product previously placed on the market in the authorising Member State is no longer actually present on the market in that Member State for a period of three consecutive years, the authorisation granted for that veterinary medicinal product shall cease to be valid.

6. The competent authority may, in exceptional circumstances, and on human or animal health grounds, grant exemptions from paragraphs 4 and 5. Such exemptions shall be duly justified.'

18) Article 30 shall be replaced by the following:

'Article 30

The marketing authorisation shall be refused if the file submitted to the competent authorities does not comply with Articles 12 to 13d and Article 15.

The authorisation shall also be refused if, after examination of the documents and particulars listed in Articles 12 and 13(1), it is clear that:

a) the risk-benefit balance of the veterinary medicinal product is, under the authorised conditions of use, unfavourable; when the application concerns a veterinary medicinal product for zootechnical use, particular regard shall be had to the benefits for animal health and welfare and to consumer safety; or

b) the product has no therapeutic effect or the applicant has not provided sufficient proof of such effect as regards the species of animal which is to be treated; or

c) its qualitative or quantitative composition is not as stated; or

d) the withdrawal period recommended by the applicant is not long enough to ensure that foodstuffs obtained from the treated animal do not contain residues which might constitute a health hazard to the consumer, or is insufficiently substantiated; or

e) the labelling or the package leaflet proposed by the applicant does not comply with this Directive; or

f) the veterinary medicinal product is offered for sale for a use prohibited under other Community provisions.

However, when a Community legislative framework is in the course of being adopted, the competent authority may refuse authorisation for a veterinary medicinal product where such action is necessary for the protection of public health, consumer or animal health.

The applicant or marketing authorisation holder shall be responsible for the accuracy of documents and data submitted.'

19) the title of Chapter 4 shall be replaced by the following:

'Chapter 4

Mutual recognition procedure and decentralised procedure'

20) Articles 31 to 37 shall be replaced by the following:

'Article 31

1. A coordination group shall be set up for the examination of any question relating to marketing authorisation of a veterinary medicinal product in two or more Member States in accordance with the procedures laid down in this Chapter. The Agency shall provide the secretariat of this coordination group.

2. The coordination group shall be composed of one representative per Member State appointed for a renewable period of three years. Members of the group may arrange to be accompanied by experts.

3. The coordination group shall draw up its own rules of procedure, which shall enter into force after a favourable opinion has been given by the Commission. These rules of procedure shall be made public.

Article 32

1. With a view to the granting of a marketing authorisation for a veterinary medicinal product in more than one Member State, the applicant shall submit an application based on an identical dossier in those Member States. The dossier shall contain all the administrative information and scientific and technical documentation described in Articles 12 to 14. The documents submitted shall include a list of Member States concerned by the application.

   The applicant shall request one Member State to act as reference Member State and to prepare an assessment report in respect of the veterinary medicinal product in accordance with paragraphs 2 or 3.

   Where appropriate, the assessment report shall contain an evaluation for the purposes of Article 13(5) or Article 13a(3).

2. If the veterinary medicinal product has already received a marketing authorisation at the time of application, the concerned Member States shall recognise the marketing authorisation granted by the reference Member State. To this end, the marketing authorisation holder shall request the reference Member State either to prepare an assessment report in respect of the veterinary medicinal product or, if necessary, to update any existing assessment report. The reference Member State shall prepare or update the assessment report within 90 days of receipt of a valid application. The assessment report together with the approved summary of product characteristics, labelling and package leaflet shall be forwarded to the concerned Member States and the applicant.

3. If the veterinary medicinal product has not received authorisation by the time of application, the applicant shall request the reference Member State to prepare a draft assessment report and drafts of the summary of product characteristics, labelling and package leaflet. The reference Member State shall prepare these drafts within 120 days of the receipt of a valid application and shall send them to the concerned Member States and the applicant.

4. Within 90 days after receipt of the documents referred to in paragraphs 2 and 3, the Member States concerned shall approve the assessment report, the summary of product characteristics, the labelling and the package leaflet and inform the reference Member State accordingly. The reference Member State shall record the agreement of all parties, close the procedure and inform the applicant accordingly.

5. Each Member State in which an application following paragraph 1 has been submitted shall adopt a decision in conformity with the approved assessment report, summary of product characteristics, labelling and package leaflet within 30 days after acknowledgement of the agreement.

Article 33

1. If a Member State cannot, within the period allowed in Article 32(4), agree with the assessment report, summary of product characteristics, labelling and package leaflet on grounds of a potential serious risk to human or animal health or to the environment, a detailed statement of the reasons shall be provided to the reference Member State, the other Member States concerned and the applicant. The points of disagreement shall be referred without delay to the coordination group.

   If a Member State to which an application has been submitted invokes the reasons referred to in Article 71(1), it shall no longer be regarded as a Member State concerned by this Chapter.

2. The Commission shall adopt guidelines defining a potential serious risk for human or animal health or for the environment.

3. Within the coordination group, all Member States referred to in paragraph 1 shall use their best endeavours to reach agreement on the action to be taken. They shall provide the applicant with the opportunity to make his point of view known orally or in writing. If, within 60 days of the communication of the reasons for disagreement to the coordination group the Member States reach an agreement, the reference Member State shall record the agreement, close the procedure and inform the applicant accordingly. Article 32(5) shall apply.

4. If within the period of 60 days the Member States fail to reach an agreement, the Agency shall be immediately informed with a view to application of the procedure laid down in Articles 36, 37 and 38. The Agency shall be provided with a detailed description of the matters on which agreement could not be reached and the reasons for the disagreement. The applicant shall be provided with a copy of this information.

5. As soon as the applicant has been informed that the matter has been referred to the Agency, he shall forthwith forward to the Agency a copy of the information and documents referred to in the first subparagraph of Article 32(1).

6. In the case referred to in paragraph 4, the Member States that have approved the assessment report, summary of product characteristics, labelling and package leaflet of the reference Member State may, on request by the applicant, grant a marketing authorisation for the veterinary medicinal product without waiting for the outcome of the procedure laid down in Article 36. In that case, the authorisation granted shall be without prejudice to the outcome of that procedure.

Article 34

1. If two or more applications submitted in accordance with Articles 12 to 14 have been made for marketing authorisation for a particular veterinary medicinal product and Member States have adopted divergent decisions concerning the authorisation of that veterinary medicinal product, or suspension or revocation of authorisation, a Member State, or the Commission, or the marketing-authorisation holder may refer the matter to the Committee for Medicinal Products for Veterinary Use, hereinafter referred to as "the Committee", for the application of the procedure laid down in Articles 36, 37 and 38.

2. With a view to promoting the harmonisation of veterinary medicinal products authorised in the Community, and to strengthening the efficiency of the provisions of Articles 10 and 11, Member States shall send to the coordination group, no later than … (*), a list of veterinary medicinal products for which a harmonised summary of product characteristics should be prepared.

   The coordination group shall agree on a list of medicinal products, on the basis of proposals sent by Member States, and shall forward the list to the Commission.

   The medicinal products on the list shall be subject to the provisions in paragraph 1 in accordance with a timetable established in cooperation with the Agency.

   The Commission, acting in collaboration with the Agency, and taking into consideration the views of the interested parties, shall agree the final list and timetable.

Article 35

1. Member States or the Commission or the applicant or marketing authorisation holder shall, in specific cases where the interests of the Community are involved, refer the matter to the Committee for the application of the procedure laid down in Articles 36, 37 and 38 before a decision is reached on a request for a marketing authorisation or on the suspension or withdrawal of an authorisation, or on any other variations to the terms of a marketing authorisation which appear necessary, so as to take account in particular of the information collected in accordance with Title VII.

   The Member State concerned or the Commission shall clearly identify the question which is referred to the Committee for consideration and shall inform the applicant or the marketing authorisation holder.

The Member State and the applicant or the marketing authorisation holder shall forward to the Committee all available information relating to the matter in question.

2. Where the referral to the Committee concerns a range of medicinal products or a therapeutic class, the Agency may limit the procedure to specific parts of the authorisation.

In that case, Article 39 shall apply to those medicinal products only if they are covered by the marketing authorisation procedure referred to in this Chapter.

Article 36

1. When reference is made to the procedure laid down in this Article, the Committee shall consider the matter concerned and shall issue a reasoned opinion within 60 days of the date on which the matter was referred to it.

However, in cases submitted to the Committee in accordance with Articles 34 and 35, this period may be extended by the Committee for a further period of up to 90 days, taking into account the views of the marketing authorisation holders concerned.

In an emergency, and on a proposal from its Chairman, the Committee may agree to a shorter deadline.

2. In order to consider the matter, the Committee shall appoint one of its members to act as rapporteur. The Committee may also appoint independent experts to advise it on specific questions. When appointing such experts, the Committee shall define their tasks and specify the time limit for the completion of these tasks.

3. Before issuing its opinion, the Committee shall provide the applicant or the marketing authorisation holder with an opportunity to present written or oral explanations within a time limit that it will specify.

The opinion of the Committee shall include the draft summary of product characteristics and the drafts of the labelling and package leaflet.

If it considers appropriate, the Committee may invite any other person to provide information relating to the matter before it.

The Committee may suspend the time limit referred to in paragraph 1 to allow the applicant or the marketing authorisation holder to prepare the explanations.

4. The Agency shall forthwith inform the applicant or the marketing authorisation holder when the opinion of the Committee is that:

— the application does not satisfy the criteria for authorisation, or

— the summary of product characteristics proposed by the applicant or the marketing authorisation holder in accordance with Article 14 should be amended, or

— the authorisation should be granted subject to conditions, with regard to conditions considered essential for the safe and effective use of the veterinary medicinal product including pharmacovigilance, or

— a marketing authorisation should be suspended, varied or revoked.

Within 15 days after receipt of the opinion, the applicant or the marketing authorisation holder may notify the Agency in writing of his intention to request a re-examination of the opinion. In that case, he shall forward to the Agency the detailed grounds for the request within 60 days after receipt of the opinion.

Within 60 days following receipt of the grounds for the request, the Committee shall re-examine its opinion in accordance with the fourth subparagraph of Article 62(1) of Regulation (EC) No …/2004 (**). The reasons for the conclusion reached shall be annexed to the assessment report referred to in paragraph 5 of this Article.

5. Within 15 days after its adoption, the Agency shall forward the final opinion of the Committee to Member States, the Commission and the applicant or the marketing authorisation holder, together with a report describing the assessment of the veterinary medicinal product and the reasons for its conclusions.

In the event of an opinion in favour of granting or maintaining a marketing authorisation, the following documents shall be annexed to the opinion:

a) a draft summary of the product characteristics, as referred to in Article 14; where necessary this will reflect the differences in the veterinary conditions in Member States;

b) any conditions affecting the authorisation within the meaning of paragraph 4;

c) details of any recommended conditions or restrictions with regard to the safe and effective use of the veterinary medicinal product; and

d) drafts of the labelling and package leaflet.

Article 37

Within 15 days after receipt of the opinion, the Commission shall prepare a draft of the decision to be taken in respect of the application, taking into account Community law.

In the event of a draft decision that envisages the granting of a marketing authorisation, the documents referred to in the second subparagraph of Article 36(5) shall be annexed.

If, exceptionally, the draft decision is not in accordance with the opinion of the Agency, the Commission shall also annex a detailed explanation of the reasons for the differences.

The draft decision shall be forwarded to Member States and the applicant or marketing authorisation holder.

(*) One year after the entry into force of this Directive.
(**) Note for OJ. Regulation No as in footnote to Recital 5.'

21) Article 38 shall be amended as follows:

(a) paragraph 1 shall be replaced by the following:

'1. The Commission shall take a final decision in accordance with, and within 15 days after the end of, the procedure referred to in Article 89(3).'

(b) In paragraph 2, the second and third indents shall be replaced by the following:

'— Member States shall have 22 days to forward their written observations on the draft decision to the Commission. However, if a decision has to be taken urgently, a shorter time-limit may be set by the Chairman according to the degree of urgency involved. This time-limit shall not, otherwise than in exceptional circumstances, be shorter than 5 days,

— Member States shall have the option of submitting a written request that the draft decision be discussed in a plenary meeting of the Standing Committee.'

(c) paragraph 3 shall be replaced by the following:

'3. A decision as referred to in paragraph 1 shall be addressed to all Member States and communicated to the marketing authorisation holder or the applicant for information. The concerned Member States and the reference Member State shall either grant or withdraw marketing authorisation, or vary the terms of a marketing authorisation as necessary to comply with the decision within 30 days of its notification and shall refer to it. They shall inform the Commission and the Agency accordingly.'

22) in Article 39, the third subparagraph of paragraph 1 shall be deleted;

23) in Article 42, paragraph 2 shall be replaced by the following:

'2. At least every ten years the Commission shall publish a report on experience gained on the basis of the procedures provided for in this chapter and shall propose any amendments necessary to improve the procedures. The Commission shall submit this report to the European Parliament and the Council.'

24) Article 43 shall be replaced by the following:

'Article 43

Articles 33(4), (5) and (6) and 34 to 38 shall not apply to the homeopathic veterinary medicinal products referred to in Article 17.

Articles 32 to 38 shall not apply to the homeopathic veterinary medicinal products referred to in Article 19(2).'

25) in Article 44, the following paragraph shall be added:

'4. The Member State shall forward to the Agency a copy of the manufacturing authorisations referred to in paragraph 1. The Agency shall enter that information in the Community database referred to in Article 80(6).'

26) in Article 50, point (f) shall be replaced by the following:

'f) comply with the principles and the guidelines on good manufacturing practice for medicinal products and use as starting materials only active substances which have been manufactured in accordance with the detailed guidelines on good manufacturing practice for starting materials.'

27) the following Article shall be inserted:

'Article 50a

1. For the purposes of this Directive, manufacturing active substances for use as starting materials shall include the complete or partial manufacture or the import of an active substance used as a starting material, as defined in Part 2, Section C of Annex I, and the various processes of dividing up, packaging or presentation prior to its incorporation in a veterinary medicinal product, including repackaging or re-labelling, such as carried out by a starting material distributor.

2. Any amendments which may be necessary to adapt the provisions of this Article to scientific and technical progress shall be adopted in accordance with the procedure referred to in Article 89(2).'

28) in Article 51, the following paragraphs shall be added:

'The principles of good manufacturing practice as regards the manufacturing of active substances for use as starting materials as referred to in Article 50(f) shall be adopted in the form of detailed guidelines.

The Commission shall also publish guidelines on the form and content of the authorisation referred to in Article 44(1), the reports referred to in Article 80(3) and the form and content of the certificate of good manufacturing practice referred to in Article 80(5).'

29) in Article 53, paragraph 1 shall be replaced by the following:

'1. Member States shall ensure that the qualified person referred to in Article 52(1) fulfils the conditions of qualification referred to in paragraphs 2 and 3.'

30) in Article 54, paragraph 1 shall be replaced by the following:

'1. A person engaging, in a Member State, in the activities of the person referred to in Article 52(1) on the date on which Directive 81/851/EEC became applicable, without complying with the provisions of Article 53, shall be eligible to continue to engage in those activities within the Community.'

31) in Article 55, paragraph 1(b) shall be replaced by the following:

'b) in the case of veterinary medicinal products coming from third countries, even if manufactured in the Community, each production batch imported has undergone in a Member State a full qualitative analysis, a quantitative analysis of at least all the active substances, and all the other tests or controls necessary to ensure the quality of veterinary medicinal products in accordance with the requirements of the marketing authorisation.'

32) Article 58 shall be amended as follows:

a) paragraph 1 shall be amended as follows:

(i) The introductory wording shall be replaced by the following:

'Except in the case of the medicinal products referred to in Article 17(1), the competent authority shall approve the immediate packaging and outer packaging of veterinary medicinal products. Packaging shall bear the following information, which shall conform with the particulars and documents provided pursuant to Articles 12 to 13d and the summary of product characteristics, and shall appear in legible characters:'

(ii) Points (a) and (b) shall be replaced by the following:

'a) the name of the medicinal product, followed by its strength and pharmaceutical form. The common name shall appear if the medicinal product contains only one active substance and its name is an invented name;

b) a statement of the active substances expressed qualitatively and quantitatively per unit or according to the form of administration for a particular volume or weight, using the common names;'

(iii) Point (e) shall be replaced by the following:

'e) name or corporate name and permanent address or registered place of business of the marketing authorisation holder and, where appropriate, of the representative designated by the marketing authorisation holder;'

(iv) Point (f) shall be replaced by the following:

'f) the species of animal for which the veterinary medicinal product is intended; the method and, if necessary, the route of administration. Space shall be provided for the prescribed dose to be indicated;'

(v) Point (g) shall be replaced by the following:

'g) the withdrawal period for veterinary medicinal products to be administered to food-producing species, for all the species concerned and for the various foodstuffs concerned (meat and offal, eggs, milk, honey), including those for which the withdrawal period is zero;'

(vi) Point (j) shall be replaced by the following:

'j) specific precautions relating to the disposal of unused medicinal products or waste derived from veterinary medicinal products, where appropriate, as well as a reference to any appropriate collection system in place;'

(vii) Point (l) shall be replaced by the following:

'l) the words "For animal treatment only" or, in the case of the medicinal products referred to in Article 67, the words "For animal treatment only — to be supplied only on veterinary prescription".'

b) the following paragraph shall be added:

'5. In the case of medicinal products that have been granted a marketing authorisation under Regulation (EC) No …/2004 (*), Member States may permit or require that the outer packaging bear additional information concerning distribution, possession, sale or any necessary precautions, provided that such information is not in infringement of Community law or the terms of the marketing authorisation, and is not promotional.

This additional information shall appear in a box with a blue border to separate it clearly from the information referred to in paragraph 1.

(*) Note for OJ. Regulation No as in footnote to Recital 5.'

33) Article 59 shall be amended as follows:

a) the introductory wording of paragraph 1 shall be replaced by the following:

'1. As regards ampoules, the particulars listed in the first paragraph of Article 58(1) shall be given on the outer package. On the immediate packaging, however, only the following particulars shall be necessary:'

b) paragraphs 2 and 3 shall be replaced by the following:

'2. As regards small immediate packaging containing a single dose, other than ampoules, on which it is impossible to give the particulars mentioned in paragraph 1, the requirements of Article 58(1), (2) and (3) shall apply only to the outer package.

3. The particulars mentioned in the third and sixth indents of paragraph 1 shall appear on the outer package and on the immediate packaging of the medicinal products in the language or languages of the country in which they are placed on the market.'

34) Article 60 shall be replaced by the following:

'Article 60

Where there is no outer package, all the particulars which should feature on such a package pursuant to Articles 58 and 59 shall be shown on the immediate packaging.'

35) Article 61 shall be amended as follows:

a) paragraph 1 shall be replaced by the following:

'1. The inclusion of a package leaflet in the packaging of veterinary medicinal products shall be obligatory unless all the information required by this Article can be conveyed on the immediate packaging and the outer packaging. Member States shall take all appropriate measures to ensure that the package leaflet relates solely to the veterinary medicinal product with which it is included. The package leaflet shall be written in terms that are comprehensible to the general public and in the official language or languages of the Member State in which the medicinal product is marketed.

The first subparagraph shall not prevent the package leaflet from being written in several languages, provided that the information given is identical in all the languages.

Competent authorities may exempt labels and package leaflets for specific veterinary medicinal products from the obligation for certain particulars to appear and for the leaflet to be in the official language or languages of the Member State in which the product is placed on the market, when the product is intended to be administered only by a veterinarian.'

b) paragraph 2 shall be amended as follows:

(i) The introductory wording shall be replaced by the following:

'2. The competent authorities shall approve package leaflets. Leaflets shall contain at least the following information, in the order indicated, which shall conform to the particulars and documents provided pursuant to Articles 12 to 13d and the approved summary of product characteristics:'

(ii) Points (a) and (b) shall be replaced by the following:

'a) name or corporate name and permanent address or registered place of business of the marketing authorisation holder and of the manufacturer and, where appropriate, of the representative of the marketing authorisation holder;

b) name of the veterinary medicinal product followed by its strength and pharmaceutical form. The common name shall appear if the product contains only one active substance and its name is an invented name. Where the medicinal product is authorised according to the procedure provided for in Articles 31 to 43 under different names in the Member States concerned, a list of the names authorised in each Member State;'

c) paragraph 3 shall be deleted;

36) Article 62 shall be replaced by the following:

'Article 62

Where the provisions of this Title are not observed and a formal notice addressed to the person concerned has been ineffectual, Member States' competent authorities may suspend or revoke the marketing authorisation.'

37) Article 64(2) shall be amended as follows:

a) the introductory wording shall be replaced by the following:

'2. In addition to the clear mention of the words "homeopathic veterinary medicinal product without approved therapeutic indications", the labelling and, where appropriate, package leaflet for the homeopathic veterinary medicinal products referred to in Article 17(1) shall bear the following information and no other information:'

b) the first indent shall be replaced by the following:

'— the scientific name of the stock or stocks followed by the degree of dilution, using the symbols of the pharmacopoeia used in accordance with point (8) of Article 1. If the homeopathic veterinary medicinal product is composed of more than one stock, the labelling may mention an invented name in addition to the scientific names of the stocks,'

38) the title of Title VI shall be replaced by the following:

'TITLE VI

POSSESSION, DISTRIBUTION AND DISPENSING OF VETERINARY MEDICINAL PRODUCTS'

39) Article 65 shall be amended as follows:

a) the following paragraph shall be inserted:

'3a. The holder of a distribution authorisation shall have an emergency plan guaranteeing the effective implementation of any recall operation ordered by the competent authorities or undertaken in cooperation with the manufacturer of the medicinal product in question or the holder of the marketing authorisation.'

b) the following paragraph shall be inserted:

'5. Any distributor, not being the marketing authorisation holder, who imports a product from another Member State shall notify the marketing authorisation holder and the competent authority in the Member State to which the product will be imported of his intention to import it. In the case of products which have not been granted an authorisation pursuant to Regulation (EC) No …/2004 (*), the notification to the competent authority shall be without prejudice to additional procedures provided for in the legislation of that Member State.

(*) Note for OJ. Regulation No as in footnote to Recital 5.'

40) Article 66 shall be amended as follows:

a) paragraph 2 shall be amended as follows:

(i) The introductory wording shall be replaced by the following:

'2. Any person permitted under paragraph 1 to supply veterinary medicinal products shall be required to keep detailed records for veterinary medicinal products that may be supplied only on prescription, the following information being recorded in respect of each incoming or outgoing transaction:'

(ii) The third subparagraph shall be replaced by the following:

'These records shall be available for inspection by the competent authorities for a period of five years.'

b) paragraph 3 shall be replaced by the following:

'3. Member States may permit the supply on their territory of veterinary medicinal products for food-producing animals for which a veterinary prescription is required by or under the supervision of a person registered for this purpose who provides guarantees with respect to qualifications, record-keeping and reporting in accordance with national law. Member States shall notify the Commission of relevant provisions of national law. This provision shall not apply to the supply of veterinary medicinal products for the oral or parenteral treatment of bacterial infections.'

c) paragraph 4 shall be deleted;

41) Article 67 shall be amended as follows:

a) the first paragraph shall be amended as follows:

(i) The introductory wording shall be replaced by the following:

'Without prejudice to stricter Community or national rules relating to dispensing veterinary medicinal products and serving to protect human and animal health, a veterinary prescription shall be required for dispensing to the public the following veterinary medicinal products:'

(ii) The following point shall be inserted:

'aa) veterinary medicinal products for food-producing animals.

However, Member States may grant exemptions from this requirement according to criteria established in accordance with the procedure referred to in Article 89(2).

Member States may continue to apply national provisions until either:

i) the date of application of the decision adopted in accordance with the first subparagraph; or

ii) 1 January 2007, if no such decision has been adopted by 31 December 2006;'

(iii) The third indent of point (b) shall be deleted;

(iv) Point (d) shall be replaced by the following:

'd) officinal formulae, within the meaning of Article 3(2)(b), intended for food-producing animals.'

b) the second paragraph shall be replaced by the following:

'Member States shall take all necessary measures to ensure that, in the case of medicinal products supplied only on prescription, the quantity prescribed and supplied shall be restricted to the minimum amount required for the treatment or therapy concerned.

In addition, a prescription shall be required for new veterinary medicinal products containing an active substance that has been authorised for use in a veterinary medicinal product for fewer than five years.'

42) the first paragraph of Article 69 shall be replaced by the following:

'Member States shall ensure that the owners or keepers of food-producing animals can provide proof of purchase, possession and administration of veterinary medicinal products to such animals for five years after their administration, including when the animal is slaughtered during the five-year period.'

43) the introductory wording of Article 70 shall be replaced by the following:

'By way of derogation from Article 9 and without prejudice to Article 67, Member States shall ensure that veterinarians providing services in another Member State can take with them and administer to animals small quantities of veterinary medicinal products not exceeding daily requirements other than immunological veterinary medicinal products which are not authorised for use in the Member State in which the services are provided (hereinafter: "host Member State"), provided that the following conditions are satisfied:'

44) the following subparagraph shall be added to Article 71(1):

'The Member State may also invoke the provisions of the first subparagraph in order to withhold marketing authorisation in accordance with a decentralised procedure as provided for in Articles 31 to 43.'

45) in Article 72, paragraph 2 shall be replaced by the following:

'2. Member States may impose specific requirements on veterinary practitioners and other health-care professionals in respect of the reporting of suspected serious or unexpected adverse reactions and human adverse reactions.'

46) Article 73 shall be amended as follows:

a) the first paragraph shall be replaced by the following:

'In order to ensure the adoption of appropriate and harmonised regulatory decisions concerning the veterinary medicinal products authorised within the Community, having regard to information obtained about suspected adverse reactions to veterinary medicinal products under normal conditions of use, Member States shall administer a veterinary pharmacovigilance system. This system shall be used to collect information useful in the surveillance of veterinary medicinal products, with particular reference to adverse reactions in animals and in human beings relating to the use of veterinary medicinal products, and to evaluate such information scientifically.'

b) after the second paragraph, the following paragraph shall be inserted:

'Member States shall ensure that suitable information collected within this system is communicated to other Member States and the Agency. This information shall be recorded in the database referred to in point (k) of the second subparagraph of Article 57(1) of Regulation (EC) No …/2004 (*) and shall be permanently accessible to all Member States and without delay to the public.

(*) Note for OJ. Regulation No as in footnote to Recital 5.'

47) The following article shall be inserted:

'Article 73a

The management of funds intended for activities connected with pharmacovigilance, the operation of communication networks and market surveillance shall be under the permanent control of the competent authorities in order to guarantee their independence.'

48) The introductory wording of the second paragraph of Article 74 shall be replaced by the following:

'That qualified person shall reside in the Community and shall be responsible for the following:'

49) Article 75 shall be replaced by the following:

'Article 75

1. The marketing authorisation holder shall maintain detailed records of all suspected adverse reactions occurring within the Community or in a third country.

Save in exceptional circumstances, these reactions shall be communicated electronically in the form of a report in accordance with the guidelines referred to in Article 77(1).

2. The marketing authorisation holder shall record all suspected serious adverse reactions and human adverse reactions relating to the use of veterinary medicinal products that are brought to his attention, and report them promptly to the competent authority of the Member State on whose territory the incident occurred, and no later than 15 days following receipt of the information.

   The marketing authorisation holder shall also record all suspected serious adverse reactions and human adverse reactions related to the use of veterinary medicinal products of which he can reasonably be expected to have knowledge, and report them promptly to the competent authority of Member State on whose territory the incident occurred, and no later than 15 days following receipt of the information.

3. The marketing authorisation holder shall ensure that all suspected serious unexpected adverse reactions, human adverse reactions and any suspected transmission via a veterinary medicinal product of any infectious agent occurring on the territory of a third country are reported promptly in accordance with the guidelines referred to in Article 77(1), so that they are available to the Agency and the competent authorities of the Member States in which the veterinary medicinal product is authorised, and no later than 15 days following the receipt of the information.

4. By way of derogation from paragraphs 2 and 3, in the case of veterinary medicinal products which are covered by Directive 87/22/EEC, have benefited from the authorisation procedures under Articles 31 and 32 of this Directive or have been the subject of the procedures provided for in Articles 36, 37 and 38 of this Directive, the marketing authorisation holder shall additionally ensure that all suspected serious adverse reactions and human adverse reactions occurring in the Community are reported in such a way so as to be accessible to the reference Member State or a competent authority designated as reference Member State. The reference Member State shall assume responsibility for the analysis and follow-up of any such adverse reactions.

5. Unless other requirements have been laid down as a condition for the granting of the marketing authorisation or subsequently as indicated in the guidelines referred to in Article 77(1), reports of all adverse reactions shall be submitted to the competent authorities in the form of a periodic safety update report, immediately upon request or at least every six months after authorisation until the placing on the market. Periodic safety update reports shall also be submitted immediately upon request or at least every six months during the first two years following the initial placing on the market and once a year for the following two years. Thereafter, the reports shall be submitted at three-yearly intervals, or immediately upon request.

   The periodic safety update reports shall include a scientific evaluation of the risk-benefit balance of the veterinary medicinal product.

6. Amendments to paragraph 5 may be adopted in accordance with the procedure referred to in Article 89(2) in the light of the experience gained from its operation.

7. Following the granting of a marketing authorisation, the holder of such authorisation may request the amendment of the periods referred to in paragraph 5 of this Article in accordance with the procedure laid down by Commission Regulation (EC) No 1084/2003 (*).

(*) OJ L 159, 27.6.2003, p. 1.'

8. The holder of a marketing authorisation may not communicate information relating to pharmacovigilance concerns to the general public in relation to its authorised veterinary medicinal product without giving prior or simultaneous notification to the competent authority.

In any case, the marketing authorisation holder shall ensure that such information is presented objectively and is not misleading.

Member States shall take the necessary measures to ensure that a marketing authorisation holder who fails to discharge these obligations is subject to effective, proportionate and dissuasive penalties.

50) Article 76(1) shall be replaced by the following:

'1. The Agency, in collaboration with Member States and the Commission, shall set up a data-processing network to facilitate the exchange of pharmacovigilance information regarding veterinary medicinal products marketed in the Community in order to allow the competent authorities to share the information at the same time.'

51) in Article 77(1), the second subparagraph shall be replaced by the following:

'In accordance with those guidelines, the marketing authorisation holder shall use internationally agreed veterinary medical terminology for the transmission of reports on adverse reactions.

The Commission shall publish the guidelines, which shall take account of international harmonisation work achieved in the field of pharmacovigilance.'

52) Article 78 shall be amended as follows:

a) paragraph 2 shall be replaced by the following:

'2. If urgent action is necessary for protecting human or animal health, the Member State concerned may suspend the marketing authorisation of a veterinary medicinal product, provided that the Agency, the Commission and the other Member States are informed on the following working day at the latest.'

b) the following paragraph shall be added:

'3. When the Agency is informed in accordance with paragraphs 1 or 2, it shall give its opinion as soon as possible, according to the urgency of the matter.

On the basis of this opinion, the Commission may request all Member States in which the veterinary medicinal is marketed to take temporary measures immediately.

Final measures shall be adopted in accordance with the procedure referred to in Article 89(3).'

53) Article 80 shall be amended as follows:

a) paragraph 1 shall be replaced by the following:

'1. The competent authority of the Member State concerned shall ensure, by means of repeated inspections and, if necessary, unannounced inspections, and where appropriate, by asking an Official Medicines Control Laboratory or a laboratory designated for that purpose to conduct tests on samples, that the legal requirements relating to veterinary medicinal products are complied with.

The competent authority may also carry out unannounced inspections at the premises of manufacturers of active substances used as starting materials for veterinary medicinal products, and of the premises of the marketing authorisation holder whenever it considers that there are grounds for suspecting non-compliance with the provisions of Article 51. Such inspections may also be carried out at the request of another Member State, the Commission or the Agency.

In order to verify whether the data submitted in order to obtain a conformity certificate comply with the monographs of the European Pharmacopoeia, the standardisation body for nomenclatures and quality norms within the meaning of the Convention relating to the elaboration of a European Pharmacopoeia (*) (European Directorate for the Quality of Medicines) may ask the Commission or the Agency to request such an inspection when the starting material concerned is the subject of a European Pharmacopoeia monograph.

The competent authority of the Member State concerned may carry out inspections of starting material manufacturers at the manufacturer's own request.

Such inspections shall be carried out by authorised representatives of the competent authority who shall be empowered to:

a) inspect manufacturing or trading establishments and any laboratories entrusted by the holder of the manufacturing authorisation with the task of carrying out control tests pursuant to Article 24;

b) take samples including with a view to an independent analysis by an Official Medicines Control Laboratory or by a laboratory designated for that purpose by a Member State;

c) examine any documents relating to the object of the inspection, subject to the provisions in force in the Member States on 9 October 1981 placing restrictions on these powers with regard to the description of the manufacturing method;

d) inspect the premises, records and documents of marketing authorisation holders or any firms performing the activities described in Title VII, and in particular Articles 74 and 75 thereof, on behalf of a marketing authorisation holder.

(*) OJ L 158, 25.6.1994, p. 19.'

b) paragraph 3 shall be replaced by the following:

'3. The authorised representatives of the competent authority shall report after each of the inspections mentioned in paragraph 1 on whether the principles and guidelines on good manufacturing practice referred to in Article 51 or, where appropriate, the requirements set out in Title VII, are being complied with. The inspected manufacturer or market authorisation holder shall be informed of the content of such reports.'

c) the following paragraphs shall be added:

'4. Without prejudice to any arrangements which may have been concluded between the Community and a third country, a Member State, the Commission or the Agency may require a manufacturer established in a third country to undergo an inspection as referred to in paragraph 1.

5. Within 90 days after an inspection as referred to in paragraph 1, a certificate of good manufacturing practice shall be issued to the manufacturer if the inspection established that the manufacturer in question is complying with the principles and guidelines on good manufacturing practice as provided for by Community law.

In the event of an inspection carried out at the request of the European Pharmacopoeia, a certificate of compliance with the monograph shall be issued, if appropriate.

6. Member States shall enter the certificates of good manufacturing practice which they issue in a Community database managed by the Agency on behalf of the Community.

7. If the outcome of the inspection as referred to in paragraph 1 is that the manufacturer does not comply with the principles and guidelines of good manufacturing practice as provided for by Community legislation, the information shall be entered in the Community database as referred to in paragraph 6.'

54) Article 82 shall be replaced by the following:

'Article 82

1. Where it considers it necessary for reasons of human or animal health, a Member State may require the marketing authorisation holder for an immunological veterinary medicinal product to submit samples of batches of the bulk product and/or veterinary medicinal product for control by an Official Medicines Control Laboratory before the product is put into circulation.

2. On request by the competent authorities, the marketing authorisation holder shall promptly supply the samples referred to in paragraph 1, together with the reports of the control referred to in Article 81(2).

The competent authority shall inform all the other Member States in which the veterinary medicinal product is authorised as well as the European Directorate for the Quality of Medicines of its intention to control batches or the batch in question.

In such cases, the competent authorities of another Member State shall not apply the provisions of paragraph 1.

3. After studying the control reports referred to in Article 81(2), the laboratory responsible for the control shall repeat, on the samples provided, all the tests carried out by the manufacturer on the finished product, in accordance with the relevant provisions shown in the dossier for marketing authorisation.

The list of tests to be repeated by the laboratory responsible for the control shall be restricted to justified tests, provided that all Member States concerned, and if appropriate the European Directorate for the Quality of Medicines, agree to this.

For immunological veterinary medicinal products authorised under Regulation (EC) No …/2004 (*), the list of tests to be repeated by the control laboratory may be reduced only after agreement by the Agency.

4. All Member States concerned shall recognise the results of the tests.

5. Unless the Commission is informed that a longer period is necessary to conduct the tests, Member States shall ensure that this control is completed within 60 days of receipt of the samples.

The competent authority shall notify the other Member States concerned, the European Directorate for the Quality of Medicines, the marketing authorisation holder and, if appropriate, the manufacturer, of the results of the tests within the same period of time.

If a competent authority concludes that a batch of a veterinary medicinal product is not in conformity with the control report of the manufacturer or the specifications provided for in the marketing authorisation, it shall take all the necessary measures vis-à-vis the marketing authorisation holder and the manufacturer, where appropriate, and shall inform accordingly the other Member States in which the veterinary medicinal product is authorised.

(*) Note for OJ. Regulation No as in footnote to Recital 5.'

55) Article 83 shall be amended as follows:

a) paragraph 1 shall be amended as follows:

(i) The introductory words shall be replaced by the following:

'Member States' competent authorities shall suspend, revoke, withdraw or vary marketing authorisations when it is clear that:'

(ii) Point (a) shall be replaced by the following:

'a) the risk-benefit assessment of the veterinary medicinal product is, under the authorised conditions of use, unfavourable, particular regard being had to the benefits for animal health and welfare and to consumer safety, when the authorisation concerns a veterinary medicinal product for zootechnical use;'

(iii) The second subparagraph of point (e) shall be deleted;

(iv) Point (f) shall be replaced by the following:

'f) information given in the application documents pursuant to Articles 12 to 13d and 27 is incorrect;'

(v) Point (h) shall be deleted;

(vi) The following second subparagraph shall be added:

'However, when a Community legislative framework is in the course of being adopted, the competent authority may refuse authorisation for a veterinary medicinal product where such action is necessary for the protection of public health, consumer and animal health.'

b) paragraph 2 shall be amended as follows:

(i) The introductory words shall be replaced by the following:

'Marketing authorisations may be suspended, revoked, withdrawn or varied when it is established that:'

(ii) Point (a) shall be replaced by the following:

'a) the particulars supporting the application, as provided for in Articles 12 to 13d, have not been amended in accordance with Article 27(1) and (5);'

56) in Article 84, point (a) of paragraph 1 shall be replaced by the following:

'a) it is clear that the risk-benefit assessment of the veterinary medicinal product is, under the authorised conditions of use, unfavourable, particular regard being had to the benefits for animal health and welfare and to the safety and health benefits for the consumer, when the authorisation concerns a veterinary medicinal product for zootechnical use.'

57) in Article 85, the following paragraph shall be added:

'3. Member States shall prohibit the advertising to the general public of veterinary medicinal products that:

a) in accordance with Article 67, are available on veterinary prescription only; or

b) contain psychotropic drugs or narcotics, such as those covered by the United Nations Conventions of 1961 and 1971.'

58) in Article 89, paragraphs 2 and 3 shall be replaced by the following:

'2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at one month.

4. The Standing Committee shall adopt its rules of procedure. These rules of procedure shall be made public.'

59) Article 90 shall be replaced by the following:

'Article 90

Member States shall take all necessary measures to ensure that the competent authorities concerned communicate the appropriate information to each other, particularly regarding compliance with the requirements adopted for the authorisations referred to in Article 44, for the certificates referred to in Article 80(5) or for authorisation to place products on the market.

Upon reasoned request, Member States shall forthwith communicate the reports referred to in Article 80(3) to the competent authorities of another Member State.

The conclusions reached following an inspection as referred to in Article 80(1) carried out by the inspectors of the Member State concerned shall be valid for the Community.

However, by way of exception, if a Member State has not been able, for serious reasons of human or animal health, to accept the conclusions of an inspection as referred to in Article 80(1), that Member State shall forthwith inform the Commission and the Agency. The Agency shall inform the Member States concerned.

When the Commission is informed of such serious reasons, it may, after consulting the Member States concerned, ask the inspector of the competent supervisory authority to carry out a new inspection; the inspector may be accompanied by two other inspectors from Member States that are not parties to the disagreement.'

60) in Article 94, the third subparagraph shall be replaced by the following:

'Decisions to grant or revoke a marketing authorisation shall be made publicly available.'

61) Article 95 shall be replaced by the following:

'Article 95

Member States shall not permit foodstuffs for human consumption to be taken from test animals unless the competent authorities have established an appropriate withdrawal period. The withdrawal period shall either:

a) be at least as laid down in Article 11(2), including, where appropriate, a safety factor reflecting the nature of the substance being tested; or

b) if maximum residue limits have been established by the Community in accordance with Regulation (EEC) No 2377/90, ensure that this maximum limit will not be exceeded in foodstuffs.'

62) the following articles shall be inserted:

'Article 95a

Member States shall ensure that appropriate collection systems are in place for veterinary medicinal products that are unused or expired.

Article 95b

When a veterinary medicinal product is to be authorised in accordance with Regulation (EC) No …/2004 (*) and the Scientific Committee in its opinion refers to recommended conditions or restrictions with regard to the safe and effective use of the veterinary medicinal product as provided for in Article 34(4)(d) of that Regulation, a decision addressed to Member States shall be adopted in accordance with the procedure laid down in Articles 37 and 38 of this Directive, for the implementation of those conditions or restrictions.

(*) Note for OJ. Regulation No as in footnote to Recital 5.'

Article 2

The periods of protection provided for in Article 1, point 6, which amends Article 13 of Directive 2001/82/EC, shall not apply to reference medicinal products for which an application for authorisation has been submitted before the date of transposition referred to in Article 3 first paragraph.

Article 3

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by … (*) at the latest. They shall immediately inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by the Member States.

Article 4

This Directive shall enter into force on the day of its publication in the Official Journal of the European Union.

(*) 18 months after entry into force of the Directive.

Article 5

This Directive is addressed to the Member States.

Done at …,

For the European Parliament
The President

For the Council
The President

P5_TA(2003)0579

Traditional herbal medicinal products ***II

European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council directive amending, as regards traditional herbal medicinal products, Directive 2001/83/EC on the Community code relating to medicinal products for human use (12754/1/2003 — C5-0519/2003 — 2002/0008(COD))

(Codecision procedure: second reading)

The European Parliament,

— having regard to the Council common position (12754/1/2003 — C5-0519/2003) ([1]),

— having regard to its position at first reading ([2]) on the Commission proposal to Parliament and the Council (COM(2002) 1) ([3]),

— having regard to the amended proposal (COM(2003) 161) ([1]),

— having regard to Article 251(2) of the EC Treaty,

— having regard to Rule 80 of its Rules of Procedure,

— having regard to the recommendation for second reading of the Committee on the Environment, Public Health and Consumer Policy (A5-0452/2003),

1. Amends the common position as follows;

2. Instructs its President to forward its position to the Council and the Commission.

([1]) Not yet published in OJ.
([2]) Texts Adopted, 21.11.2002, P5_TA(2002)0561.
([3]) OJ C 126 E, 28.5.2002, p. 263.

P5_TC2-COD(2002)0008

Position of the European Parliament adopted at second reading on 17 December 2003 with a view to the adoption of European Parliament and Council Directive 2004/…/EC amending, as regards traditional herbal medicinal products, Directive 2001/83/EC on the Community code relating to medicinal products for human use

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 [1],

Having regard to the Opinion of the European Economic and Social Committee [2],

Acting in accordance with the procedure laid down in Article 251 of the Treaty [3],

Whereas:

(1) Directive 2001/83/EC [4] requires that applications for authorisation to place a medicinal product on the market have to be accompanied by a dossier containing particulars and documents relating in particular to the results of physico-chemical, biological or microbiological tests as well as pharmacological and toxicological tests and clinical trials carried out on the product and thus proving its quality, safety and efficacy.

(2) Where the applicant can demonstrate by detailed references to published scientific literature that the constituent or the constituents of the medicinal product have a well-established medicinal use with recognised efficacy and an acceptable level of safety within the meaning of Directive 2001/83/EC, he should not be required to provide the results of pre-clinical tests or the results of clinical trials.

(3) A significant number of medicinal products, despite their long tradition, do not fulfil the requirements of *having* a well-established medicinal use with recognised efficacy and an acceptable level of safety and are not eligible for a marketing authorisation. To maintain these products on the market, the Member States have enacted differing procedures and provisions. The differences that currently exist between the provisions laid down in the Member States may hinder trade in traditional medicinal products within the Community and lead to discrimination and distortion of competition between manufacturers of these products. They may also have an impact on the protection of public health, since the necessary guarantees of quality, safety and efficacy are not always provided at present.

(4) Having regard to the particular characteristics of these medicinal products, especially their long tradition, it is desirable to provide a special, simplified registration procedure for certain traditional medicinal products. However, this simplified procedure should be used only where no marketing authorisation can be obtained under Directive 2001/83/EC, in particular because of a lack of sufficient scientific literature demonstrating a well-established medicinal use with recognised efficacy and an acceptable level of safety. It should likewise not apply to homeopathic medicinal products eligible for marketing authorisation or for registration under Directive 2001/83/EC.

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[1] OJ C 126 E, 28.5.2002, p. 263.
[2] OJ C 61, 14.3.2003, p. 9.
[3] Opinion of the European Parliament of 21 November 2002 (OJ C 25 E, 29.1.2004, p. 222), Council Common Position of 4 November 2003 (OJ C 305 E, 16.12.2003, p. 52), Position of the European Parliament of 17 December 2003.
[4] OJ L 311, 28.11.2001, p. 67. Directive as last amended by Commission Directive 2003/63/EC (OJ L 159, 27.6.2003, p. 46).

(5) The long tradition of the medicinal product makes it possible to reduce the need for clinical trials, insofar as the efficacy of the medicinal product is plausible on the basis of long-standing use and experience. Pre-clinical tests do not seem necessary where the medicinal product, on the basis of the information on its traditional use, proves not to be harmful in specified conditions of use. However, even a long tradition does not exclude the possibility that there may be concerns with regard to the product's safety, and therefore the competent authorities should be entitled to ask for all data necessary for assessing the safety. The quality aspect of the medicinal product is independent of its traditional use so that no derogation should be made with regard to the necessary physico-chemical, biological and microbiological tests. Products should comply with quality standards in relevant European Pharmacopoeia monographs or those in the pharmacopoeia of a Member State.

(6) The vast majority of medicinal products with a sufficiently long and coherent tradition are based on herbal substances. It therefore seems appropriate to limit the scope of the simplified registration in a first step to traditional herbal medicinal products.

(7) The simplified registration should be acceptable only where the herbal medicinal product may rely on a sufficiently long medicinal use in the Community. Medicinal use outside the Community should be taken into account only if the medicinal product has been used within the Community for a certain time. Where there is limited evidence of use within the Community, it is necessary to assess carefully the validity and relevance of use outside the Community.

(8) With the objective of further facilitating the registration of certain traditional herbal medicinal products and of further enhancing harmonisation, there should be the possibility of establishing a Community list of herbal substances that fulfil certain criteria, such as having been in medicinal use for a sufficiently long time, and hence are considered not to be harmful under normal conditions of use.

(9) Having regard to the particularities of herbal medicinal products, a Committee for Herbal Medicinal Products should be established within the European Agency for the Evaluation of Medicinal Products set up by Council Regulation (EEC) No 2309/93 [1] (hereinafter 'the Agency'). The Committee should carry out tasks concerning the simplified registration and authorisation of medicinal products as provided for in this Directive. Its tasks should relate in particular to establishing Community herbal monographs relevant for the registration as well as the authorisation of herbal medicinal products. It should be composed of experts in the field of herbal medicinal products.

(10) It is important to ensure full consistency between the new committee and the Committee for Human Medicinal Products already existing within the Agency.

(11) In order to promote harmonisation, Member States should recognise registrations of traditional herbal medicinal products granted by another Member State based on Community herbal monographs or consisting of substances, preparations or combinations thereof contained in a list to be established. For other products, Member States should take due account of such registrations.

(12) This Directive allows non-medicinal herbal products, fulfilling the criteria of food legislation, to be regulated under food legislation in the Community.

(13) The Commission should present a report on the application of the Chapter on traditional herbal medicinal products to the European Parliament and to the Council, including an assessment on the possible extension of traditional-use registration to other categories of medicinal products.

(14) It is therefore appropriate to amend Directive 2001/83/CE accordingly,

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[1] OJ L 214, 24.8.1993, p. 1. Regulation as last amended by Regulation (EC) No 1647/2003 (OJ L 245, 29.9.2003, p. 19).

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Directive 2001/83/EC is hereby amended as follows:

(1) In Article 1 the following points shall be added:

'29. Traditional herbal medicinal product: a herbal medicinal product that fulfils the conditions laid down in Article 16a(1).

30. Herbal medicinal product: any medicinal product, exclusively containing as active ingredients one or more herbal substances or one or more herbal preparations, or one or more such herbal substances in combination with one or more such herbal preparations.

31. Herbal substances: all mainly whole, fragmented or cut plants, plant parts, algae, fungi, lichen in an unprocessed — usually dried — form, but sometimes fresh. Certain exudates that have not been subjected to a specific treatment are also considered to be herbal substances. Herbal substances are precisely defined by the plant part used and the botanical name according to the binomial system (genus, species, variety and author).

32. Herbal preparations: preparations obtained by subjecting herbal substances to treatments such as extraction, distillation, expression, fractionation, purification, concentration or fermentation. These include comminuted or powdered herbal substances, tinctures, extracts, essential oils, expressed juices and processed exudates.'

(2) The following Chapter shall be inserted in Title III:

'CHAPTER 2a:

Specific provisions applicable to traditional herbal medicinal products

Article 16a

1. A simplified registration procedure (hereinafter "traditional-use registration") is hereby established for herbal medicinal products which fulfil all of the following criteria:

a) they have indications exclusively appropriate to traditional herbal medicinal products which, by virtue of their composition and purpose, are intended and designed for use without the supervision of a medical practitioner for diagnostic purposes or for prescription or monitoring of treatment;

b) they are exclusively for administration in accordance with a specified strength and posology;

c) they are an oral, external and/or inhalation preparation;

d) the period of traditional use, as laid down in Article 16c(1)(c) has elapsed;

e) the data on the traditional use of the medicinal product are sufficient; in particular, the product proves not to be harmful in the specified conditions of use and the pharmacological effects or efficacy of the medicinal product are plausible on the basis of long-standing use and experience.

2. Notwithstanding Article 1(30), the presence in the herbal medicinal product of vitamins or minerals for the safety of which there is well-documented evidence shall not prevent the product from being eligible for registration in accordance with paragraph 1, provided that the action of the vitamins or minerals is ancillary to that of the herbal active ingredients regarding the specified claimed indication(s).

3. However, in cases where the competent authorities judge that a traditional herbal medicinal product fulfils the criteria for authorisation in accordance with Article 6 or registration pursuant to Article 14, the provisions of this Chapter shall not apply.

Article 16b

1. The applicant and registration holder shall be established in the Community.

2. In order to obtain traditional-use registration, the applicant shall submit an application to the competent authority of the Member State concerned.

Article 16c

1. The application shall be accompanied by:

a) the particulars and documents:

i) referred to in Article 8(3), *points* (a) to (h) *and points* (j) and (k),

ii) the results of the pharmaceutical tests referred to in the second indent of Article 8(3)(i),

iii) the summary of product characteristics, without the data specified in Article 11(4),

iv) in case of combinations, as referred to in Article 1(30) or Article 16a(2), the information referred to in Article 16a(1)(e) relating to the combination as such; if the individual active ingredients are not sufficiently known, the data shall also relate to the individual active ingredients;

b) any authorisation or registration obtained by the applicant in another Member State, or in a third country, to place the medicinal product on the market, and details of any decision to refuse to grant an authorisation or registration, whether in the Community or a third country, and the reasons for any such decision;

c) bibliographical or expert evidence to the effect that the medicinal product in question, or a corresponding product, has been in medicinal use throughout a period of at least thirty years preceding the date of the application, including at least 15 years within the Community. At the request of the Member State where the application for traditional-use registration has been submitted, the Committee for Herbal Medicinal Products shall draw up an opinion on the adequacy of the evidence of the long-standing use of the product, or of the corresponding product. The Member State shall submit relevant documentation supporting the referral;

d) a bibliographic review of safety data together with an expert report, and where required by the competent authority, upon additional request, data necessary for assessing the safety of the medicinal product.

Annex I shall apply by analogy to the particulars and documents specified in point (a).

2. A corresponding product, as referred to in paragraph 1(c), is characterised by having the same active ingredients, irrespective of the excipients used, the same or similar intended purpose, equivalent strength and posology and the same or similar route of administration as the medicinal product applied for.

3. The requirement to show medicinal use throughout the period of thirty years, referred to in paragraph 1(c), is satisfied even where the marketing of the product has not been based on a specific authorisation. It is likewise satisfied if the number or quantity of ingredients of the medicinal product has been reduced during that period.

4. Where the product has been used in the Community for less than 15 years, but is otherwise eligible for simplified registration, the Member State where the application for traditional-use registration has been submitted shall refer the product to the Committee for Herbal Medicinal Products. The Member State shall submit relevant documentation supporting the referral.

The Committee shall consider whether the other criteria for a simplified registration as referred to in Article 16a are fully complied with. If the Committee considers it possible, it shall establish a Community herbal monograph as referred to in Article 16h(3) which shall be taken into account by the Member State when taking its final decision.

Article 16d

1. Without prejudice to Article 16h(1), Chapter 4 of Title III shall apply by analogy to registrations granted in accordance with Article 16a, provided that:

a) a Community herbal monograph has been established in accordance with Article 16h(3), or

b) the herbal medicinal product consists of herbal substances, preparations or combinations thereof contained in the list referred to in Article 16f.

2. For other herbal medicinal products as referred to in Article 16a, each Member State shall, when evaluating an application for traditional-use registration, take due account of registrations granted by another Member State in accordance with this Chapter.

Article 16e

1. Traditional-use registration shall be refused if the application does not comply with Articles 16a, 16b or 16c or if at least one of the following conditions is fulfilled:

a) the qualitative and/or quantitative composition is not as declared,

b) the indications do not comply with the conditions laid down in Article 16a,

c) the product could be harmful under normal conditions of use,

d) the data on traditional use are insufficient, especially if pharmacological effects or efficacy are not plausible on the basis of long-standing use and experience,

e) the pharmaceutical quality is not satisfactorily demonstrated.

2. The competent authorities of the Member States shall notify the applicant, the Commission and any competent authority that requests it, of any decision they take to refuse traditional-use registration and the reasons *for refusal*.

Article 16f

1. A list of herbal substances, preparations and combinations thereof for use in traditional herbal medicinal products shall be established in accordance with the procedure referred to in Article 121(2). The list shall contain, with regard to each herbal substance, the indication, the specified strength and the posology, the route of administration and any other information necessary for the safe use of the herbal substance as a traditional medicinal product.

2. If an application for traditional-use registration relates to a herbal substance, preparation or a combination thereof contained in the list referred to in paragraph 1, the data specified in Article 16c(1)(b)(c) and (d) do not need to be provided. Article 16e(1)(c) and (d) shall not apply.

3. If a herbal substance, preparation or a combination thereof ceases to be included in the list referred to in paragraph 1, registrations pursuant to paragraph 2 for herbal medicinal products containing this substance shall be revoked unless the particulars and documents referred to in Article 16c(1) are submitted within three months.

Article 16g

1. Articles 3(1) and (2), 4(4), 6(1), 12, 17(1), 19, 20, 23, 24, 25, 40 to 52, 70 to 85, 101 to 108, 111(1) and (3), 112, 116 to 118, 122, 123, 125, 126 second subparagraph, 127 of this Directive as well as Commission Directive 91/356/EEC (*) shall apply, by analogy, to traditional-use registration granted under this Chapter.

2. In addition to the requirements of Articles 54 to 65 any labelling and user package leaflet shall contain a statement to the effect that:

   a) the product is a traditional herbal medicinal product for use in specified indication(s) exclusively based upon long-standing use; and

   b) the user should consult a doctor or a qualified health care practitioner if the symptoms persist during the use of the medicinal product or if adverse effects not mentioned in the package leaflet occur.

   A Member State may require that the labelling and the user package leaflet shall also state the nature of the tradition in question.

3. In addition to the requirements of Articles 86 to 99 any advertisement for a medicinal product registered under this Chapter shall contain the following statement: "Traditional herbal medicinal product for use in specified indication(s) exclusively based upon long-standing use".

Article 16h

1. A Committee for Herbal Medicinal Products is hereby established. That Committee shall be part of the Agency and shall have the following competence:

   (a) As regards simplified registrations, to:

      1. perform the tasks arising from Article 16c(1) and (4),

      2. perform the tasks arising from Article 16d,

      3. prepare a draft list of herbal substances, preparations and combinations thereof, as referred to in Article 16f(1), and

      4. establish Community monographs for traditional herbal medicinal products, as referred to in paragraph 3 of this Article.

(b) As regards authorisations of herbal medicinal products, to establish Community herbal monographs for herbal medicinal products, as referred to in paragraph 3 of this Article.

(c) As regards referrals to the Agency under Chapter 4 of Title III, in relation to herbal medicinal products as referred to in Article 16a, to perform the tasks set out in Article 32.

(d) Where other medicinal products containing herbal substances are referred to the Agency under Chapter 4 of Title III, to give an opinion on the herbal substance where appropriate.

Finally, the Committee for Herbal Medicinal Products shall perform any other task conferred upon it by Community law.

The appropriate *coordination* with the Committee for Human Medicinal Products shall be ensured by a procedure to be determined by the Executive Director of the Agency in accordance with Article 57(2) of Regulation (EEC) No 2309/93.

2. Each Member State shall appoint, for a three-year term which may be renewed, one member and one alternate to the Committee for Herbal Medicinal Products.

The alternates shall represent and vote for the members in their absence. Members and alternates shall be chosen for their role and experience in the evaluation of herbal medicinal products and shall represent the competent national authorities.

The said Committee may co-opt a maximum of five additional members chosen on the basis of their specific scientific competence. These members shall be appointed for a term of three years, which may be renewed, and shall not have alternates.

With a view to the co-opting of such members, the said Committee shall identify the specific complementary scientific competence of the additional member(s). Co-opted members shall be chosen among experts nominated by Member States or the Agency.

The members of the said Committee may be accompanied by experts in specific scientific or technical fields.

3. The Committee for Herbal Medicinal Products shall establish Community herbal monographs for herbal medicinal products with regard to the application of Article 10(1)(a)(ii) as well as traditional herbal medicinal products. The said Committee shall fulfil further responsibilities conferred upon it by provisions of this Chapter and other Community law.

When Community herbal monographs within the meaning of this paragraph have been established, they shall be taken into account by the Member States when examining an application. Where no such Community herbal monograph has yet been established, other appropriate monographs, publications or data may be referred to.

When new Community herbal monographs are established, the registration holder shall consider whether it is necessary to modify the registration dossier accordingly. The registration holder shall notify any such modification to the competent authority of the Member State concerned.

The herbal monographs shall be published.

4. The general provisions of Regulation (EEC) No 2309/93 relating to the Committee for Human Medicinal Products shall apply by analogy to the Committee for Herbal Medicinal Products.

Article 16i

Before … (**) the Commission shall present a report to the European Parliament and the Council concerning the application of the provisions of this Chapter.

The report shall include an assessment on the possible extension of traditional-use registration to other categories of medicinal products.

(*) OJ L 193, 17.7.1991, p. 30.
(**) Three years after the date of entry into force of this Directive.'

Article 2

1. The Member States shall take the necessary measures to comply with this Directive by … (*). They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. The methods of making such reference shall be laid down by the Member States.

2. For the traditional herbal medicinal products as referred to in Article 1, which are already on the market on the entry into force of this Directive, the competent authorities shall apply the provisions of this Directive within seven years after its entry into force.

Article 3

This Directive shall enter into force on the day of its publication in the Official Journal of the European Union.

Article 4

This Directive is addressed to the Member States.

Done at

For the European Parliament
The President

For the Council
The President

(*) 18 months after the date of entry into force of this Directive

Wednesday 17 December 2003

P5_TA(2003)0580

Measuring instruments ***II

European Parliament legislative resolution on the Council common position adopting a European Parliament and Council directive on measuring instruments (9681/4/2003 — C5-0417/2003 — 2000/0233(COD))

(Codecision procedure: second reading),

The European Parliament,

— having regard to the Council common position (9681/4/2003 — C5-0417/2003) ([1]),

— having regard to its position at first reading ([2]) on the Commission proposal to Parliament and the Council (COM(2000) 566) ([3]),

— having regard to the amended proposal (COM(2002) 37) ([4]),

— having regard to Article 251(2) of the EC Treaty,

— having regard to Rule 80 of its Rules of Procedure,

— having regard to the recommendation for second reading of the Committee on Industry, External Trade, Research and Energy (A5-0458/2003),

1. Amends the common position as follows;

2. Instructs its President to forward its position to the Council and the Commission.

([1]) OJ C 252 E, 21.10.2003, p. 1.
([2]) OJ C 65 E, 14.3.2002, p. 34.
([3]) OJ C 62 E, 27.2.2001, p. 1.
([4]) OJ C 126 E, 28.5.2002, p. 368.

P5_TC2-COD(2000)0233

Position of the European Parliament adopted at second reading on 17 December 2003 with a view to the adoption of European Parliament and Council Directive 2004/…/EC on measuring instruments

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 ([1]),

Having regard to the Opinion of the European Economic and Social Committee ([2]),

Acting in accordance with the procedure laid down in Article 251 of the Treaty ([3]),

([1]) OJ C 62 E, 27.2.2001, p. 1, and OJ C 126 E, 28.5.2002, p. 368.
([2]) OJ C 139, 11.5.2001, p. 4.
([3]) Opinion of the European Parliament of 3 July 2001 (OJ C 65 E, 14.3.2002, p. 34). Council Common Position of 22 July 2003 (OJ C 252 E, 21.10.2003, p. 1) and Position of the European Parliament of 17 December 2003.

Whereas:

(1) A number of measuring instruments are covered by specific Directives, adopted on the basis of Council Directive 71/316/EEC of 26 July 1971 on the approximation of the laws of the Member States relating to common provisions for both measuring instruments and methods of metrological control ([1]). Specific Directives that are technically outdated should be repealed and replaced by an independent Directive reflecting the spirit of the Council Resolution of 7 May 1985 on a new approach to technical harmonisation and standards ([2]).

(2) Correct and traceable measuring instruments can be used for a variety of measurement tasks. Those responding to reasons of public interest, public health, safety and order, protection of the environment and the consumer, of levying taxes and duties and of fair trading, which directly and indirectly affect the daily life of citizens in many ways, may require the use of legally controlled measuring instruments.

(3) Legal metrological control should not lead to barriers to the free movement of measuring instruments. The provisions concerned should be the same in all Member States and proof of conformity accepted throughout the Community.

(4) Legal metrological control requires conformity with specified performance requirements. The performance requirements that the measuring instruments must meet should provide a high level of protection. The conformity assessment should provide a high level of confidence.

(5) Member States should as a general rule prescribe legal metrological control. Where legal metrological control is prescribed, only measuring instruments complying with common performance requirements should be used.

(6) The principle of optionality introduced by this Directive, whereby Member States may exercise their right to decide whether or not to regulate any of the instruments covered by this Directive, should be applicable only to the extent that this will not cause unfair competition.

(7) The responsibilities of the manufacturer for compliance with the requirements of this Directive should be specifically stated.

(8) The performance of measuring instruments is particularly sensitive to the environment, particular the electromagnetic environment. Immunity of measuring instruments to electromagnetic interference forms an integral part of this Directive and the immunity requirements of Council Directive 89/336/EEC of 3 May 1989 on the approximation of the laws of the Member States relating to electromagnetic compatibility ([3]) should therefore not apply.

(9) Community legislation should specify essential requirements that do not impede technical progress, preferably performance requirements. Provisions to remove technical barriers to trade should follow the Council Resolution of 7 May 1985 on a new approach to technical harmonisation and standards.

([1]) OJ L 202, 6.9.1971, p. 1. Directive as last amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36).
([2]) OJ C 136, 4.6.1985, p. 1.
([3]) OJ L 139, 23.5.1989, p. 19. Directive as last amended by Directive 93/68/EEC (OJ L 220, 30.8.1993, p. 1).

(10) In order to take account of differences in climatic conditions or of different levels of consumer protection that may apply at national level, essential requirements may give rise to the establishment of environmental or accuracy classes.

(11) In order to ease the task of proving conformity with the essential requirements and to enable conformity to be assessed, it is desirable to have harmonised standards. Such harmonised standards are drawn up by private-law bodies and should retain their status as non-mandatory texts. To this end, the European Committee for Standardisation (CEN), the European Committee for Electrotechnical Standardisation (CENELEC) and the European Telecommunications Standards Institute (ETSI) are recognised as the competent bodies for the adoption of harmonised standards in accordance with the general guidelines on cooperation between the Commission and the European Standardisation bodies signed on 13 November 1984.

(12) The technical and performance specifications of internationally agreed normative documents may also comply, in part or in full, with the essential requirements laid down by this Directive. In those cases the use of these internationally agreed normative documents can be an alternative to the use of harmonised standards and, under specific conditions, give rise to a presumption of conformity.

(13) Conformity with the essential requirements laid down by this Directive can also be provided by specifications that are not supplied by a European technical standard or an internationally agreed normative document. The use of European technical standards or internationally agreed normative documents should therefore be optional.

(14) The conformity assessment of sub-assemblies should respect the provisions of this Directive. If sub-assemblies are traded separately and independently of an instrument, the exercise of conformity assessment should be undertaken independently of the instrument concerned.

(15) The state of the art in measurement technology is subject to constant evolution which may lead to changes in the needs for conformity assessments. Therefore, for each category of measurement and, where appropriate, sub-assemblies, there must be an appropriate procedure or a choice between different procedures of equivalent stringency. The procedures adopted are as required by Council Decision 93/465/EEC of 22 July 1993 concerning the modules for the various phases of the conformity assessment procedures and the rules for the affixing and use of the 'CE' marking, which are intended to be used in the technical harmonisation Directives [1]. However, derogations may have to be made for these modules in order to reflect specific aspects of metrological control. Provision should be made for the 'CE' marking to be affixed during the fabrication process.

(16) Continued development in measurement technology as well as concerns expressed by stakeholders about certification, stress the need to ensure consistent conformity assessment procedures for industrial products, as requested by the Council Resolution adopted on 10 November 2003 [2].

(17) Member States should not impede the placing on the market and/or putting into use of measuring instruments that carry the 'CE' marking and supplementary metrology marking in accordance with the provisions of this Directive.

(18) Member States should take appropriate action to prevent non-complying measuring instruments from being placed on the market and/or put into use. Adequate cooperation between the competent authorities of the Member States is therefore necessary to ensure a Community-wide effect of this objective.

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[1] OJ L 220, 30.8.1993, p. 23.
[2] OJ C 282, 25.11.2003, p. 3.

(19) Manufacturers should be informed of the grounds on which negative decisions in respect of their products were taken, and of the legal remedies available to them.

(20) Manufacturers should be offered the possibility to exercise the rights obtained before the entry into force of this Directive, during a reasonable transitional period.

(21) National specifications concerning the appropriate national requirements in use should not interfere with the provisions of this Directive on 'putting into use'.

(22) The measures necessary for the implementation of this Directive should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ([1]).

(23) The activity of the Measuring Instruments Commmittee should include proper consultations with representatives of interested parties.

(24) Directives 71/318/EEC, 71/319/EEC, 71/348/EEC, 73/362/EEC, 75/33/EEC, as concerns the meters defined in Annex MI-001 of this Directive, 75/410/EEC, 76/891/EEC, 77/95/EEC, 77/313/EEC, 78/1031/EEC and 79/830/EEC should therefore be repealed,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Scope

This Directive applies to the devices and systems with a measuring function defined in the instrument-specific annexes concerning water meters (MI-001), gas meters and volume conversion devices (MI-002), active electrical energy meters (MI-003), heat meters (MI-004), measuring systems for continuous and dynamic measurement of quantities of liquids other then water (MI-005), automatic weighing instruments (MI-006), taximeters (MI-007), material measures (MI-008), dimensional measuring instruments (MI-009) and exhaust gas analysers (MI-010).

Article 2

1. Member States may prescribe the use of measuring instruments mentioned in Article 1 for measuring tasks for reasons of public interest, public health, public safety, public order, protection of the environment, protection of consumers, levying of taxes and duties and fair trading, where they consider it justified.

2. Where Member States do not prescribe such use, they shall communicate the reasons therefor to the Commission and the other Member States.

Article 3

Object

This Directive establishes the requirements that the devices and systems referred to in Article 1 have to satisfy with a view to their being placed on the market and/or put into use for those tasks mentioned in Article 2(1).

([1]) OJ L 184, 17.7.1999, p. 23.

This Directive is a specific Directive in respect of requirements for electromagnetic immunity in the sense of Article 2(2) of Directive 89/336/EEC. Directive 89/336/EEC continues to apply with regard to emission requirements.

Article 4

Definitions

For the purposes of this Directive:

a) 'measuring instrument' means any device or system with a measurement function that is covered by Articles 1 and 3;

b) 'sub-assembly' means a hardware device, mentioned as such in the specific annexes**,** that functions independently and makes up a measuring instrument together

— with other sub-assemblies with which it is compatible, or

— with a measuring instrument with which it is compatible;

c) 'legal metrological control' means the control of the measurement tasks intended for the field of application of a measuring instrument, for reasons of public interest, public health, public safety, public order, protection of the environment, levying of taxes and duties, protection of the consumers and fair trading;

d) 'manufacturer' means a natural or legal person responsible for the conformity of the measuring instrument with this Directive with a view to either placing it on the market under his own name and/or putting it into use for his own purposes;

e) 'placing on the market' means making available for the first time in the Community an instrument intended for an end user, whether for reward or free of charge;

f) 'putting into use' means the first use of an instrument intended for the end user for the purposes for which it was intended;

g) 'authorised representative' means a natural or legal person who is established within the Community and authorised by a manufacturer, in writing, to act on his behalf for specified tasks within the meaning of this Directive;

h) 'harmonised standard' means a technical specification adopted by CEN, CENELEC or ETSI or jointly by two or all of these organisations, at the request of the Commission pursuant to 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 [1] and prepared in accordance with the General Guidelines agreed between the Commission and the European standards organisations;

i) 'normative document' means a document containing technical specifications adopted by the Organisation Internationale de Métrologie Légale (OIML), subject to the procedure stipulated in Article 16(1).

Article 5

Applicability to sub-assemblies

Where specific annexes exist, laying down the essential requirements for sub-assemblies, the provisions of this Directive shall apply mutatis mutandis to such sub-assemblies.

[1] OJ L 204, 21.7.1998, p. 37. Directive as amended by Directive 98/48/EC (OJ L 217, 5.8.1998, p. 18).

Sub-assemblies and measuring instruments may be assessed independently and separately for the purpose of establishing conformity.

Article 6

Essential requirements and assessment of conformity

1. A measuring instrument shall meet the essential requirements laid down in Annex I and in the relevant instrument-specific Annex.

Member States may require, if it is needed for correct use of the instrument, the information referred to in Annex I or in the relevant instrument-specific annexes to be provided in the official language(s) of the Member State in which the instrument is placed on the market.

2. The conformity of a measuring instrument with the essential requirements shall be assessed in accordance with Article 9.

Article 7

Conformity marking

1. The conformity of a measuring instrument with all the provisions of this Directive shall be indicated by the presence on it of the 'CE' marking and the supplementary metrology marking as specified in Article 17.

2. The 'CE' marking and supplementary metrology marking shall be affixed by, or under the responsibility of, the manufacturer. These markings may be affixed to the instrument during the fabrication process, if justified.

3. The affixing of markings on a measuring instrument that are likely to deceive third parties as to the meaning and/or form of the 'CE' marking and the supplementary metrology marking shall be prohibited. Any other marking may be affixed on a measuring instrument, provided that the visibility and legibility of the 'CE' marking and the supplementary metrology marking is not thereby reduced.

4. Where the measuring instrument is subject to measures adopted under other Directives covering other aspects which require the affixing of the 'CE' marking, the marking shall indicate that the instrument in question is also presumed to conform to the requirements of those other Directives. In such a case, the publication reference of the said Directives, in the Official Journal of the European Union, must be given in the documents, notices or instructions required by those Directives and accompanying the measuring instrument.

Article 8

Placing on the market and putting into use

1. Member States shall not impede for reasons covered by this Directive the placing on the market and/or putting into use of any measuring instrument that carries the 'CE' marking and supplementary metrology marking in accordance with Article 7.

2. Member States shall take all appropriate measures to ensure that measuring instruments be placed on the market and/or put into use only if they satisfy the requirements of this Directive.

3. A Member State may require a measuring instrument to satisfy provisions governing its putting into use that are justified by local climatic conditions. In such a case, the Member State shall choose appropriate upper and lower temperature limits from Table 1 of Annex I and, in addition, may specify humidity conditions (condensing or non-condensing) and whether the intended location of use is open or closed.

4. When different accuracy classes are defined for a measuring instrument:

a) the instrument-specific annexes under the heading 'Putting into use' may indicate the accuracy classes to be used for specific applications;

b) in all other cases a Member State may determine the accuracy classes to be used for specific applications within the classes defined, subject to allowing the use of all accuracy classes on its territory.

In either case falling under (a) or (b), measuring instruments of a better accuracy class may be used if the owner so chooses.

5. At trade fairs, exhibitions, demonstrations, etc., Member States shall not prevent the showing of instruments not in conformity with this Directive, provided that a visible sign clearly indicates their non-conformity and their non-availability for placing on the market and/or putting into use until brought into conformity.

Article 9

Conformity assessment

Conformity assessment of a measuring instrument with the relevant essential requirements shall be carried out by the application, at the choice of the manufacturer, of one of the conformity assessment procedures listed in the instrument-specific annex. The manufacturer shall provide, where appropriate, technical documentation for specific instruments or groups of instruments as set out in Article 10.

The conformity assessment modules making up the procedures are described in Annexes A to H1.

Records and correspondence relating to conformity assessment shall be drawn up in the official language(s) of the Member State where the notified body carrying out the Conformity assessment procedures is established, or in a language accepted by that body.

Article 10

Technical Documentation

1. The technical documentation shall render the design, manufacture and operation of the measuring instrument intelligible and shall permit an assessment of its conformity with the appropriate requirements of this Directive.

2. The technical documentation shall be sufficiently detailed to ensure:

— the definition of the metrological characteristics,

— the reproducibility of the metrological performances of produced instruments when properly adjusted using appropriate intended means, and

— the integrity of the instrument.

3. The technical documentation shall include insofar as relevant for assessment and identification of the type and/or instrument:

a) a general description of the instrument;

b) conceptual design and manufacturing drawings and plans of components, sub-assemblies, circuits, etc;

c) manufacturing procedures to ensure consistent production;

d) if applicable, a description of the electronic devices with drawings, diagrams, flow diagrams of the logic and general software information explaining their characteristics and operation;

e) descriptions and explanations necessary for the understanding of paragraphs (b), (c) and (d), including the operation of the instrument;

f) a list of the standards and/or normative documents referred to in Article 13, applied in full or in part;

g) descriptions of the solutions adopted to meet the essential requirements where the standards and/or normative documents referred to in Article 13 have not been applied;

h) results of design calculations, examinations, etc;

i) the appropriate test results, where necessary, to demonstrate that the type and/or instruments comply with:

— the requirements of this Directive under declared rated operating conditions and under specified environmental disturbances,

— the durability specifications for gas-, water-, heat-meters as well as for liquids other than water.

j) the EC-type examination certificates or EC design examination certificates in respect of instruments containing parts identical to those in the design.

4. The manufacturer shall specify where seals and markings have been applied.

5. The manufacturer shall indicate the conditions for compatibility with interfaces and sub-assemblies, where relevant.

Article 11

Notification

1. Member States shall notify to the other Member States and the Commission the bodies under their jurisdiction, which they have designated to carry out the tasks pertaining to the conformity assessment modules referred to in Article 9, together with the identification numbers given to them by the Commission in accordance with paragraph 4 of this Article, the kind(s) of measuring instrument for which each body has been designated and in addition, where relevant, the instrument accuracy classes, the measuring range, the measurement technology, and any other instrument characteristic limiting the scope of the notification.

2. Member States shall apply the criteria set out in Article 12 for the designation of such bodies. Bodies that meet the criteria laid down in the national standards which transpose the relevant harmonised standards, the references of which have been published in the Official Journal of the European Union, shall be presumed to meet the corresponding criteria. Member States shall publish the references to these national standards. If a Member State has not introduced national legislation for tasks mentioned under Article 2, it shall retain the right to designate and notify a body for tasks relating to that instrument.

3. A Member State that has notified a body shall:

— ensure that the body continues to meet the criteria set out in Article 12,

— withdraw such notification if it finds that the body no longer meets those criteria.

It shall forthwith inform the other Member States and the Commission of any such withdrawal.

4. Each of the bodies to be notified shall be given an identification number by the Commission. The Commission shall publish the list of notified bodies, together with the information in respect of the scope of the notification referred to in paragraph 1, in the Official Journal of the European Union, C series, and shall ensure that the list is kept up to date.

Article 12

Criteria to be satisfied by designated bodies

Member States shall apply the following criteria for the designation of bodies in accordance with Article 11(1).

1. The body, its director and staff involved in conformity assessment tasks shall not be the designer, manufacturer, supplier, installer or user of the measuring instruments that they inspect, nor the authorised representative of any of them. In addition, they may not be not directly involved in the design, manufacture, marketing or maintenance of the instruments, nor represent the parties engaged in these activities. The preceding criterion does not, however, preclude in any way the possibility of exchanges of technical information between the manufacturer and the body for the purposes of conformity assessment.

2. The body, its director and staff involved in conformity assessment tasks shall be free from all pressures and inducements, in particular financial inducements, that might influence their judgement or the results of their conformity assessment, especially from persons or groups of persons with an interest in the results of the assessments.

3. The conformity assessment shall be carried out with the highest degree of professional integrity and requisite competence in the field of metrology. Should the body subcontract specific tasks, it shall first ensure that the subcontractor meets the requirements of this Directive, and in particular of this Article. The body shall keep the relevant documents assessing the subcontractor's qualifications and the work carried out by him under this Directive at the disposal of the notifying authority.

4. The body shall be capable of carrying out all the conformity assessment tasks for which it has been designated, whether those tasks are carried out by the body itself or on its behalf and under its responsibility. It shall have at its disposal the necessary staff and shall have access to the necessary facilities for carrying out in a proper manner the technical and administrative tasks entailed in conformity assessment.

5. The body's staff shall have:

— sound technical and vocational training, covering all conformity assessment tasks for which the body was designated;

— satisfactory knowledge of the rules governing the tasks which it carries out, and adequate experience of such tasks;

— the requisite ability to draw up the certificates, records and reports demonstrating that the tasks have been carried out.

6. The impartiality of the body, its director and staff shall be guaranteed. The remuneration of the body shall not depend on the results of the tasks it carries out. The remuneration of the body's director and staff shall not depend on the number of tasks carried out or on the results of such tasks.

7. The body shall take out civil liability insurance if its civil liability is not covered by the Member State concerned under national law.

8. The body's director and staff shall be bound to observe professional secrecy with regard to all information obtained in the performance of their duties pursuant to this Directive, except vis-à-vis the authority of the Member State which has designated it.

Article 13

Harmonised standards and normative documents

1. Member States shall presume conformity with the essential requirements referred to in Annex I and in the relevant instrument-specific Annexes in respect of a measuring instrument that complies with the elements of the national standards implementing the European harmonised standard for that measuring instrument that correspond to those elements of this European harmonised standard the references in respect of which have been published in the Official Journal of the European Union, C series

Where a measuring instrument complies only in part with the elements of the national standards referred to in the first subparagraph, Member States shall presume conformity with the essential requirements corresponding to the elements of the national standards with which the instrument complies.

Member States shall publish the references to the national standards referred to in the first subparagraph.

2. Member States shall presume conformity with the essential requirements referred to in Annex I and in the relevant instrument-specific Annexes in respect of a measuring instrument that complies with the corresponding parts of the normative documents and lists referred to in Article 16(1)(a), the references in respect of which have been published in the Official Journal of the European Union, C series.

Where a measuring instrument complies only in part with the normative document referred to in the first subparagraph, Member States shall presume conformity with the essential requirements corresponding to the normative elements with which the instrument complies.

Member States shall publish the references of the normative document referred to in the first subparagraph.

3. A manufacturer may choose to use any technical solution that complies with the essential requirements referred to in Annex I and in the relevant instrument-specific Annexes (MI-001 to MI-010). In addition, to benefit from the presumption of conformity, the manufacturer must correctly apply solutions mentioned either in the relevant European harmonised standards, or in the corresponding parts of the normative documents and lists as referred to in paragraphs 1 and 2.

4. Member States shall presume compliance with the appropriate tests mentioned in point (i) of Article 10 if the corresponding test programme has been performed in accordance with the relevant documents mentioned in paragraphs 1 to 3 and if the test results ensure compliance with the essential requirements.

Article 14

Standing Committee

Where a Member State or the Commission considers that a European harmonised standard as referred to in Article 13(1) does not fully meet the essential requirements referred to in Annex I and in the relevant instrument-specific Annexes, the Member State or the Commission shall bring the matter before the Standing Committee set up under Article 5 of Directive 98/34/EC, giving its reasons for doing so. The Committee shall deliver an opinion without delay.

In the light of the Committee's opinion, the Commission shall inform the Member States whether or not it is necessary to withdraw the references to the national standards from the publication referred to in the third subparagraph of Article 13(1).

Article 15

Measuring Instruments Committee

1. The Commission shall be assisted by the Measuring Instruments Committee.

2. Where reference is made to this paragraph, Articles 3 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

3. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

4. The Committee shall adopt its Rules of Procedure.

5. The Commission shall ensure that relevant information about envisaged measures, as referred to in Article 16, is made available to interested parties in due time.

Article 16

Functions of the Measuring Instruments Committee

1. On request by a Member State or on its own initiative, the Commission, acting in accordance with the procedure referred to in Article 15(2), may take any appropriate measure to:

a) *identify normative documents drawn up by* OIML and, in a list, *indicate the parts thereof* compliance with which gives rise to a presumption of conformity with the corresponding essential requirements of this Directive;

b) publish the references of the normative documents and the list referred to in point (a) in the Official Journal of the European Union, C series.

2. On request by a Member State or on its own initiative, the Commission, acting in accordance with the procedure referred to in Article 15(3), may take any appropriate measure to amend instrument-specific annexes (MI-001 to MI-010) in respect of:

— the maximum permissible errors (MPEs) and accuracy classes,

— the rated operating conditions,

— the critical change values,

— disturbances,

3. Where a Member State or the Commission considers that a normative document whose references have been published in the Official Journal of the European Union, C series, in accordance with paragraph 1(b), does not fully meet the essential requirements referred to in Annex I and in the relevant instrument-specific Annexes, that Member State or the Commission shall bring the matter before the Measuring Instruments Committee, giving the reasons for doing so.

The Commission, acting in accordance with the procedure referred to in Article 15(2), shall inform the Member States whether or not it is necessary to withdraw the references to the normative document concerned from publication in the Official Journal.

4. Member States may take appropriate measures to consult interested parties at national level about OIML work relating to the scope of this Directive.

Article 17

Markings

1. The 'CE' marking referred to in Article 7 consists of the symbol 'CE' according to the design laid down in paragraph I.B(d) of the Annex to Decision 93/465/EEC. The 'CE' marking shall be at least 5 mm high.

2. The supplementary metrology marking consists of the capital letter 'M' and the last two digits of the year of its affixing, surrounded by a rectangle. The height of the rectangle shall be equal to the height of the 'CE' marking. The supplementary metrology marking shall immediately follow the 'CE' marking.

3. The identification number of the notified body concerned referred to in Article 11, if prescribed by the conformity assessment procedure, shall follow the 'CE' marking and supplementary metrology marking.

4. When a measuring instrument consists of a set of devices, not being sub-assemblies, operating together, the markings shall be affixed on the instrument's main device.

When a measuring instrument is too small or too sensitive to carry the 'CE' marking and supplementary metrology marking, the markings shall be carried by the packaging, if any, and by the accompanying documents required by this Directive.

5. The 'CE' marking and supplementary metrology marking shall be indelible. The identification number of the notified body concerned shall be indelible or self destructive upon removal. All markings shall be clearly visible or easily accessible.

Article 18

Market surveillance and administrative cooperation

1. Member States shall take all appropriate measures to ensure that measuring instruments that are subject to legal metrological control but do not comply with applicable provisions of this Directive are neither placed on the market nor put into use.

2. The competent authorities of the Member States shall assist each other in the fulfilment of their obligations to carry out market surveillance.

In particular, the competent authorities shall exchange:

— information concerning the extent to which instruments they examine comply with the provisions of this Directive, and the results of such examinations;

— EC-type examination and design examination certificates and their annexes issued by notified bodies as well as additions, amendments and withdrawals relating to certificates already issued;

— quality system approvals issued by notified bodies, as well as information on quality systems refused or withdrawn;

— evaluation reports established by notified bodies, when demanded by other authorities.

3. The Member States shall ensure that all necessary information relating to the certificates and quality system approvals is made available to bodies they have notified.

4. Each Member State shall inform the other Member States and the Commission which competent authorities it has designated for such exchange of information.

Article 19

Safeguard clause

1. Where a Member State establishes that all or part of the measuring instruments of a particular model that bear the 'CE' marking and the supplementary metrology marking do not satisfy the *essential requirements relating to metrological performance set out in this Directive, when correctly installed and used in accordance with the manufacturer's instructions,* it shall take all appropriate measures to withdraw these instruments from the market, prohibit or restrict their further being placed on the market, or prohibit or restrict their further being used.

When deciding on the above measures, the Member State shall take account of the systematic or incidental nature of the non-compliance. Where the Member State has established that the non-compliance is of a systematic nature, it shall immediately inform the Commission of the measures taken, indicating the reasons for its decision.

2. The Commission shall enter into consultation with the parties concerned as soon as possible.

(a) Should the Commission find that the measures taken by the Member State concerned are justified, it shall immediately inform that Member State thereof, as well as the other Member States.

The competent Member State shall take appropriate action against any person who affixed the markings and shall inform the Commission and the other Member States thereof.

If the non-compliance is attributed to shortcomings in the standards or normative documents, the Commission shall, after consulting the parties concerned, bring the matter as soon as possible before the appropriate Committee referred to in Articles 14 or 15.

(b) Should the Commission find that the measures taken by the Member State concerned are not justified, it shall immediately inform that Member State thereof, as well as the manufacturer concerned or his authorised representative.

The Commission shall ensure that the Member States are kept informed of the progress and outcome of the procedure.

Article 20

Unduly fixed markings

1. *Where a Member State establishes that the 'CE' marking and supplementary metrology marking have been affixed unduly, the manufacturer or his authorised representative shall be obliged:*

— *to make the instrument conform as regards those provisions concerning the 'CE' marking and supplementary metrology marking not covered by Article 19(1) and*

— *to end the infringement under the conditions imposed by the Member State.*

2. *Should the infringement described above persist, the Member State must take all appropriate measures to restrict or prohibit the placing on the market of the instrument in question or to ensure that it is withdrawn from the market or prohibit or restrict its further use in accordance with the procedures laid down in Article 19.*

Article 21

Decisions entailing refusal or restriction

Any decision taken pursuant to this Directive entailing the withdrawal from the market of a measuring instrument, or prohibiting or restricting the placing on the market or putting into use of an instrument, shall state the exact grounds on which it is based. The decision shall be notified forthwith to the party concerned, who shall at the same time be informed of the legal remedies available to him under the law of the Member State concerned and of the time limits to which such remedies are subject.

Article 22

Repeals

The following Directives shall be repealed as from … ([1]) without prejudice to Article 23:

— Council Directive 71/318/EEC of 26 July 1971 on the approximation of the laws of the Member States relating to gas meters ([2]),

— Directive 71/319/EEC of 26 July 1971 on the approximation of the laws of the Member States relating to meters for liquids other than water ([3]),

— Directive 71/348/EEC of 12 October 1971 on the approximation of the laws of the Member States relating to ancillary equipment for meters for liquids other than water ([4]),

— Directive 73/362/EEC of 19 November 1973 on the approximation of the laws of the Member States relating to material measures of length ([5]),

— Directive 75/33/EEC of 17 December 1974 on the approximation of the laws of the Member States relating to cold water meters, as concerns the meters defined in Annex MI-001 of this Directive ([6]),

— Directive 75/410/EEC of 24 June 1975 on the approximation of the laws of the Member States relating to continuous totalising weighing machines ([7]),

— Directive 76/891/EEC of 4 November 1976 on the approximation of the laws of the Member States relating to electrical energy meters ([8]),

— Directive 77/95/EEC of 21 December 1976 on the approximation of the laws of the Member States relating to taximeters ([9]),

— Directive 77/313/EEC of 5 April 1977 on the approximation of the laws of the Member States relating to measuring systems for liquids other than water ([10]),

— Directive 78/1031/EEC of 5 December 1978 on the approximation of the laws of the Member States relating to automatic checkweighing and weight grading machines ([11]),

([1]) 30 months after the date of entry into force of this Directive.
([2]) OJ L 202, 6.9.1971, p. 21. Directive as last amended by Commission Directive 82/623/EEC (OJ L 252, 27.8.1982, p. 5).
([3]) OJ L 202, 6.9.1971, p. 32.
([4]) OJ L 239, 25.10.1971, p. 9. Directive as last amended by the 1994 Act of Accession.
([5]) OJ L 335, 5.12.1973, p. 56. Directive as last amended by Commission Directive 85/146/EEC (OJ L 54, 23.2.1985, p. 29).
([6]) OJ L 14, 20.1.1975, p. 1.
([7]) OJ L 183, 14.7.1975, p. 25.
([8]) OJ L 336, 4.12.1976, p. 30.
([9]) OJ L 26, 31.1.1977, p. 59.
([10]) OJ L 105, 28.4.1977, p. 18. Directive as amended by Commission Directive 82/625/EEC (OJ L 252, 27.8.1982, p. 10).
([11]) OJ L 364, 27.12.1978, p. 1.

— Directive 79/830/EEC of 11 September 1979 on the approximation of the laws of the Member States relating to hot-water meters ([1]).

Article 23

Transitional provisions

By way of derogation from Article 8(2), Member States shall permit, for measurement tasks for which they have prescribed the use of a legally controlled measuring instrument, the placing on the market and putting into use of measuring instruments that satisfy the rules applicable before … (*) until the expiry of the validity of the type approval of those measuring instruments or, in the case of a type approval of indefinite validity, for a period of a maximum of ten years from … (*).

Article 24

Transposition

1. Member States shall adopt and publish the laws, regulations and administrative provisions necessary to comply with this Directive before … (**). They shall forthwith inform the Commission thereof.

When Member States adopt those measures, they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. The methods of making such reference shall be laid down by the Member States

Member States shall apply these provisions from … (*).

2. Member States shall communicate to the Commission the text of the provisions of national law which they adopt in the field covered by this Directive.

Article 25

Revision clause

The European Parliament and the Council invite the Commission to report, before … (***), on the implementation of this Directive, inter alia, on the basis of reports provided by the Member States, and, where appropriate, to submit a proposal for amendments.

The European Parliament and Council invite the Commission to evaluate whether conformity assessment procedures for industrial products are properly applied and, where appropriate, to propose amendments in order to ensure consistent certification.

Article 26

Entry into force

This Directive shall enter into force on the day of its publication in the Official Journal of the European Union.

Article 27

Addressees

This Directive is addressed to the Member States.

Done at

For the European Parliament
The President

For the Council
The President

([1]) OJ L 259, 15.10.1979, p. 1.
(*) 30 months after the date of entry into force of this Directive.
(**) 24 months after the date of entry into force of this Directive.
(***) 7 years after the date of entry into force of this Directive.

ANNEX I

ESSENTIAL REQUIREMENTS

A measuring instrument shall provide a high level of metrological protection in order that any party affected can have confidence in the result of measurement, and shall be designed and manufactured to a high level of quality in respect of the measurement technology and security of the measurement data.

The requirements that shall be met by measuring instruments are set out below and are supplemented, where appropriate, by specific instrument requirements in Annexes MI-001 to MI-010 that provide more detail on certain aspects of the general requirements.

The solutions adopted in the pursuit of the requirements shall take account of the intended use of the instrument and any foreseeable misuse thereof.

DEFINITIONS

Measurand

The measurand is the particular quantity subject to measurement.

Influence quantity

An influence quantity is a quantity that is not the measurand but that affects the result of measurement.

Rated Operating Conditions

The rated operating conditions are the values for the measurand and influence quantities making up the normal working conditions of an instrument.

Disturbance

An influence quantity having a value within the limits specified in the appropriate requirement but outside the specified rated operating conditions of the measuring instrument. An influence quantity is a disturbance if for that influence quantity the rated operating conditions are not specified.

Critical change value

The critical change value is the value at which the change in the measurement result is considered undesirable.

Material Measure

A material measure is a device intended to reproduce or supply in a permanent manner during its use one or more known values of a given quantity.

Direct sales

A trading transaction is direct sales if:

— the measurement result serves as the basis for the price to pay and;

— at least one of the parties involved in the transaction related to measurement is a consumer or any other party requiring a similar level of protection and;

— all the parties in the transaction accept the measurement result at that time and place.

Climatic environments

Climatic environments are the conditions in which measuring instruments may be used. To cope with climatic differences between the Member States, a range of temperature limits has been defined.

Utility

A utility is regarded as a supplier of electricity, gas, heat or water.

REQUIREMENTS

1. Allowable Errors

1.1. Under rated operating conditions and in the absence of a disturbance, the error of measurement shall not exceed the maximum permissible error(MPE) value as laid down in the appropriate instrument-specific requirements.

Unless stated otherwise in the instrument-specific annexes, MPE is expressed as a bilateral value of the deviation from the true measurement value.

1.2. Under rated operating conditions and in the presence of a disturbance, the performance requirement shall be as laid down in the appropriate instrument-specific requirements.

Where the instrument is intended to be used in a specified permanent continuous electromagnetic field the permitted performance during the radiated electromagnetic field-amplitude modulated test shall be within MPE.

1.3. The manufacturer shall specify the climatic, mechanical and electromagnetic environments in which the instrument is intended to be used, power supply and other influence quantities likely to affect its accuracy, taking account of the requirements laid down in the appropriate instrument-specific annexes.

1.3.1. Climatic environments

The manufacturer shall specify the upper temperature limit and the lower temperature limit from any of the values in Table 1 unless otherwise specified in the annexes MI-001 to MI-010, and indicate whether the instrument is designed for condensing or non-condensing humidity as well as the intended location for the instrument, i.e. open or closed.

	Temperature Limits			
Upper temperature limit	30 °C	40 °C	55 °C	70 °C
Lower temperature limit	5 °C	-10 °C	-25 °C	-40 °C

Table 1

1.3.2. (a) Mechanical environments are classified into classes M1 to M3 as described below.

M1 This class applies to instruments used in locations with vibration and shocks of low significance, e.g. for instruments fastened to light supporting structures subject to negligible vibrations and shocks transmitted form local blasting or pile-driving activities, slamming doors, etc.

M2 This class applies to instruments used in locations with significant or high levels of vibration and shock, e.g. transmitted from machines and passing vehicles in the vicinity or adjacent to heavy machines, conveyor belts, etc.

M3 This class applies to instruments used in locations where the level of vibration and shock is high and very high, e.g. for instruments mounted directly on machines, conveyor belts, etc.

(b) The following influence quantities shall be considered in relation with mechanical environments:

— Vibration;

— Mechanical shock.

1.3.3. (a) Electromagnetic environments are classified into classes E1, E2 or E3 as described below, unless otherwise laid down in the appropriate instrument-specific annexes.

E1 This class applies to instruments used in locations with electromagnetic disturbances corresponding to those likely to be found in residential, commercial and light industrial buildings.

E2 This class applies to instruments used in locations with electromagnetic disturbances corresponding to those likely to be found in other industrial buildings.

E3 This class applies to instruments supplied by the battery of a vehicle. Such instruments shall comply with the requirements of E2 and the following additional requirements:

— voltage reductions caused by energising the starter-motor circuits of internal combustion engines

— load dump transients occurring in the event of a discharged battery being disconnected while the engine is running.

(b) The following influence quantities shall be considered in relation with electromagnetic environments:

— Voltage interruptions,

— Short voltage reductions,

— Voltage transients on supply lines and/or signal lines,

— Electrostatic discharges,

— Radio frequency electromagnetic fields,

— Conducted radio frequency electromagnetic fields on supply lines and/or signal lines,

— Surges on supply lines and/or signal lines.

1.3.4. Other influence quantities to be considered, where appropriate, are:

— Voltage variation,

— Mains frequency variation,

— Power frequency magnetic fields,

— any other quantity likely to influence in a significant way the accuracy of the instrument.

1.4. When carrying out the tests as envisaged in this Directive, the following paragraphs apply:

1.4.1. Basic rules for testing and the determination of errors

Essential requirements specified in 1.1 and 1.2 shall be verified for each relevant influence quantity. Unless otherwise specified in the appropriate instrument-specific annex, these essential requirements apply when each influence quantity is applied and its effect evaluated separately, all other influence quantities being kept relatively constant at their reference value.

Metrological tests shall be carried out during or after the application of the influence quantity, whichever condition corresponds to the normal operational status of the instrument when that influence quantity is likely to occur.

1.4.2. Ambient humidity

— According to the climatic operating environment in which the instrument is intended to be used either the damp heat-steady state (non-condensing) or damp heat cyclic (condensing) test may be appropriate.

— The damp heat cyclic test is appropriate where condensation is important or when penetration of vapour will be accelerated by the effect of breathing. In conditions where non-condensing humidity is a factor the damp-heat steady state is appropriate.

2. Reproducibility

The application of the same measurand in a different location or by a different user, all other conditions being the same, shall result in the close agreement of successive measurements. The difference between the measurement results shall be small when compared with the MPE.

3. Repeatability

The application of the same measurand under the same conditions of measurement shall result in the close agreement of successive measurements. The difference between the measurement results shall be small when compared with the MPE.

4. Discrimination and Sensitivity

A measuring instrument shall be sufficiently sensitive and the discrimination threshold shall be sufficiently low for the intended measurement task.

5. Durability

A measuring instrument shall be designed to maintain an adequate stability of its metrological characteristics over a period of time estimated by the manufacturer, provided that it is properly installed, maintained and used according to the manufacturer's instruction when in the environmental conditions for which it is intended.

6. Reliability

A measuring instrument shall be designed to reduce as far as possible the effect of a defect that would lead to an inaccurate measurement result, unless the presence of such a defect is obvious.

7. Suitability

7.1. A measuring instrument shall have no feature likely to facilitate fraudulent use, whereas possibilities for unintentional misuse shall be minimal.

7.2. A measuring instrument shall be suitable for its intended use taking account of the practical working conditions and shall not require unreasonable demands of the user in order to obtain a correct measurement result.

7.3. The errors of a utility measuring instrument at flows or currents outside the controlled range shall not be unduly biased.

7.4. Where a measuring instrument is designed for the measurement of values of the measurand that are constant over time, the measuring instrument shall be insensitive to small fluctuations of the value of the measurand, or shall take appropriate action.

7.5. A measuring instrument shall be robust and its materials of construction shall be suitable for the conditions in which it is intended to be used.

7.6. A measuring instrument shall be designed so as to allow the control of the measuring tasks after the instrument has been placed on the market and put into use. If necessary, special equipment or software for this control shall be part of the instrument. The test procedure shall be described in the operation manual.

When a measuring instrument has associated software which provides other functions besides the measuring function, the software that is critical for the metrological characteristics shall be identifiable and shall not be inadmissibly influenced by the associated software.

8. Protection against corruption

8.1. The metrological characteristics of a measuring instrument shall not be influenced in any inadmissible way by the connection to it of another device, by any feature of the connected device itself or by any remote device that communicates with the measuring instrument.

8.2. A hardware component that is critical for metrological characteristics shall be designed so that it can be secured. Security measures foreseen shall provide for evidence of an intervention.

8.3. Software that is critical for metrological characteristics shall be identified as such and shall be secured.

Software identification shall be easily provided by the measuring instrument.

Evidence of an intervention shall be available for a reasonable period of time.

8.4. Measurement data, software that is critical for measurement characteristics and metrologically important parameters stored or transmitted shall be adequately protected against accidental or intentional corruption.

8.5. For utility measuring instruments the display of the total quantity supplied or the displays from which the total quantity supplied can be derived, whole or partial reference to which is the basis for payment, shall not be able to be reset during use.

9. Information to be borne by and to accompany the instrument

9.1. A measuring instrument shall bear the following inscriptions:

— manufacturer's mark or name;

— information in respect of its accuracy,

plus, when applicable:

— information in respect of the conditions of use;

— measuring capacity;

— measuring range;

— identity marking;

— number of the EC-type examination certificate or the EC design examination certificate;

— information whether or not additional devices providing metrological results comply with the provisions of this Directive on legal metrological control.

9.2. An instrument of dimensions too small or of too sensitive a composition to allow it to bear the relevant information shall have its packaging, if any, and the accompanying documents required by the provisions of this Directive suitably marked.

9.3. The instrument shall be accompanied by information on its operation, unless the simplicity of the measuring instrument makes this unnecessary. Information shall be easily understandable and shall include where relevant:

— rated operating conditions;

— mechanical and electromagnetic environment classes;

— the upper and lower temperature limit, whether condensation is possible or not, open or closed location;

— instructions for installation, maintenance, repairs, permissible adjustments;

— instructions for correct operation and any special conditions of use;

— conditions for compatibility with interfaces, sub-assemblies or measuring instruments.

9.4. Groups of identical measuring instruments used in the same location or used for utility measurements do not necessarily require individual instruction manuals.

9.5. Unless specified otherwise in an instrument-specific annex, the scale interval for a measured value shall be in the form 1×10^n, 2×10^n, or 5×10^n, where n is any integer or zero. The unit of measurement or its symbol shall be shown close to the numerical value.

9.6. A material measure shall be marked with a nominal value or a scale, accompanied by the unit of measurement used.

9.7. The units of measurement used and their symbols shall be in accordance with the provisions of Community legislation on units of measurement and their symbols.

9.8. All marks and inscriptions required under any requirement shall be clear, non-erasable, unambiguous and non-transferable.

10. Indication of result

10.1. Indication of the result shall be by means of a display or hard copy.

10.2. The indication of any result shall be clear and unambiguous and accompanied by such marks and inscriptions necessary to inform the user of the significance of the result. Easy reading of the presented result shall be permitted under normal conditions of use. Additional indications may be shown provided they cannot be confused with the metrologically controlled indications.

10.3. In the case of hard copy the print or record shall also be easily legible and non-erasable.

10.4. A measuring instrument for direct sales trading transactions shall be designed to present the measurement result to both parties in the transaction when installed as intended. When critical in case of direct sales, any ticket provided to the consumer by an ancillary device not complying with the appropriate requirements of this Directive shall bear an appropriate restrictive information.

10.5. Whether or not a measuring instrument intended for utility measurement purposes can be remotely read it shall in any case be fitted with a metrologically controlled display accessible without tools to the consumer. The reading of this display is the measurement result that serves as the basis for the price to pay.

11. Further processing of data to conclude the trading transaction

11.1. A measuring instrument other than a utility measuring instrument shall record by a durable means the measurement result accompanied by information to identify the particular transaction, when:

— the measurement is non-repeatable and;

— the measuring instrument is normally intended for use in the absence of one of the trading parties;

11.2. Additionally, a durable proof of the measurement result and the information to identify the transaction shall be available on request at the time the measurement is concluded.

12. Conformity evaluation

A measuring instrument shall be designed so as to allow ready evaluation of its conformity with the appropriate requirements of this Directive.

ANNEX A

DECLARATION OF CONFORMITY BASED ON INTERNAL PRODUCTION CONTROL

1. The 'declaration of conformity based on internal production control' is the conformity assessment procedure whereby the manufacturer fulfils the obligations laid down in this Annex and ensures and declares that the measuring instruments concerned satisfy the appropriate requirements of this Directive.

Technical documentation

2. The manufacturer shall establish the technical documentation as described in Article 10. The documentation shall enable assessment of the conformity of the instrument with the appropriate requirements of this Directive. It shall, as far as relevant for such assessment, cover the design, manufacture and operation of the instrument.

3. The manufacturer shall keep the technical documentation at the disposal of the national authorities for ten years after the last instrument has been manufactured.

Manufacturing

4. The manufacturer shall take all measures necessary to ensure conformity of the manufactured instruments with the appropriate requirements of this Directive.

Written declaration of conformity

5.1. The manufacturer shall affix the 'CE' marking and the supplementary metrology marking to each measuring instrument that satisfies the appropriate requirements of this Directive.

5.2. A declaration of conformity is drawn up for an instrument model and shall be kept at the disposal of the national authorities for ten years after the last instrument has been manufactured. It shall identify the instrument for which it was drawn up.

A copy of the declaration shall be supplied with each measuring instrument that is placed on the market. However, this requirement may be interpreted as applying to a batch or consignment rather than individual instruments in those cases where a large number of instruments is delivered to a single user.

Authorised representative

6. The manufacturer's obligations contained in paragraphs 3 and 5.2 may be fulfilled, on his behalf and under his responsibility, by his authorised representative.

Where the manufacturer is not established within the Community and where he does not have an authorised representative, the obligations contained in paragraphs 3 and 5.2 shall be the responsibility of the person who places the instrument on the market.

ANNEX A1

DECLARATION OF CONFORMITY BASED ON INTERNAL PRODUCTION CONTROL PLUS PRODUCT TESTING BY A NOTIFIED BODY

1. 'Declaration of conformity based on internal production control plus product testing by a notified body' is the conformity assessment procedure whereby the manufacturer fulfils the obligations laid down in this Annex, and ensures and declares that the measuring instruments concerned satisfy the appropriate requirements of this Directive.

Technical documentation

2. The manufacturer shall establish the technical documentation as described in Article 10. The documentation shall enable assessment of the conformity of the instrument with the appropriate requirements of this Directive. It shall, as far as relevant for such assessment, cover the design, manufacture and operation of the instrument.

3. The manufacturer shall keep the technical documentation at the disposal of the national authorities for ten years after the last instrument has been manufactured.

Manufacturing

4. The manufacturer shall take all measures necessary to ensure conformity of the manufactured instruments with the appropriate requirements of this Directive.

Product checks

5. A notified body, chosen by the manufacturer, shall carry out product checks or have them carried out in appropriate intervals determined by it, in order to verify the quality of the internal checks of the product, taking into account inter alia the technological complexity of the instruments and the quantity of production. An adequate sample of the final products, taken by the notified body before the placing on the market, shall be examined and appropriate tests as identified by the relevant document(s) referred to in Article 13, or equivalent tests, shall be carried out to check the conformity of the instruments with the appropriate requirements of this Directive.

   In the absence of a relevant document, the notified body concerned shall decide on the appropriate tests to be carried out.

   In those cases where a relevant number of instruments in the sample do not conform to an acceptable quality level, the notified body shall take appropriate measures.

Written declaration of conformity

6.1. The manufacturer shall affix the 'CE' marking, the supplementary metrology marking and, under the responsibility of the notified body referred to in paragraph 5, the latter's identification number to each measuring instrument that satisfies the appropriate requirements of this Directive.

6.2. A declaration of conformity is drawn up for each instrument model and shall be kept at the disposal of the national authorities for ten years after the last instrument has been manufactured. It shall identify the model of the instrument for which it was drawn up.

A copy of the declaration shall be supplied with each measuring instrument that is placed on the market. However, this requirement may be interpreted as applying to a batch or consignment rather than individual instruments in those cases where a large number of instruments is delivered to a single user.

Authorised representative

7. The manufacturer's obligations contained in paragraphs 3 and 6.2 may be fulfilled, on his behalf and under his responsibility, by his authorised representative.

Where the manufacturer is not established within the Community and where he does not have an authorised representative, the obligations contained in paragraphs 3 and 6.2 shall be the responsibility of the person who places the instrument on the market.

ANNEX B

TYPE EXAMINATION

1. 'Type examination' is the part of a conformity assessment procedure whereby a notified body examines the technical design of a measuring instrument and ensures and declares that the technical design meets the appropriate requirements of this Directive.

2. Type examination may be carried out in either of the following manners. The notified body decides on the appropriate manner and the specimens required:

a) examination of a specimen, representative of the production envisaged, of the complete measuring instrument;

b) examination of specimens, representative of the production envisaged, of one or more critical parts of the measuring instrument, plus assessment of the adequacy of the technical design of the other parts of the measuring instrument through examination of the technical documentation and supporting evidence referred to in paragraph 3;

c) assessment of the adequacy of the technical design of the measuring instrument through examination of the technical documentation and supporting evidence referred to in paragraph 3, without examination of a specimen.

3. The application for type examination shall be lodged by the manufacturer with a notified body of his choice.

The application shall include:

— the name and address of the manufacturer and, if the application is lodged by the authorised representative, his name and address in addition;

— a written declaration that the same application has not been lodged with any other notified body;

— the technical documentation as described in Article 10. The documentation shall enable assessment of the conformity of the instrument with the appropriate requirements of this Directive. It shall, as far as relevant for such assessment, cover the design, manufacture and operation of the instrument;

— the specimens, representative of the production envisaged, as required by the notified body;

— the supporting evidence for the adequacy of the technical design of those parts of the measuring instrument for which no specimens are required. This supporting evidence shall mention any relevant documents that have been applied, in particular where the relevant documents referred to in Article 13 have not been applied in full, and shall include, where necessary, the results of tests carried out by the appropriate laboratory of the manufacturer, or by another testing laboratory on his behalf and under his responsibility.

4. The notified body shall:

For the specimens:

4.1. examine the technical documentation, verify that the specimens have been manufactured in conformity with it and identify the elements which have been designed in accordance with the relevant provisions of the relevant documents referred to in Article 13, as well as the elements which have been designed without applying the relevant provisions of those documents;

4.2. carry out the appropriate examinations and tests, or have them carried out, to check whether, where the manufacturer has chosen to apply the solutions in the relevant documents referred to in Article 13, these have been applied correctly;

4.3. carry out the appropriate examinations and tests, or have them carried out, to check whether, where the manufacturer has chosen not to apply the solutions in the relevant documents referred to in Article 13, the solutions adopted by the manufacturer meet the corresponding essential requirements of this Directive;

4.4. agree with the applicant on the location where the examinations and tests shall be carried out.

For the other parts of the measuring instrument:

4.5. examine the technical documentation and supporting evidence to assess the adequacy of the technical design of the other parts of the measuring instrument.

For the manufacturing process:

4.6. examine the technical documentation to assure that the manufacturer has adequate means to ensure consistent production.

5.1. The notified body shall draw up an evaluation report that records the activities as undertaken in accordance with paragraph 4 and their outcomes. Without prejudice to Article 12(8), the notified body shall release the content of this report, in full or in part, only with the agreement of the manufacturer.

5.2. Where the technical design meets the requirements of this Directive that apply to the measuring instrument, the notified body shall issue an EC-type examination certificate to the manufacturer. The certificate shall contain the name and address of the manufacturer and, if appropriate, of his authorised representative, conclusions of the examination, conditions (if any) for its validity and the necessary data for identification of the instrument. The certificate may have one or more annexes attached.

The certificate and its annexes shall contain all relevant information for conformity evaluation and in-service control. In particular, to allow the conformity of manufactured instruments to be evaluated

with the examined type regarding the reproducibility of their metrological performances, when they are properly adjusted using appropriate means, content shall include:

— the metrological characteristics of the type of instrument;

— measures required for ensuring the integrity of the instrument (sealing, identification of software, etc.);

— information on other elements necessary for the identification of the instrument and to check their visual external conformity to type;

— if appropriate, any specific information necessary to verify the characteristics of manufactured instruments;

— in the case of a sub-assembly, all necessary information to ensure the compatibility with other sub-assemblies or measuring instruments.

The certificate shall have a validity of ten years from the date of its issue, and may be renewed for subsequent periods of ten years each.

5.3. The notified body shall establish an evaluation report in this regard and keep it at the disposal of the Member State that designated it.

6. The manufacturer shall inform the notified body that holds the technical documentation concerning the EC-type examination certificate of all modifications to the instrument that may affect the conformity of the instrument with the essential requirements or the conditions for validity of the certificate. Such modifications require additional approval in the form of an addition to the original EC-type examination certificate.

7. Each notified body shall immediately inform the Member State that designated it about:

— EC-type examination certificates and annexes issued;

— additions and amendments relating to certificates already issued.

Each notified body shall immediately inform the Member State that designated it of the withdrawal of an EC-type examination certificate.

The notified body shall hold the technical file including the documentation submitted by the manufacturer for a period up to the end of the validity of the certificate.

8. The manufacturer shall keep a copy of the EC-type examination certificate, its annexes and additions with the technical documentation for 10 years after the last measuring instrument has been manufactured.

9. The manufacturer's authorised representative may lodge the application referred to in paragraph 3 and carry out the obligations mentioned in paragraphs 6 and 8. Where the manufacturer is not established within the Communities and where he does not have an authorised representative, the obligation to make the technical documentation available on request shall be the responsibility of the person designated by the manufacturer.

ANNEX C

DECLARATION OF CONFORMITY TO TYPE BASED ON INTERNAL PRODUCTION CONTROL

1. 'Declaration of conformity to type based on internal production control' is the part of a conformity assessment procedure whereby the manufacturer fulfils the obligations laid down in this Annex and ensures and declares that the measuring instruments concerned are in conformity with the type as described in the EC-type examination certificate and satisfy the appropriate requirements of this Directive.

Manufacturing

2. The manufacturer shall take all measures necessary to ensure conformity of the manufactured instruments with the type as described in the EC-type examination certificate and with the appropriate requirements of this Directive.

Written declaration of conformity

3.1. The manufacturer shall affix the 'CE' marking and the supplementary metrology marking to each measuring instrument that is in conformity with the type as described in the EC-type examination certificate and satisfies the appropriate requirements of this Directive.

3.2. A declaration of conformity is drawn up for each instrument model and shall be kept at the disposal of the national authorities for 10 years after the last instrument has been manufactured. It shall identify the instrument model for which it was drawn up.

A copy of the declaration shall be supplied with each measuring instrument that is placed on the market. However, this requirement may be interpreted as applying to a batch or consignment rather than individual instruments in those cases where a large number of instruments is delivered to a single user.

Authorised representative

4. The manufacturer's obligations contained in paragraph 3.2 may be fulfilled, on his behalf and under his responsibility, by his authorised representative.

Where the manufacturer is not established within the Community and where he does not have an authorised representative, the obligation mentioned in paragraph 3.2 shall be the responsibility of the person who places the instrument on the market.

ANNEX C1

DECLARATION OF CONFORMITY TO TYPE BASED ON INTERNAL PRODUCTION CONTROL PLUS PRODUCT TESTING BY A NOTIFIED BODY

1. 'Declaration of conformity to type based on internal production control plus product testing by a notified body' is the part of a conformity assessment procedure whereby the manufacturer fulfils the obligations laid down in this Annex and ensures and declares that the measuring instruments concerned are in conformity with the type as described in the EC-type examination certificate and satisfy the appropriate requirements of this Directive.

Manufacturing

2. The manufacturer shall take all measures necessary to ensure conformity of the manufactured instruments with the type as described in the EC-type examination certificate and with the appropriate requirements of this Directive.

Product checks

3. A notified body, chosen by the manufacturer, shall carry out product checks or have them carried out in appropriate intervals determined by it, in order to verify the quality of the internal checks of the product, taking into account inter alia the technological complexity of the instruments and the quantity of production. An adequate sample of the final products, taken by the notified body before the placing on the market, shall be examined and appropriate tests, as identified by the relevant documents referred to in Article 13, or equivalent tests, shall be carried out to check the conformity of the product with the type as described in the EC-type examination certificate and the appropriate requirements of the Directive. In the absence of a relevant document, the notified body concerned shall decide on the appropriate tests to be carried out.

   In those cases where a relevant number of instruments in the sample do not conform to an acceptable quality level, the notified body shall take appropriate measures.

Written declaration of conformity

4.1. The manufacturer shall affix the 'CE' marking, the supplementary metrology marking and, under the responsibility of the notified body referred to in paragraph 3, the latter's identification number, to each measuring instrument that is in conformity with the type as described in the EC-type examination certificate and satisfies the appropriate requirements of this Directive.

4.2. A declaration of conformity is drawn up for each instrument model and shall be kept at the disposal of the national authorities for 10 years after the last instrument has been manufactured. It shall identify the model of the instrument for which it was drawn up.

   A copy of the declaration shall be supplied with each measuring instrument that is placed on the market. However, this requirement may be interpreted as applying to a batch or consignment rather than individual instruments in those cases where a large number of instruments is delivered to a single user.

Authorised representative

5. The manufacturer's obligations contained in paragraph 4.2 may be fulfilled, on his behalf and under his responsibility, by his authorised representative.

   Where the manufacturer is not established within the Community and where he does not have an authorised representative, the obligations mentioned in paragraph 4.2 shall be the responsibility of the person who places the instrument on the market.

ANNEX D

DECLARATION OF CONFORMITY TO TYPE BASED ON QUALITY ASSURANCE OF THE PRODUCTION PROCESS

1. 'Declaration of conformity to type based on quality assurance of the production process' is the part of a conformity assessment procedure whereby the manufacturer fulfils the obligations laid down in this Annex and ensures and declares that the measuring instruments concerned are in conformity with the type as described in the EC-type examination certificate and satisfy the appropriate requirements of this Directive.

Manufacturing

2. The manufacturer shall operate an approved quality system for production, final product inspection and testing of the measuring instrument concerned as specified in paragraph 3 and shall be subject to surveillance as specified in paragraph 4.

Quality system

3.1. The manufacturer shall lodge an application for assessment of the quality system with a notified body of his choice.

The application shall include:

— all relevant information for the instrument category envisaged;

— the documentation concerning the quality system;

— the technical documentation of the approved type and a copy of the EC-type examination certificate.

3.2. The quality system shall ensure compliance of the instruments with the type as described in the EC-type examination certificate and the appropriate requirements of this Directive.

All the elements, requirements and provisions adopted by the manufacturer shall be documented in a systematic and orderly manner in the form of written policies, procedures and instructions. This quality system documentation must permit a consistent interpretation of the quality programmes, plans, manuals and records.

It shall contain in particular an adequate description of:

— the quality objectives and the organisational structure, responsibilities and powers of the management with regard to product quality;

— the manufacturing, quality control and quality assurance techniques, processes and systematic actions that will be used;

— the examinations and tests that will be carried out before, during, and after manufacture, and the frequency with which they will be carried out;

— the quality records, such as inspection reports and test data, calibration data, qualification reports of the personnel concerned, etc;

— the means to monitor the achievement of the required product quality and the effective operation of the quality system.

3.3. The notified body shall assess the quality system to determine whether it satisfies the requirements referred to in paragraph 3.2. It shall presume conformity with these requirements in respect of a quality system that complies with the corresponding specifications of the national standard that implements the relevant harmonised standard, from the moment its references have been published.

In addition to experience in quality management systems, the auditing team shall possess appropriate experience in the relevant field of metrology and instrument technology, and knowledge of the applicable requirements of this Directive. The evaluation procedure shall include an inspection visit to the manufacturer's premises.

The decision shall be notified to the manufacturer. The notification shall contain the conclusions of the examination and the reasoned assessment decision.

3.4. The manufacturer shall undertake to fulfil the obligations arising out of the quality system as approved and to maintain it so that it remains adequate and efficient.

3.5. The manufacturer shall keep the notified body that has approved the quality system informed of any intended change of the quality system.

The notified body shall evaluate the modifications proposed and decide whether the changed quality system will still satisfy the requirements referred to in paragraph 3.2 or whether a re-assessment is required.

It shall notify its decision to the manufacturer. The notification shall contain the conclusions of the examination and the reasoned assessment decision.

Surveillance under the responsibility of the notified body

4.1. The purpose of surveillance is to make sure that the manufacturer fulfils the obligations arising out of the approved quality system.

4.2. The manufacturer shall allow the notified body entrance for inspection purposes to the locations of manufacture, inspection, testing and storage, and shall provide it with all necessary information, in particular:

— the quality system documentation;

— the quality records, such as inspection reports and test data, calibration data, qualification reports of the personnel concerned, etc.

4.3. The notified body shall carry out periodic audits to make sure that the manufacturer maintains and applies the quality system and shall provide an audit report to the manufacturer.

4.4. Additionally, the notified body may pay unexpected visits to the manufacturer. During such visits the notified body may, if necessary, carry out product tests, or have them carried out, to verify that the quality system is functioning correctly. It shall provide the manufacturer with a visit report and, if tests have been carried out, with a test report.

Written declaration of conformity

5.1. The manufacturer shall affix the 'CE' marking, the supplementary metrology marking and, under the responsibility of the notified body referred to in paragraph 3.1, the latter's identification number to each measuring instrument that is in conformity with the type as described in the EC-type examination certificate and satisfies the appropriate requirements of this Directive.

5.2. A declaration of conformity is drawn up for each instrument model and shall be kept at the disposal of the national authorities for 10 years after the last instrument has been manufactured. It shall identify the model of the instrument for which it was drawn up.

A copy of the declaration shall be supplied with each measuring instrument that is placed on the market. However, this requirement may be interpreted as applying to a batch or consignment rather than individual instruments in those cases where a large number of instruments is delivered to a single user.

6. The manufacturer shall, for 10 years after the last instrument has been manufactured, keep at the disposal of the national authorities:

— the documentation referred to in paragraph 3.1, second indent;

— the change referred to in paragraph 3.5, as approved;

— the decisions and reports from the notified body referred to in paragraphs 3.5, 4.3 and 4.4.

7. Each notified body shall periodically make available to the Member State that designated it the list of quality system approvals issued or refused, and shall immediately inform the Member State that designated it of the withdrawal of a quality system approval.

Authorised representative

8. The manufacturer's obligations contained in paragraphs 3.1, 3.5, 5.2 and 6 may be fulfilled, on his behalf and under his responsibility, by his authorised representative.

ANNEX D1

DECLARATION OF CONFORMITY BASED ON QUALITY ASSURANCE OF THE PRODUCTION PROCESS

1. 'Declaration of conformity based on quality assurance of the production process' is the conformity assessment procedure whereby the manufacturer fulfils the obligations laid down in this Annex and ensures and declares that the measuring instruments concerned satisfy the appropriate requirements of this Directive.

Technical documentation

2. The manufacturer shall establish the technical documentation as described in Article 10. The documentation shall enable assessment of the conformity of the instrument with the appropriate requirements of this Directive. It shall, as far as relevant for such assessment, cover the design and operation of the instrument.

3. The manufacturer shall keep the technical documentation at the disposal of the national authorities for 10 years after the last instrument has been manufactured.

Manufacturing

4. The manufacturer shall operate an approved quality system for production, final product inspection and testing of the measuring instrument concerned as specified in paragraph 5 and shall be subject to surveillance as specified in paragraph 6.

Quality system

5.1. The manufacturer shall lodge an application for assessment of the quality system with a notified body of his choice.

The application shall include:

— all relevant information for the instrument category envisaged;

— the documentation concerning the quality system;

— the technical documentation referred to in paragraph 2.

5.2. The quality system shall ensure compliance of the instruments with the appropriate requirements of this Directive.

All the elements, requirements and provisions adopted by the manufacturer shall be documented in a systematic and orderly manner in the form of written policies, procedures and instructions. This quality system documentation must permit a consistent interpretation of the quality programmes, plans, manuals and records.

It shall contain, in particular, an adequate description of:

— the quality objectives and the organisational structure, responsibilities and powers of the management with regard to product quality;

— the manufacturing, quality control and quality assurance techniques, processes and systematic actions that will be used;

— the examinations and tests that will be carried out before, during, and after manufacture, and the frequency with which they will be carried out;

— the quality records, such as inspection reports and test data, calibration data, qualification reports of the personnel concerned, etc.;

— the means to monitor the achievement of the required product quality and the effective operation of the quality system.

5.3. The notified body shall assess the quality system to determine whether it satisfies the requirements referred to in paragraph 5.2. It shall presume conformity with these requirements in respect of a quality system that complies with the corresponding specifications of the national standard that implements the relevant harmonised standard, from the moment its references have been published.

In addition to experience in quality management systems, the auditing team shall possess appropriate experience in the relevant field of metrology and instrument technology, and knowledge of the applicable requirements of this Directive. The evaluation procedure shall include an inspection visit to the manufacturer's premises.

The decision shall be notified to the manufacturer. The notification shall contain the conclusions of the examination and the reasoned assessment decision.

5.4. The manufacturer shall undertake to fulfil the obligations arising out of the quality system as approved and to maintain it so that it remains adequate and efficient.

5.5. The manufacturer shall keep the notified body that has approved the quality system periodically informed of any intended change of the quality system.

The notified body shall evaluate the changes proposed and decide whether the changed quality system will still satisfy the requirements referred to in paragraph 5.2 or whether a re-assessment is required.

It shall notify its decision to the manufacturer. The notification shall contain the conclusions of the examination and the reasoned assessment decision.

Surveillance under the responsibility of the notified body

6.1. The purpose of surveillance is to make sure that the manufacturer fulfils the obligations arising out of the approved quality system.

6.2. The manufacturer shall allow the notified body entrance for inspection purposes to the locations of manufacture, inspection, testing and storage, and shall provide it with all necessary information, in particular:

— the quality system documentation;

— the technical documentation referred to in paragraph 2;

— the quality records, such as inspection reports and test data, calibration data, qualification reports of the personnel concerned, etc.

6.3. The notified body shall carry out periodic audits to make sure that the manufacturer maintains and applies the quality system and shall provide an audit report to the manufacturer.

6.4. Additionally, the notified body may pay unexpected visits to the manufacturer. During such visits the notified body may, if necessary, carry out product tests, or have them carried out, to verify that the quality system is functioning correctly. It shall provide the manufacturer with a visit report and, if tests have been carried out, with a test report.

Written declaration of conformity

7.1. The manufacturer shall affix the 'CE' marking, the supplementary metrology marking and, under the responsibility of the notified body referred to in paragraph 5.1, the latter's identification number to each measuring instrument that satisfies the appropriate requirements of this Directive.

7.2. A declaration of conformity is drawn up for each instrument model and shall be kept at the disposal of the national authorities for 10 years after the last instrument has been manufactured. It shall identify the model of the instrument for which it was drawn up.

A copy of the declaration shall be supplied with each measuring instrument that is placed on the market. However, this requirement may be interpreted as applying to a batch or consignment rather than individual instruments in those cases where a large number of instruments is delivered to a single user.

8. The manufacturer shall, for 10 years after the last instrument has been manufactured, keep at the disposal of the national authorities:

— the documentation referred to in paragraph 5.1, second indent;

— the change referred to in paragraph 5.5, as approved;

— the decisions and reports from the notified body referred to in paragraphs 5.5, 6.3 and 6.4.

9. Each notified body shall periodically make available to the Member State that designated it the list of quality system approvals issued or refused, and shall immediately inform the Member State that designated it of the withdrawal of a quality system approval.

Authorised representative

10. The manufacturer's obligations contained in paragraphs 3, 5.1, 5.5, 7.2 and 8 may be fulfilled, on his behalf and under his responsibility, by his authorised representative.

ANNEX E

DECLARATION OF CONFORMITY TO TYPE BASED ON QUALITY ASSURANCE OF FINAL PRODUCT INSPECTION AND TESTING

1. 'Declaration of conformity to type based on quality assurance of final product inspection and testing' is the part of a conformity assessment procedure whereby the manufacturer fulfils the obligations laid down in this Annex and ensures and declares that the measuring instruments concerned are in conformity with the type as described in the EC-type examination certificate and satisfy the appropriate requirements of this Directive.

Manufacturing

2. The manufacturer shall operate an approved quality system as specified in paragraph 3 for final product inspection and testing of the measuring instrument concerned and shall be subject to surveillance, as specified in paragraph 4.

Quality system

3.1. The manufacturer shall lodge an application for assessment of the quality system with a notified body of his choice.

The application shall include:

— all relevant information for the instrument category envisaged;

— the documentation concerning the quality system;

— the technical documentation of the approved type and a copy of the EC-type examination certificate.

3.2. The quality system shall ensure compliance of the instruments with the type as described in the EC-type examination certificate and the appropriate requirements of this Directive.

All the elements, requirements and provisions adopted by the manufacturer shall be documented in a systematic and orderly manner in the form of written policies, procedures and instructions. This quality system documentation must permit a consistent interpretation of the quality programmes, plans, manuals and records.

It shall contain in particular an adequate description of:

— the quality objectives and the organisational structure, responsibilities and powers of the management with regard to product quality;

— the examinations and tests that will be carried out after manufacture;

— the quality records, such as inspection reports and test data, calibration data, qualification reports of the personnel concerned, etc.;

— the means to monitor the effective operation of the quality system.

3.3. The notified body shall assess the quality system to determine whether it satisfies the requirements referred to in paragraph 3.2. It shall presume conformity with these requirements in respect of a quality system that complies with the corresponding specifications of the national standard that implements the relevant harmonised standard, from the moment its references have been published.

In addition to experience in quality management systems, the auditing team shall possess appropriate experience in the relevant field of metrology and instrument technology, and knowledge of the applicable requirements of this Directive. The evaluation procedure shall include an inspection visit to the manufacturer's premises.

The decision shall be notified to the manufacturer. The notification shall contain the conclusions of the examination and the reasoned assessment decision.

3.4. The manufacturer shall undertake to fulfil the obligations arising out of the quality system as approved and to maintain it so that it remains adequate and efficient.

3.5. The manufacturer shall keep the notified body that has approved the quality system informed of any intended change of the quality system.

The notified body shall evaluate the changes proposed and decide whether the changed quality system will still satisfy the requirements referred to in paragraph 3.2 or whether a re-assessment is required.

It shall notify its decision to the manufacturer. The notification shall contain the conclusions of the examination and the reasoned assessment decision.

Surveillance under the responsibility of the notified body

4.1. The purpose of surveillance is to make sure that the manufacturer fulfils the obligations arising out of the approved quality system.

4.2. The manufacturer shall allow the notified body entrance for inspection purposes to the locations of inspection, testing and storage, and shall provide it with all necessary information, in particular:

— the quality system documentation;

— the quality records, such as inspection reports and test data, calibration data, qualification reports of the personnel concerned, etc.

4.3. The notified body shall carry out periodic audits to make sure that the manufacturer maintains and applies the quality system and shall provide an audit report to the manufacturer.

4.4. Additionally, the notified body may pay unexpected visits to the manufacturer. During such visits the notified body may, if necessary, carry out product tests, or have them carried out, to verify that the quality system is functioning correctly. It shall provide the manufacturer with a visit report and, if tests have been carried out, with a test report.

Written declaration of conformity

5.1. The manufacturer shall affix the 'CE' marking, the supplementary metrology marking and, under the responsibility of the notified body referred to in paragraph 3.1, the latter's identification number to each measuring instrument that is in conformity with the type as described in the EC-type examination certificate and satisfies the appropriate requirements of this Directive.

5.2. A declaration of conformity is drawn up for each instrument model and shall be kept at the disposal of the national authorities for 10 years after the last instrument has been manufactured. It shall identify the instrument model for which it was drawn up. A copy of the declaration shall be supplied with each measuring instrument that is placed on the market. However, this requirement may be interpreted as applying to a batch or consignment rather than individual instruments in those cases where a large number of instruments is delivered to a single user.

6. The manufacturer shall, for 10 years after the last instrument has been manufactured, keep at the disposal of the national authorities:

— the documentation referred to in the second indent of paragraph 3.1;

— the change referred to in the second subparagraph of paragraph 3.5, as approved;

— the decisions and reports from the notified body which are referred to in paragraph 3.5, final subparagraph, paragraph 4.3 and paragraph 4.4.

7. Each notified body shall periodically make available to the Member State that designated it the list of quality system approvals issued or refused, and shall immediately inform the Member State that designated it of the withdrawal of a quality system approval.

Authorised representative

8. The manufacturer's obligations contained in paragraphs 3.1, 3.5, 5.2 and 6 may be fulfilled, on his behalf and under his responsibility, by his authorised representative.

ANNEX E1

DECLARATION OF CONFORMITY BASED ON QUALITY ASSURANCE OF FINAL PRODUCT INSPECTION AND TESTING

1. 'Declaration of conformity based on quality assurance of final product inspection and testing' is the conformity assessment procedure whereby the manufacturer fulfils the obligations laid down in this Annex and ensures and declares that the measuring instruments concerned are in conformity with the appropriate requirements of this Directive.

Technical documentation

2. The manufacturer shall establish the technical documentation as described in Article 10. The documentation shall enable assessment of the conformity of the instrument with the appropriate requirements of this Directive. It shall, as far as relevant for such assessment, cover the design, manufacture and operation of the instrument.

3. The manufacturer shall keep the technical documentation at the disposal of the national authorities for 10 years after the last instrument has been manufactured.

Manufacturing

4. The manufacturer shall operate an approved quality system for final product inspection and testing of the measuring instrument concerned as specified in paragraph 5 and shall be subject to surveillance as specified in paragraph 6.

Quality system

5.1. The manufacturer shall lodge an application for assessment of the quality system with a notified body of his choice.

The application shall include:

— all relevant information for the instrument category envisaged;

— the documentation concerning the quality system;

— the technical documentation referred to in paragraph 2.

5.2. The quality system shall ensure compliance of the instruments with the appropriate requirements of this Directive.

All the elements, requirements and provisions adopted by the manufacturer shall be documented in a systematic and orderly manner in the form of written policies, procedures and instructions. This quality system documentation must permit a consistent interpretation of the quality programmes, plans, manuals and records.

This documentation shall contain in particular an adequate description of:

— the quality objectives and the organisational structure, responsibilities and powers of the management with regard to product quality;

— the examinations and tests that will be carried out after manufacture;

— the quality records, such as inspection reports and test data, calibration data, qualification reports of the personnel concerned, etc.;

— the means to monitor the effective operation of the quality system.

5.3. The notified body shall assess the quality system to determine whether it satisfies the requirements referred to in paragraph 5.2. It shall presume conformity with these requirements in respect of a quality system that complies with the corresponding specifications of the national standard that implements the relevant harmonised standard, from the moment its references have been published.

In addition to experience in quality management systems, the auditing team shall possess appropriate experience in the relevant field of metrology and instrument technology, and knowledge of the applicable requirements of this Directive. The evaluation procedure shall include an inspection visit to the manufacturer's premises.

The decision shall be notified to the manufacturer. The notification shall contain the conclusions of the examination and the reasoned assessment decision.

5.4. The manufacturer shall undertake to fulfil the obligations arising out of the quality system as approved and to maintain it so that it remains adequate and efficient.

5.5. The manufacturer shall keep the notified body that has approved the quality system informed of any intended change of the quality system.

The notified body shall evaluate the changes proposed and decide whether the changed quality system will still satisfy the requirements referred to in paragraph 5.2 or whether a re-assessment is required.

It shall notify its decision to the manufacturer. The notification shall contain the conclusions of the examination and the reasoned assessment decision.

Surveillance under the responsibility of the notified body

6.1. The purpose is to make sure that the manufacturer fulfils the obligations arising out of the approved quality system.

6.2. The manufacturer shall allow the notified body entrance for inspection purposes to the locations of inspection, testing and storage, and shall provide it with all necessary information, in particular:

— the quality system documentation;

— the technical documentation referred to in paragraph 2;

— the quality records, such as inspection reports and test data, calibration data, qualification reports of the personnel concerned, etc.

6.3. The notified body shall carry out periodic audits to make sure that the manufacturer maintains and applies the quality system and shall provide an audit report to the manufacturer.

6.4. Additionally, the notified body may pay unexpected visits to the manufacturer. During such visits the notified body may, if necessary, carry out product tests, or have them carried out, to verify that the quality system is functioning correctly. It shall provide the manufacturer with a visit report and, if tests have been carried out, with a test report.

Written declaration of conformity

7.1. The manufacturer shall affix the 'CE' marking, the supplementary metrology marking and, under the responsibility of the notified body referred to in paragraph 5.1, the latter's identification number to each measuring instrument that satisfies the appropriate requirements of this Directive.

7.2. A declaration of conformity is drawn up for each instrument model and shall be kept at the disposal of the national authorities for 10 years after the last instrument has been manufactured. It shall identify the model of the instrument for which it was drawn up.

A copy of the declaration shall be supplied with each measuring instrument that is placed on the market. However, this requirement may be interpreted as applying to a batch or consignment rather than individual instruments in those cases where a large number of instruments is delivered to a single user.

8. The manufacturer shall, for 10 years after the last instrument has been manufactured, keep at the disposal of the national authorities:

— the documentation referred to in paragraph 5.1, second indent;

— the change referred to in paragraph 5.5, as approved;

— the decisions and reports from the notified body referred to in paragraphs 5.5, 6.3 and 6.4.

9. Each notified body shall periodically make available to the Member State that designated it the list of quality system approvals issued or refused, and shall immediately inform the Member State that designated it of the withdrawal of a quality system approval.

Authorised representative

10. The manufacturer's obligations contained in paragraphs 3, 5.1, 5.5, 7.2 and 8 may be fulfilled, on his behalf and under his responsibility, by his authorised representative.

ANNEX F

DECLARATION OF CONFORMITY TO TYPE BASED ON PRODUCT VERIFICATION

1. 'Declaration of conformity to type based on product verification' is the part of a conformity assessment procedure whereby the manufacturer fulfils the obligations laid down in this Annex and ensures and declares that the measuring instruments that have been subjected to the provisions of paragraph 3 are in conformity with the type as described in the EC-type examination certificate and satisfy the appropriate requirements of this Directive.

Manufacturing

2. The manufacturer shall take all measures necessary to ensure conformity of the manufactured instruments with the approved type as described in the EC-type examination certificate and the appropriate requirements of this Directive.

Verification

3. A notified body chosen by the manufacturer shall carry out the appropriate examinations and tests, or have them carried out, to check the conformity of the instruments with the type as described in the EC-type examination certificate and the appropriate requirements of this Directive.

The examinations and tests to check the conformity with the metrological requirements will be carried out, at the choice of the manufacturer, either by examination and testing of every instrument as specified in paragraph 4, or by examination and testing of the instruments on a statistical basis as specified in paragraph 5.

4. Verification of conformity with the metrological requirements by examination and testing of every instrument.

4.1. All instruments shall be individually examined and appropriate tests as set out in the relevant documents referred to in Article 13, or equivalent tests, shall be carried out to verify their conformity with the metrological requirements that apply to them. In the absence of a relevant document, the notified body concerned shall decide on the appropriate tests to be carried out.

4.2. The notified body shall issue a certificate of conformity in respect of the examinations and tests carried out, and shall affix its identification number to each approved instrument or have it affixed under its responsibility.

The manufacturer shall keep the certificates of conformity available for inspection by the national authorities for 10 years after the certification of the instrument.

5. Statistical verification of conformity with the metrological requirements.

5.1. The manufacturer shall take all measures necessary in order that the manufacturing process ensures the homogeneity of each lot produced, and shall present his instruments for verification in the form of homogeneous lots.

5.2. A random sample shall be drawn from each lot according to the requirements of paragraph 5.3. All instruments in the sample shall be individually examined and appropriate tests as set out in the relevant documents referred to in Article 13, or equivalent tests, to establish their conformity with the metrological requirements that apply to them shall be carried out to determine whether the lot is accepted or rejected. In the absence of a relevant document, the notified body concerned shall decide on the appropriate tests to be carried out.

5.3. The statistical procedure shall meet the following requirements:

The statistical control will be based on attributes. The sampling system shall ensure:

— a level of quality corresponding to a probability of acceptance of 95 %, with a non-conformity of less than 1 %;

— a limit quality corresponding to a probability of acceptance of 5 %, with a non-conformity of less than 7 %.

5.4. If a lot is accepted, all instruments of the lot are approved, except for those instruments from the sample that were found not to satisfy the tests.

The notified body shall issue a certificate of conformity in respect of the examinations and tests carried out, and shall affix its identification number to each approved instrument or have it affixed under its responsibility.

The manufacturer shall keep the certificates of conformity available for inspection by the national authorities for 10 years after the certification of the instrument.

5.5. If a lot is rejected, the notified body shall take appropriate measures to prevent the placing on the market of that lot. In the event of frequent rejection of lots the notified body may suspend the statistical verification and take appropriate measures.

Written declaration of conformity

6.1. The manufacturer shall affix the 'CE' marking and the supplementary metrology marking to each measuring instrument that is in conformity with the approved type and satisfies the appropriate requirements of this Directive.

6.2. A declaration of conformity is drawn up for each instrument model and shall be kept at the disposal of the national authorities for 10 years after the last instrument has been manufactured. It shall identify the model of the instrument for which it was drawn up.

A copy of the declaration shall be supplied with each measuring instrument that is placed on the market. However, this requirement may be interpreted as applying to a batch or consignment rather than individual instruments in those cases where a large number of instruments is delivered to a single user.

If agreed upon by the notified body referred to in paragraph 3, the manufacturer shall also affix the notified body's identification number to the measuring instruments under the notified body's responsibility.

7. The manufacturer may, if agreed upon by the notified body and under its responsibility, affix the notified body's identification number to the measuring instruments during the manufacturing process.

Authorised representative

8. The manufacturer's obligations may be fulfilled, on his behalf and under his responsibility, by his authorised representative except for the obligations contained in paragraphs 2 and 5.1.

ANNEX F1

DECLARATION OF CONFORMITY BASED ON PRODUCT VERIFICATION

1. 'Declaration of conformity based on product verification' is the conformity assessment procedure whereby the manufacturer fulfils the obligations laid down in this Annex and ensures and declares that the measuring instruments that have been subjected to the provisions of paragraph 5 are in conformity with the appropriate requirements of this Directive.

Technical documentation

2. The manufacturer shall establish the technical documentation as described in Article 10. The documentation shall enable assessment of the conformity of the instrument with the appropriate requirements of this Directive. It shall, as far as relevant for such assessment, cover the design, manufacture and operation of the instrument.

3. The manufacturer shall keep the technical documentation at the disposal of the national authorities for 10 years after the last instrument has been manufactured.

Manufacturing

4. The manufacturer shall take all measures necessary to ensure conformity of the manufactured instruments with the appropriate requirements of this Directive.

Verification

5. A notified body chosen by the manufacturer shall carry out the appropriate examinations and tests, or have them carried out, to check the conformity of the instruments with the appropriate requirements of this Directive.

   The examinations and tests to check the conformity with the metrological requirements will be carried out, at the choice of the manufacturer, either by examination and testing of every instrument as specified in paragraph 6, or by examination and testing of the instruments on a statistical basis as specified in paragraph 7.

6. Verification of conformity with the metrological requirements by examination and testing of every instrument.

6.1. All instruments shall be individually examined and appropriate tests, as set out in the relevant documents referred to in Article 13, or equivalent tests, shall be carried out to verify their conformity with the metrological requirements that apply to them. In the absence of a relevant document, the notified body concerned shall decide on the appropriate tests to be carried out.

6.2. The notified body shall issue a certificate of conformity in respect of the examinations and tests carried out, and shall affix its identification number to each approved instrument or have it affixed under its responsibility.

   The manufacturer shall keep the certificates of conformity available for inspection by the national authorities for 10 years after the certification of the instrument.

7. Statistical verification of conformity with the metrological requirements.

7.1. The manufacturer shall take all measures necessary in order that the manufacturing process ensures the homogeneity of each lot produced, and shall present his instruments for verification in the form of homogeneous lots.

7.2. A random sample shall be drawn from each lot according to the requirements of paragraph 7.3. All instruments in the sample shall be individually examined and appropriate tests as set out in the relevant documents referred to in Article 13, or equivalent tests, to establish their conformity with the metrological requirements that apply to them, shall be carried out to determine whether the lot is accepted or rejected. In the absence of a relevant document, the notified body concerned shall decide on the appropriate tests to be carried out.

7.3. The statistical procedure shall meet the following requirements:

The statistical control will be based on attributes. The sampling system shall ensure:

— a level of quality corresponding to a probability of acceptance of 95 %, with a non-conformity of less than 1 %;

— a limit quality corresponding to a probability of acceptance of 5 %, with a non-conformity of less than 7 %.

7.4. If a lot is accepted all instruments of the lot are approved, except for those instruments from the sample that were found not to satisfy the tests.

The notified body shall issue a certificate of conformity in respect of the examinations and tests carried out, and shall affix its identification number to each approved instrument or have it affixed under its responsibility.

The manufacturer shall keep the certificates of conformity available for inspection by the national authorities for 10 years after the certification of the instrument.

7.5. If a lot is rejected, the notified body shall take appropriate measures to prevent the placing on the market of that lot. In the event of frequent rejection of lots the notified body may suspend the statistical verification and take appropriate measures.

Written declaration of conformity

8.1. The manufacturer shall affix the 'CE' marking and the supplementary metrology marking to each measuring instrument that satisfies the appropriate requirements of this Directive.

8.2. A declaration of conformity is drawn up for each instrument model and shall be kept at the disposal of the national authorities for 10 years after the last instrument has been manufactured. It shall identify the model of the instrument for which it was drawn up.

A copy of the declaration shall be supplied with each measuring instrument that is placed on the market. However, this requirement may be interpreted as applying to a batch or consignment rather than individual instruments in those cases where a large number of instruments is delivered to a single user.

If agreed upon by the notified body referred to in paragraph 5, the manufacturer shall also affix the notified body's identification number to the measuring instruments under the notified body's responsibility.

9. The manufacturer may, if agreed upon by the notified body and under its responsibility, affix the notified body's identification number to the measuring instruments during the manufacturing process.

Authorised representative

10. The manufacturer's obligations may be fulfilled, on his behalf and under his responsibility, by his authorised representative, except for the obligations contained in paragraphs 4 and 7.1.

ANNEX G

DECLARATION OF CONFORMITY BASED ON UNIT VERIFICATION

1. 'Declaration of conformity based on unit verification' is the conformity assessment procedure whereby the manufacturer fulfils the obligations laid down in this Annex and ensures and declares that a measuring instrument that has been subjected to the provisions of paragraph 4, is in conformity with the appropriate requirements of this Directive.

Technical documentation

2. The manufacturer shall establish the technical documentation as described in Article 10 and make it available to the notified body referred to in paragraph 4. The technical documentation shall enable assessment of the conformity of the instrument with the appropriate requirements of this Directive and shall, as far as relevant for such assessment, cover the design, manufacture and operation of the instrument.

   The manufacturer shall keep the technical documentation at the disposal of the national authorities for ten years.

Manufacturing

3. The manufacturer shall take all measures necessary to ensure conformity of the manufactured instrument with the appropriate requirements of this Directive.

Verification

4. A notified body chosen by the manufacturer shall carry out the appropriate examinations and tests as set out in the relevant documents referred to in Article 13, or equivalent tests, to check the conformity of the instrument with the appropriate requirements of this Directive, or have them carried out. In the absence of a relevant document, the notified body concerned shall decide on the appropriate tests to be carried out.

   The notified body shall issue a certificate of conformity in respect of the examinations and tests carried out and affix its identification number to the approved instrument, or have it affixed under its responsibility.

   The manufacturer shall keep the certificates of conformity available for inspection by the national authorities for 10 years after the certification of the instrument.

Written declaration of conformity

5.1. The manufacturer shall affix the 'CE' marking, the supplementary metrology marking and, under the responsibility of the notified body referred to in paragraph 4, the latter's identification number to each measuring instrument that satisfies the appropriate requirements of this Directive.

5.2. A declaration of conformity shall be drawn up and kept at the disposal of the national authorities for 10 years after the instrument has been manufactured. It shall identify the instrument for which it was drawn up.

A copy of the declaration shall be supplied with the measuring instrument.

Authorised representative

6. The manufacturer's obligations contained in paragraphs 2 and 4.2 may be fulfilled, on his behalf and under his responsibility, by his authorised representative.

ANNEX H

DECLARATION OF CONFORMITY BASED ON FULL QUALITY ASSURANCE

1. 'Declaration of conformity based on full quality assurance' is the conformity assessment procedure whereby the manufacturer fulfils the obligations laid down in this Annex and ensures and declares that the measuring instruments concerned satisfy the appropriate requirements of this Directive.

Manufacturing

2. The manufacturer shall operate an approved quality system for design, manufacture and final product inspection and testing of the measuring instrument concerned as specified in paragraph 3, and shall be subject to surveillance as specified in paragraph 4.

Quality system

3.1. The manufacturer shall lodge an application for assessment of the quality system with a notified body of his choice.

The application shall include:

— all relevant information for the instrument category envisaged;

— the documentation concerning the quality system.

3.2. The quality system shall ensure compliance of the instruments with the appropriate requirements of this Directive.

All the elements, requirements and provisions adopted by the manufacturer shall be documented in a systematic and orderly manner in the form of written policies, procedures and instructions.

This quality system documentation must permit a consistent interpretation of the quality programmes, plans, manuals and records. It shall contain in particular an adequate description of:

— the quality objectives and the organisational structure, responsibilities and powers of the management with regard to design and product quality;

— the technical design specifications, including standards, that will be applied and, where the relevant documents referred to in Article 13 will not be applied in full, the means that will be used to ensure that the essential requirements of this Directive that apply to the instruments will be met;

— the design control and design verification techniques, processes and systematic actions that will be used when designing the instruments pertaining to the instrument category covered;

— the corresponding manufacturing, quality control and quality assurance techniques, processes and systematic actions that will be used;

— the examinations and tests that will be carried out before, during and after manufacture, and their frequency

— the quality records, such as inspection reports and test data, calibration data, qualification reports of the personnel concerned, etc.;

— the means to monitor the achievement of the required design and product quality and the effective operation of the quality system.

3.3. The notified body shall assess the quality system to determine whether it satisfies the requirements referred to in paragraph 3.2. It shall presume conformity with these requirements in respect of a quality system that complies with the corresponding specifications of the national standard that implements the relevant harmonised standard, from the moment its references have been published.

In addition to experience in quality management systems, the auditing team shall possess appropriate experience in the relevant field of metrology and instrument technology, and knowledge of the applicable requirements of this Directive. The evaluation procedure shall include an inspection visit to the manufacturer's premises.

The decision shall be notified to the manufacturer. The notification shall contain the conclusions of the examination and the reasoned assessment decision.

3.4. The manufacturer shall undertake to fulfil the obligations arising out of the quality system as approved and to maintain it so that it remains adequate and efficient.

3.5. The manufacturer shall keep the notified body that has approved the quality system informed of any intended change of the quality system.

The notified body shall evaluate the changes proposed and decide whether the changed quality system will still satisfy the requirements referred to in paragraph 3.2 or whether a re-assessment is required.

It shall notify its decision to the manufacturer. The notification shall contain the conclusions of the examination and the reasoned assessment decision.

Surveillance under the responsibility of the notified body

4.1. The purpose of surveillance is to make sure that the manufacturer fulfils the obligations arising out of the approved quality system.

4.2. The manufacturer shall allow the notified body entrance for inspection purposes to the locations of manufacture, inspection, testing and storage, and shall provide it with all necessary information, in particular:

— the quality system documentation;

— the quality records as foreseen by the design part of the quality system, such as results of analyses, calculations, tests, etc.;

— the quality records as foreseen by the manufacturing part of the quality system, such as inspection reports and test data, calibration data, qualification reports of the personnel concerned, etc.

4.3. The notified body shall carry out periodic audits to make sure that the manufacturer maintains and applies the quality system and shall provide an audit report to the manufacturer.

4.4. Additionally, the notified body may pay unexpected visits to the manufacturer. During such visits the notified body may, if necessary, carry out product tests, or have them carried out under its responsibility, to verify that the quality system is functioning correctly. It shall provide the manufacturer with a visit report and, if tests have been carried out, with a test report.

Written declaration of conformity

5.1. The manufacturer shall affix the 'CE' marking, the supplementary metrology marking and, under the responsibility of the notified body referred to in paragraph 3.1, the latter's identification number to each measuring instrument that satisfies the appropriate requirements of this Directive.

5.2. A declaration of conformity is drawn up for an instrument model and shall be kept at the disposal of the national authorities for 10 years after the last instrument has been manufactured. It shall identify the instrument model for which it was drawn up.

A copy of the declaration shall be supplied with each measuring instrument that is placed on the market. However, this requirement may be interpreted as applying to a batch or consignment rather than individual instruments in those cases where a large number of instruments is delivered to a single user.

6. The manufacturer shall, for 10 years after the last instrument has been manufactured, keep at the disposal of the national authorities:

— the documentation concerning the quality system referred to in paragraph 3.1, second indent;

— the change referred to in paragraph 3.5, as approved;

— the decisions and reports from the notified body referred to in paragraphs 3.5, 4.3 and 4.4.

7. Each notified body shall periodically make available to the Member State that designated it the list of quality system approvals issued or refused, and shall immediately inform the Member State that designated it of the withdrawal of a quality system approval.

Authorised representative

8. The manufacturer's obligations contained in paragraphs 3.1, 3.5, 5.2 and 6 may be fulfilled, on his behalf and under his responsibility, by his authorised representative.

ANNEX H1

DECLARATION OF CONFORMITY BASED ON FULL QUALITY ASSURANCE PLUS DESIGN EXAMINATION

1. 'Declaration of conformity based on full quality assurance plus design examination' is the conformity assessment procedure whereby the manufacturer fulfils the obligations laid down in this Annex and ensures and declares that the measuring instruments concerned satisfy the appropriate requirements of this Directive.

Manufacturing

2. The manufacturer shall operate an approved quality system for design, manufacture and final product inspection and testing of the measuring instrument concerned as specified in paragraph 3, and shall be subject to surveillance as specified in paragraph 5. The adequacy of the technical design of the measuring instrument shall have been examined according to the provisions of paragraph 4.

Quality system

3.1. The manufacturer shall lodge an application for assessment of the quality system with a notified body of his choice.

The application shall include:

— all relevant information for the instrument category envisaged;

— the documentation concerning the quality system.

3.2. The quality system shall ensure compliance of the instruments with the appropriate requirements of this Directive.

All the elements, requirements and provisions adopted by the manufacturer shall be documented in a systematic and orderly manner in the form of written policies, procedures and instructions. This quality system documentation must permit a consistent interpretation of the quality programmes, plans, manuals and records. It shall contain in particular an adequate description of:

— the quality objectives and the organisational structure, responsibilities and powers of the management with regard to design and product quality;

— the technical design specifications, including standards, that will be applied and, where the relevant documents referred to in Article 13 will not be applied in full, the means that will be used to ensure that the essential requirements of this Directive that apply to the instruments will be met;

— the design control and design verification techniques, processes and systematic actions that will be used when designing the instruments pertaining to the instrument category covered;

— the corresponding manufacturing, quality control and quality assurance techniques, processes and systematic actions that will be used;

— the examinations and tests that will be carried out before, during and after manufacture, and the frequency with which they will be carried out;

— the quality records, such as inspection reports and test data, calibration data, qualification reports of the personnel concerned, etc.;

— the means to monitor the achievement of the required design and product quality and the effective operation of the quality system.

3.3. The notified body shall assess the quality system to determine whether it satisfies the requirements referred to in paragraph 3.2. It shall presume conformity with these requirements in respect of a quality system that complies with the corresponding specifications of the national standard that implements the relevant harmonised standard, from the moment its references have been published in the Official Journal.

In addition to experience in quality management systems, the auditing team shall possess appropriate experience in the relevant field of metrology and instrument technology, and knowledge of the applicable requirements of this Directive. The evaluation procedure shall include an inspection visit to the manufacturer's premises.

The decision shall be notified to the manufacturer. The notification shall contain the conclusions of the examination and the reasoned assessment decision.

3.4. The manufacturer shall undertake to fulfil the obligations arising out of the quality system as approved and to maintain it so that it remains adequate and efficient.

3.5. The manufacturer shall keep the notified body that has approved the quality system informed of any intended change of the quality system.

The notified body shall evaluate the changes proposed and decide whether the changed quality system will still satisfy the requirements referred to in paragraph 3.2 or whether a re-assessment is required.

It shall notify its decision to the manufacturer. The notification shall contain the conclusions of the examination and the reasoned assessment decision.

3.6. Each notified body shall periodically make available to the Member State that designated it the list of quality system approvals issued or refused, and shall immediately inform the Member State that designated it of the withdrawal of a quality system approval.

Design examination

4.1. The manufacturer shall lodge an application for examination of the design with the notified body referred to in paragraph 3.1.

4.2. The application shall enable understanding of the design, manufacture and operation of the instrument, and shall enable assessment of conformity with the appropriate requirements of this Directive. It shall include:

— the name and address of the manufacturer;

— a written declaration that the same application has not been lodged with any other notified body;

— the technical documentation as described in Article 10. The documentation shall enable assessment of the conformity of the instrument with the appropriate requirements of this Directive. It shall, as far as relevant for such assessment, cover the design and operation of the instrument;

— the supporting evidence for the adequacy of the technical design. This evidence shall mention any documents that have been applied, in particular where the relevant documents referred to in Article 13 have not been applied in full, and shall include, where necessary, the results of tests carried out by the appropriate laboratory of the manufacturer, or by another testing laboratory on his behalf and under his responsibility.

4.3. The notified body shall examine the application, and where the design meets the provisions of the Directive that apply to the measuring instrument it shall issue an EC design examination certificate to the manufacturer. The certificate shall contain the name and address of the manufacturer, the conclusions of the examination, any conditions for its validity and the necessary data for identification of the approved instrument.

4.3.1. All relevant parts of the technical documentation shall be annexed to the certificate.

4.3.2. The certificate or its annexes shall contain all relevant information for conformity evaluation and in-service control. It shall to allow the evaluation of conformity of the manufactured instruments with the examined design regarding the reproducibility of their metrological performances, when they are properly adjusted using appropriate means, including:

— the metrological characteristics of the design of the instrument;

— measures required for ensuring the integrity of the instruments (sealing, identification of software…);

— information on other elements necessary for the identification of the instrument and to check its visual external conformity to the design;

— if appropriate, any specific information necessary to verify the characteristics of manufactured instruments;

— in the case of a sub-assembly, all necessary information to ensure the compatibility with other sub-assemblies or measuring instruments.

4.3.3. The notified body shall establish an evaluation report in this regard and keep it at the disposal of the Member State that designated it. Without prejudice to Article 12(8), the notified body shall release the content of this report, in full or in part, only with the agreement of the manufacturer.

The certificate shall have a validity of ten years from the date of its issue, and may be renewed for subsequent periods of ten years each.

If the manufacturer is denied a design examination certificate, the notified body shall provide detailed reasons for the denial.

4.4. The manufacturer shall keep the notified body that has issued the 'EC' design examination certificate informed of any fundamental modification to the approved design. Modifications to the approved design must receive additional approval from the notified body that issued the 'EC' design examination certificate where such changes may affect the conformity with the essential requirements of this Directive, the conditions for validity of the certificate or the prescribed conditions for use of the instrument. This additional approval is given in the form of an addition to the original 'EC' design examination certificate.

4.5. Each notified body shall periodically make available to the Member State that designated it:

— 'EC' design examination certificates and annexes issued;

— additions and amendments relating to certificates issued.

Each notified body shall immediately inform the Member State that designated it of the withdrawal of an EC design examination certificate.

4.6. The manufacturer or his authorised representative shall keep a copy of the 'EC' design examination certificate, its annexes and additions with the technical documentation for 10 years after the last measuring instrument has been manufactured.

Where neither the manufacturer nor his authorised representative is established within the Community, the obligation to make the technical documentation available on request shall be the responsibility of the person designated by the manufacturer.

Surveillance under the responsibility of the notified body

5.1. The purpose of surveillance is to make sure that the manufacturer fulfils the obligations arising out of the approved quality system.

5.2. The manufacturer shall allow the notified body entrance for inspection purposes to the locations of design, manufacture, inspection, testing and storage, and shall provide it with all necessary information, in particular:

— the quality system documentation;

— the quality records as foreseen by the design part of the quality system, such as results of analyses, calculations, tests, etc;

— the quality records as foreseen by the manufacturing part of the quality system, such as inspection reports and test data, calibration data, qualification reports of the personnel concerned, etc.

5.3. The notified body shall carry out periodic audits to make sure that the manufacturer maintains and applies the quality system and shall provide an audit report to the manufacturer.

5.4. Additionally, the notified body may pay unexpected visits to the manufacturer. During such visits the notified body may, if necessary, carry out product tests, or have them carried out under its responsibility, to verify that the quality system is functioning correctly. It shall provide the manufacturer with a visit report and, if tests have been carried out, with a test report.

Written declaration of conformity

6.1. The manufacturer shall affix the 'CE' marking, the supplementary metrology marking and, under the responsibility of the notified body referred to in paragraph 3.1, the latter's identification number to each measuring instrument that satisfies the appropriate requirements of this Directive.

6.2. A declaration of conformity is drawn up for each instrument model and shall be kept at the disposal of the national authorities for 10 years after the last instrument has been manufactured. It shall identify the model of the instrument for which it was drawn up and shall mention the number of the design examination certificate.

A copy of the declaration shall be supplied with each measuring instrument that is placed on the market. However, this requirement may be interpreted as applying to a batch or consignment rather than individual instruments in those cases where a large number of instruments is delivered to a single user.

7. The manufacturer shall, for 10 years after the last instrument has been manufactured, keep at the disposal of the national authorities:

— the documentation referred to in 3.1, second indent;

— the change referred to in paragraph 3.5, as approved;

— the decisions and reports of the notified body referred to in paragraphs 3.5, 5.3 and 5.4.

Authorised representative

8. The manufacturer's obligations contained in paragraphs 3.1, 3.5, 6.2 and 7 may be fulfilled, on his behalf and under his responsibility, by his authorised representative.

ANNEX MI-001

WATER METERS

The relevant requirements of Annex I, the specific requirements of this Annex and the conformity assessment procedures listed in this Annex, apply to water meters intended for the measurement of volumes of clean, cold or heated water in residential, commercial and light industrial use.

Definitions

Water Meter

An instrument designed to measure, memorise and display the volume at metering conditions of water passing through the measurement transducer.

Minimum Flowrate (Q_1)

The lowest flowrate at which the water meter provides indications that satisfy the requirements concerning the maximum permissible errors (MPEs.)

Transitional Flowrate (Q_2)

The transitional flowrate is the flowrate value occurring between the permanent and minimum flowrates, at which the flowrate range is divided into two zones, the 'upper zone' and the 'lower zone'. Each zone has a characteristic MPE.

Permanent Flowrate (Q_3)

The highest flowrate at which the water meter operates in a satisfactory manner under normal conditions of use, i.e. under steady or intermittent flow conditions.

Overload Flowrate (Q_4)

The overload flowrate is the highest flowrate at which the meter operates in a satisfactory manner for a short period of time without deteriorating.

Specific Requirements

Rated Operating Conditions

The manufacturer shall specify the rated operating conditions for the instrument, in particular;

1. The flowrate range of the water.

   The values for the flowrate range shall fulfil the following conditions:

   $Q_3/Q_1 \geq 10$

   $Q_2/Q_1 = 1.6$

   $Q_4/Q_3 = 1.25$

   For 5 years from the date of entry into force of this Directive the ratio Q_2/Q_1 may be: 1,5, 2,5, 4, or 6,3.

2. The temperature range of the water.

   The values for the temperature range shall fulfil the following conditions:

   0,1 °C to at least 30 °C, or

   30 °C to at least 90 °C.

   The meter may be designed to operate over both ranges.

3. The relative pressure range of the water, the range being 0.3 bar to at least 10 bar at Q_3.

4. For the power supply: the nominal value of the AC voltage supply and/or the limits of DC supply.

MPE

5. The MPE, positive or negative, on volumes delivered at flowrates between the transitional flowrate (Q_2) (included) and the overload flowrate (Q_4) is:

   2 % for water having a temperature ≤ 30 °C,

   3 % for water having a temperature > 30 °C.

6. The MPE, positive or negative, on volumes delivered at flowrates between the minimum flowrate (Q_1) and the transitional flowrate (Q_2) (excluded) is 5 % for water having any temperature.

Permissible Effect of Disturbances

7.1. Electromagnetic immunity

7.1.1. The effect of an electromagnetic disturbance on a water meter shall be such that:

— the change in the measurement result is no greater than the critical change value as defined in 8.1.4, or

— the indication of the measurement result is such that it cannot be interpreted as a valid result, such as a momentary variation that cannot be interpreted, memorised or transmitted as a measuring result.

7.1.2. After undergoing an electromagnetic disturbance the water meter shall:

— recover to operate within MPE, and

— have all measurement functions safeguarded, and

— allow recovery of all measurement data present just before the disturbance.

7.1.3. The critical change value is the smaller of the two following values:

— the volume corresponding to half of the magnitude of the MPE in the upper zone on the measured volume;

— the volume corresponding to the MPE on the volume corresponding to one minute at flowrate Q_3.

7.2. Durability

After an appropriate test, taking into account the period of time estimated by the manufacturer, has been performed, the following criteria shall be satisfied:

7.2.1. The variation of the measurement result after the durability test, when compared with the initial measurement result, shall not exceed:

— 3 % of the metered volume between Q_1 included and Q_2 excluded;

— 1,5 % of the metered volume between Q_2 included and Q_4 included.

7.2.2. The error of indication for the volume metered after the durability test shall not exceed:

— +/- 6 % of the metered volume between Q_1 included and Q_2 excluded;

— +/- 2,5 % of the metered volume between Q_2 included and Q_4 included for water meters intended to meter water with a temperature between 0,1 °C and 30 °C,

— +/- 3,5 % of the metered volume between Q_2 included and Q_4 included for water meters intended to meter water with a temperature between 30 °C and 90 °C.

Suitability

8.1. The meter shall be able to be installed to operate in any position unless clearly marked otherwise.

8.2. The manufacturer shall specify whether the meter is designed to measure reverse flow. In such a case, the reverse flow volume shall either be subtracted from the cumulated volume or shall be separately recorded. The same MPE shall apply to both forward and reverse flow.

Water meters not designed to measure reverse flow shall either prevent reverse flow or shall withstand an accidental reverse flow without any deterioration or change in metrological properties.

Units of Measurement

9. Metered volume shall be displayed in cubic metres.

Putting into Use

10. *The Member State shall ensure that the requirements under 1, 2 and 3 are determined by the distributor or the person legally designated for installing the meter, so that the meter is appropriate for the accurate measurement of consumption that is foreseen or foreseeable.*

Conformity assessment

The conformity assessment procedures referred to in Article 9 that the manufacturer can choose between are:

B+F or B+D or H1.

ANNEX MI-002

GAS METERS AND VOLUME CONVERSION DEVICES

The relevant requirements of Annex I, the specific requirements of this Annex and the conformity assessment procedures listed in this Annex, apply to gas meters and volume conversion devices defined below, intended for residential, commercial and light industrial use.

Definitions

Gas meter

An instrument designed to measure, memorise and display the quantity of fuel gas (volume or mass) that has passed it.

Conversion device

A device fitted to a gas meter that automatically converts the quantity measured at metering conditions into a quantity at base conditions.

Minimum flowrate (Q_{min})

The lowest flowrate at which the gas meter provides indications that satisfy the requirements regarding maximum permissible error (MPE.)

Maximum flowrate (Q_{max})

The highest flowrate at which the gas meter provides indications that satisfy the requirements regarding MPE.

Transitional flowrate (Q_t)

The transitional flowrate is the flowrate occurring between the maximum and minimum flowrates at which the flowrate range is divided into two zones, the 'upper zone' and the 'lower zone'. Each zone has a characteristic MPE.

Overload Flowrate (Q_r)

The overload flowrate is the highest flowrate at which the meter operates for a short period of time without deteriorating.

Base conditions

The specified conditions to which the measured quantity of fluid is converted.

PART I — SPECIFIC REQUIREMENTS — GAS METERS

1. Rated operating conditions

The manufacturer shall specify the rated operating conditions of the gas meter, taking into account:

1.1. The flowrate range of the gas shall fulfil at least the following conditions:

Class	Q_{max}/Q_{min}	Q_{max}/Q_t	Q_r/Q_{max}
1.5	≥ 150	≥ 10	1.2
1.0	≥ 20	≥ 5	1.2

1.2. The temperature range of the gas, with a minimum range of 40 °C.

1.3. The fuel/gas related conditions.

The gas meter shall be designed for the range of gases and supply pressures of the country of destination. In particular the manufacturer shall indicate:

— the gas family or group;

— the maximum operating pressure.

1.4. A minimum temperature range of 50 °C for the climatic environment.

1.5. The nominal value of the AC voltage supply and/or the limits of DC supply

2. Maximum permissible error (MPEs)

2.1. Gas meter indicating the volume at metering conditions or mass

Class	1.5	1.0
$Q_{min} \leq Q < Q_t$	3 %	2 %
$Q_t \leq Q \leq Q_{max}$	1,5 %	1 %

Table 1

When the errors between Q_t and Q_{max} all have the same sign, they shall all not exceed 1 % for class 1.5 and 0,5 % for Class 1.0.

2.2. For a gas meter with temperature conversion, which only indicates the converted volume, the MPE of the meter is increased by 0,5 % in a range of 30 °C extending symmetrically around the temperature specified by the manufacturer that lies between 15 °C and 25 °C. Outside this range, an additional increase of 0,5 % is permitted in each interval of 10 °C.

3. Permissible effect of disturbances

3.1. Electromagnetic immunity

3.1.1. The effect of an electromagnetic disturbance on a gas meter or volume conversion device shall be such that:

— the change in the measurement result is no greater than the critical change value as defined in 3.1.3, or

— the indication of the measurement result is such that it cannot be interpreted as a valid result, such as a momentary variation that cannot be interpreted, memorised or transmitted as a measuring result.

3.1.2. After undergoing a disturbance, the gas meter shall:

— recover to operate within MPE, and

— have all measurement functions safeguarded, and

— allow recovery of all measurement data present just before the disturbance.

3.1.3. The critical change value is the smaller of the two following values:

— the quantity corresponding to half of the magnitude of the MPE in the upper zone on the measured volume;

— the quantity corresponding to the MPE on the quantity corresponding to one minute at maximum flowrate.

3.2. Effect of upstream-downstream flow disturbances

Under installation conditions specified by the manufacturer, the effect of the flow disturbances shall not exceed one third of the MPE.

4. Durability

After an appropriate test, taking into account the period of time estimated by the manufacturer, has been performed, the following criteria shall be satisfied:

4.1. Class 1.5 meters

4.1.1. The variation of the measurement result after the durability test when compared with the initial measurement result for the flow rates in the range Q_t to Q_{max} shall not exceed the measurement result by more than 2 %.

4.1.2. The error of indication after the durability test shall not exceed twice the MPE in paragraph 2.

4.2. Class 1.0 meters

4.2.1. The variation of the measurement result after the durability test when compared with the initial measurement result shall not exceed one-third of the MPE in paragraph 2.

4.2.2. The error of indication after the durability test shall not exceed the MPE in paragraph 2.

5. Suitability

5.1. A gas meter powered from the mains (AC or DC) shall be provided with an emergency power supply device or other means to ensure, during a failure of the principal power source, that all measuring functions are safeguarded.

5.2. A dedicated power source shall have a lifetime of at least five years. After 90 % of its lifetime an appropriate warning shall be shown.

5.3. An indicating device shall have a sufficient number of digits to ensure that the quantity passed during 8 000 hours at Q_{max} does not return the digits to their initial values.

5.4. The gas meter shall be able to be installed to operate in any position declared by the manufacturer in its installation instruction.

5.5. The gas meter shall have a test element, which shall enable tests to be carried out in a reasonable time.

5.6. The gas meter shall respect the MPE in any flow direction or only in one flow direction clearly marked.

6. Units

Metered quantity shall be displayed in cubic metre, or in kilogram.

PART II — SPECIFIC REQUIREMENTS — VOLUME CONVERSION DEVICES

A volume conversion device constitutes a sub-assembly according to Article 4, definition (b), second indent.

For a volume conversion device, the essential requirements for the gas meter shall apply, if applicable. In addition, the following requirements shall apply:

7. Base conditions for converted quantities

The manufacturer shall specify the base conditions for converted quantities.

8. MPE

— 0,5 % at ambient temperature 20 °C +/- 3 °C, ambient humidity 60 % +/- 15 %, nominal values for power supply;

— 0,7 % for temperature conversion devices at rated operating conditions;

— 1 % for other conversion devices at rated operating conditions.

Note: The error of the gas meter is not taken into account.

9. Suitability

9.1. An electronic conversion device shall be capable of detecting when it is operating outside the operating range(s) stated by the manufacturer for parameters that are relevant for measurement accuracy. In such a case, the conversion device must stop integrating the converted quantity, and may totalise separately the converted quantity for the time it is operating outside the operating range(s).

9.2. An electronic conversion device shall be capable to display all relevant data for the measurement without additional equipment.

PART III — PUTTING INTO USE AND CONFORMITY ASSESSMENT

PUTTING INTO USE

10. (a) Where a Member State imposes measurement of residential use, it shall allow such measurement to be performed by means of any Class 1.5 meter, and by Class 1.0 meters which have a Q_{max}/Q_{min} ratio equal or greater than 150.

(b) Where a Member State imposes measurement of commercial and/or light industrial use, it shall allow such measurement to be performed by any Class 1.5 meter.

(c) As regards the requirements under paragraphs 1.2 and 1.3, Member States shall ensure that the properties be determined by the distributor or the person legally designated for installing the meter, so that the meter is appropriate for the accurate measurement of consumption that is foreseen or foreseeable.

Conformity assessment

The conformity assessment procedures referred to in Article 9 that the manufacturer can choose between are

B+F or B+D or H1.

Wednesday 17 December 2003

ANNEX MI-003

ACTIVE ELECTRICAL ENERGY METERS

The relevant requirements of Annex I, the specific requirements of this Annex and the conformity assessment procedures listed in this Annex, apply to active electrical energy meters intended for residential, commercial and light industrial use.

Note: Electrical energy meters may be used in combination with external instrument transformers, depending upon the measurement technique applied. However, this Annex covers only electrical energy meters but not instrument transformers.

DEFINITIONS

An active electrical energy meter is a device which measures the active electrical energy consumed in a circuit.

I = the electrical current flowing through the meter;

I_n = the specified reference current for which the transformer operated meter has been designed;

I_{st} = the lowest declared value of I at which the meter registers active electrical energy at unity power factor (polyphase meters with balanced load);

I_{min} = the value of I above which the error lies within maximum permissible errors (MPEs) (polyphase meters with balanced load);

I_{tr} = the value of I above which the error lies within the smallest MPE corresponding to the class index of the meter;

I_{max} = the maximum value of I for which the error lies within the MPEs;

U = the voltage of the electricity supplied to the meter;

U_n = the specified reference voltage;

f = the frequency of the voltage supplied to the meter;

f_n = the specified reference frequency;

PF = power factor = $cos\Phi$ = the cosine of the phase difference Φ between I and U.

SPECIFIC REQUIREMENTS

1. Accuracy

   The manufacturer shall specify the class index of the meter. The class indices are defined as: Class A, B and C.

2. Rated operating conditions

   The manufacturer shall specify the rated operating conditions of the meter; in particular: The values of f_n, U_n, I_n, I_{st}, I_{min}, I_{tr} and I_{max} that apply to the meter.

For the current values specified, the meter shall satisfy the conditions given in Table 1.

	Class A	*Class B*	*Class C*
For direct-connected meters			
I_{st}	$\leq 0{,}05 \cdot I_{tr}$	$\leq 0{,}04 \cdot I_{tr}$	$\leq 0{,}04 \cdot I_{tr}$
I_{min}	$\leq 0{,}5 \cdot I_{tr}$	$\leq 0{,}5 \cdot I_{tr}$	$\leq 0{,}3 \cdot I_{tr}$
I_{max}	$\geq 50 \cdot I_{tr}$	$\geq 50 \cdot I_{tr}$	$\geq 50 \cdot I_{tr}$
For transformer-operated meters			
I_{st}	$\leq 0{,}06 \cdot I_{tr}$	$\leq 0{,}04 \cdot I_{tr}$	$\leq 0{,}02 \cdot I_{tr}$
I_{min}	$\leq 0{,}4 \cdot I_{tr}$	$\leq 0{,}2 \cdot I_{tr}$ (*)	$\leq 0{,}2 \cdot I_{tr}$
I_{n}	$= 20 \cdot I_{tr}$	$= 20 \cdot I_{tr}$	$= 20 \cdot I_{tr}$
I_{max}	$\geq 1{,}2 \cdot I_{n}$	$\geq 1{,}2 \cdot I_{n}$	$\geq 1{,}2 \cdot I_{n}$

(*) *For Class B electromechanical meters* $I_{min} \leq 0{,}4 \cdot I_{tr}$ *shall apply.*

Table 1

The voltage, frequency and power factor ranges within which the meter shall satisfy the MPE requirements are specified in Table 2. These ranges shall recognise the typical characteristics of electricity supplied by public distribution systems.

The voltage and frequency ranges shall be at least:

$0{,}9 \cdot U_n \leq U \leq 1{,}1 \cdot U_n$

$0{,}98 \cdot f_n \leq f \leq 1{,}02 \cdot f_n$

power factor range at least:

from $cos\varphi = 0{,}5$ inductive to $cos\varphi = 0{,}8$ capacitive.

3. MPEs

The effects of the various measurands and influence quantities (a,b,c,…) are evaluated separately, all other measurands and influence quantities being kept relatively constant at their reference values. The error of measurement, that shall not exceed the MPE stated in Table 2, is calculated as:

Error of measurement = $\sqrt{a^2+b^2+c^2\ldots}$

When the meter is operating under varying-load current, the percentage errors shall not exceed the limits given in Table 2.

	Operating temperatures			Operating temperatures			Operating temperatures			Operating temperatures		
	+5 °C … +30 °C			-10 °C … +5 °C or +30 °C … +40 °C			-25 °C … -10 °C or +40 °C … +55 °C			-40 °C … -25 °C or +55 °C … +70 °C		
Meter class	A	B	C	A	B	C	A	B	C	A	B	C
Single phase meter; polyphase meter if operating with balanced loads												
$I_{min} \leq I < I_{tr}$	3.5	2	1	5	2.5	1.3	7	3.5	1.7	9	4	2
$I_{tr} \leq I \leq I_{max}$	3.5	2	0.7	4.5	2.5	1	7	3.5	1.3	9	4	1.5
Polyphase meter if operating with single phase load												
$I_{tr} \leq I \leq I_{max}$, see exception below	4	2.5	1	5	3	1.3	7	4	1.7	9	4.5	2

For electromechanical polyphase meters the current range for single-phase load is limited to $5I_{tr} \leq I \leq I_{max}$

Table 2 — MPEs in percent at rated operating conditions and defined load current levels and operating temperature. When a meter operates in different temperature ranges the relevant MPE values shall apply.

4. Permissible effect of disturbances

4.1. General

As electrical energy meters are directly connected to the mains supply and as mains current is also one of the measurands, a special electromagnetic environment is used for electricity meters.

The meter shall comply with the electromagnetic environment E2 and the additional requirements in 4.2. and 4.3.

The electromagnetic environment and permissible effects reflect the situation that there are disturbances of long duration which shall not affect the accuracy beyond the critical change values and transient disturbances, which may cause a temporary degradation or loss of function or performance but from which the meter shall recover and shall not affect the accuracy beyond the critical change values.

When there is a foreseeable high risk due to lightning or where overhead supply networks are predominant, the metrological characteristics of the meter shall be protected.

4.2. Effect of disturbances of long duration

Disturbance	Critical change values in percent for meters of class		
	A	B	C
Reversed phase sequence	1,5	1,5	0,3
Voltage unbalance (only applicable to polyphase meters)	4	2	1
Harmonic contents in the current circuits (*),	1	0,8	0,5
DC and harmonics in the current circuit (*),	6	3	1,5
Fast transient bursts	6	4	2
Magnetic fields; HF (radiated RF) electromagnetic field; Conducted disturbances introduced by radio-frequency fields; and Oscillatory waves immunity	3	2	1
(*) In the case of electromechanical electricity meters, no critical change values are defined for harmonic contents in the current circuits and for DC and harmonics in the current circuit			

Table 3 — Critical change values for disturbances of long duration

4.3. Permissible effect of transient electromagnetic phenomena

4.3.1. The effect of an electromagnetic disturbance on an electrical energy meter shall be such that during and immediately after a disturbance

— any output intended for testing the accuracy of the meter does not produce pulses or signals corresponding to an energy of more than the critical change value

and in reasonable time after the disturbance the meter shall

— recover to operate within the MPE limits, and

— have all measurement functions safeguarded, and

— allow recovery of all measurement data present prior to the disturbance, and

— not indicate a change in the registered energy of more than the critical change value.

The critical change value in kWh is $m \cdot U_n \cdot I_{max} \cdot 10^{-6}$

(*m* being the number of measuring elements of the meter, U_n in Volts and I_{max} in Amps).

4.3.2. For overcurrent the critical change value is 1,5 %.

5. Suitability

5.1. Below the rated operating voltage the positive error of the meter shall not exceed 10 %.

5.2. The display of the total energy shall have a sufficient number of digits to ensure that when the meter is operated for 4 000 hours at full load ($I = I_{max}$, $U = U_n$ and $PF = 1$) the indication does not return to its initial value and shall not be able to be reset during use.

5.3. In the event of loss of electricity in the circuit, the amounts of electrical energy measured shall remain available for reading during a period of at least 4 months.

5.4. Running with no load

When the voltage is applied with no current flowing in the current circuit (current circuit shall be open circuit), the meter shall not register energy at any voltage between $0{,}8 \cdot U_n$ and $1{,}1\ U_n$.

5.5. Starting

The meter shall start and continue to register at U_n, $PF = 1$ (polyphase meter with balanced loads) and a current which is equal to I_{st}.

6. Units

The electrical energy measured shall be displayed in kilowatt-hours or in megawatt-hours.

7. Putting into use

(a) *Where a Member State imposes measurement of residential use, it shall allow such measurement to be performed by means of any Class A meter. For specified purposes the Member State is authorised to require any Class B meter.*

(b) *Where a Member State imposes measurement of commercial and/or light industrial use, it shall allow such measurement to be performed by any Class B meter. For specified purposes the Member State is authorised to require any Class C meter.*

(c) *The Member State shall ensure that the current range be determined by the distributor or the person legally designated for installing the meter, so that the meter is appropriate for the accurate measurement of consumption that is foreseen or foreseeable.*

Conformity assessment

The conformity assessment procedures referred to in Article 9 that the manufacturer can choose between are:

B+F or B+D or H1.

Wednesday 17 December 2003

ANNEX MI-004

HEAT METERS

The relevant requirements of Annex I, the specific requirements and the conformity assessment procedures listed in this Annex, apply to heat meters defined below, intended for residential, commercial and light industrial use.

DEFINITIONS

A heat meter is an instrument designed to measure the heat which, in a heat exchange circuit, isgiven up by a liquid called the heat-conveying liquid.

A heat meter is either a complete instrument or a combined instrument consisting of the sub-assemblies, flow sensor, temperature sensor pair, and calculator, as defined in Article 4(b), or a combination thereof

ϑ = the temperature of the heat-conveying liquid

ϑ_{in} = the value of ϑ at the inlet of the heat exchange circuit

ϑ_{out} = the value of ϑ at the outlet of the heat exchange circuit

$\Delta\vartheta$ = the temperature difference $\vartheta_{in} - \vartheta_{out}$ with $\Delta\vartheta \geq 0$

ϑ_{max} = the upper limit of ϑ for the heat meter to function correctly within the MPEs

ϑ_{min} = the lower limit of ϑ for the heat meter to function correctly within the MPEs

$\Delta\vartheta_{max}$ = the upper limit of $\Delta\vartheta$ for the heat meter to function correctly within the MPEs

$\Delta\vartheta_{min}$ = the lower limit of $\Delta\vartheta$ for the heat meter to function correctly within the MPEs

q = the flow rate of the heat conveying liquid

q_s = the highest value of q that is permitted for short periods of time for the heat meter to function correctly

q_p = the highest value of q that is permitted permanently for the heat meter to function correctly

q_i = the lowest value of q that is permitted for the heat meter to function correctly

P = the thermal power of the heat exchange

P_s = the upper limit of P that is permitted for the heat meter to function correctly.

SPECIFIC REQUIREMENTS

1. Rated operating conditions

The values of the rated operating conditions shall be specified by the manufacturer as follows:

1.1. For the temperature of the liquid: ϑ_{max}, ϑ_{min},

— for the temperature differences: $\Delta\vartheta_{max}$, $\Delta\vartheta_{min}$,

subject to the following restrictions: $\Delta\vartheta_{max}/\Delta\vartheta_{min} \geq 10$; $\Delta\vartheta_{min}$ = 3 K or 5 K or 10 K.

1.2. For the pressure of the liquid: The maximum positive internal pressure that the heat meter can withstand permanently at the upper limit of the temperature.

1.3. For the flow rates of the liquid: q_s, q_p, q_i, where the values of q_p and q_i are subject to the following restriction: $q_p/q_i \geq 10$.

1.4. For the thermal power: P_s.

2. Accuracy classes

The following accuracy classes are defined for heat meters: 1, 2, 3.

3. MPEs applicable to complete heat meters

The maximum permissible relative errors applicable to a complete heat meter, expressed in percent of the true value for each accuracy class, are:

— For class 1: $E = E_f + E_t + E_c$, with E_f, E_t, E_c according to paragraphs 7.1 to 7.3.

— For class 2: $E = E_f + E_t + E_c$, with E_f, E_t, E_c according to paragraphs 7.1 to 7.3.

— For class 3: $E = E_f + E_t + E_c$, with E_f, E_t, E_c according to paragraphs 7.1 to 7.3.

4. Permissible influences of electromagnetic disturbances

4.1. The instrument shall not be influenced by static magnetic fields and by electromagnetic fields at mains frequency.

4.2. The influence of an electromagnetic disturbance shall be such that the change in the measurement result is not greater than the critical change value as laid down in requirement 4.3 or the indication of the measurement result is such that it cannot be interpreted as a valid result.

4.3. The critical change value for a complete heat meter is equal to the absolute value of the MPE applicable to that heat meter (see paragraph 3).

5. Durability

After an appropriate test, taking into account the period of time estimated by the manufacturer, has been performed, the following criteria shall be satisfied:

5.1. Flow sensors: The variation of the measurement result after the durability test, when compared with the initial measurement result, shall not exceed the critical change value.

5.2. Temperature sensors: The variation of the measurement result after the durability test, when compared with the initial measurement result, shall not exceed 0,1 °C.

6. Inscriptions on a heat meter:

— Accuracy class

— Limits of flow rate

— Limits of temperature

— Limits of temperature difference

— Place of the flow sensor installation — flow or return

— Indication of the direction of flow

7. Sub-assemblies:

The provisions for sub-assemblies may apply to sub-assemblies manufactured by the same or different manufacturers. Where a heat meter consists of sub-assemblies, the essential requirements for the heat meter apply to the sub-assemblies as relevant. In addition, the following apply:

7.1. The relative MPE of the flow sensor, expressed in %, for accuracy classes:

— Class 1: $E_f = (1 + 0{,}01\ q_p/q)$, but not more than 5 %,

— Class 2: $E_f = (2 + 0{,}02\ q_p/q)$, but not more than 5 %,

— Class 3: $E_f = (3 + 0{,}05\ q_p/q)$, but not more than 5 %,

where the error E_f relates the indicated value to the true value of the relationship between flow sensor output signal and the mass or the volume.

7.2. The relative MPE of the temperature sensor pair, expressed in %:

— $E_t = (0{,}5 + 3 \cdot \Delta\vartheta_{min}/\Delta\vartheta)$,

— where the error E_t relates the indicated value to the true value of the relationship between temperature sensor pair output and temperature difference.

7.3. The relative MPE of the calculator, expressed in %:

— $E_c = (0{,}5 + \Delta\vartheta_{min}/\Delta\vartheta)$,

— where the error E_c relates the value of the heat indicated to the true value of the heat.

7.4. The critical change value for a sub-assembly of a heat meter is equal to the respective absolute value of the MPE applicable to the sub-assembly (see paragraphs 7.1, 7.2 or 7.3).

7.5. Inscriptions on the sub-assemblies

Flow sensor:

Accuracy class

Limits of flow rate

Limits of temperature

Nominal meter factor (e.g. litres/pulse) or corresponding output signal

Indication of the direction of flow

Temperature sensor pair:

Type identification (e.g. Pt 100)

Limits of temperature

Limits of temperature difference

Calculator:

Type of temperature sensors

— Limits of temperature

— Limits of temperature difference

— Required nominal meter factor (e.g. litres/pulse) or corresponding input signal coming from the flow sensor

— Place of the flow sensor installation: flow or return

PUTTING INTO USE

8. (a) *Where a Member State imposes measurement of residential use, it shall allow such measurement to be performed by means of any Class 3 meter.*

(b) *Where a Member State imposes measurement of commercial and/or light industrial use, it is authorised to require any Class 2 meter.*

(c) *As regards the requirements under paragraphs 1.1 to 1.4, Member States shall ensure that the properties be determined by the distributor or the person legally designated for installing the meter, so that the meter is appropriate for the accurate measurement of consumption that is foreseen or foreseeable.*

9. Conformity assessment

The conformity assessment procedures referred to in Article 9 that the manufacturer can choose between are:

B+F or B + D or H 1.

ANNEX MI-005

MEASURING SYSTEMS FOR THE CONTINUOUS AND DYNAMIC MEASUREMENT OF QUANTITIES OF LIQUIDS OTHER THAN WATER

The relevant essential requirements of Annex I, the specific requirements of this Annex and the conformity assessment procedures listed in this Annex, apply to measuring systems intended for the continuous and dynamic measurement of quantities (volumes or masses) of liquids other than water. If appropriate, the terms 'volume, and L' in this Annex can be read as: 'mass and kg'.

DEFINITIONS

Meter

An instrument designed to measure continuously, memorise and display the quantity at metering conditions of liquid flowing through the measurement transducer in a closed, fully charged conduit.

Calculator

A part of a meter that receives the output signals from the measurement transducer(s) and possibly, from associated measuring instruments and displays the measurement results.

Associated measuring instrument

An instrument connected to the calculator for measuring certain quantities which are characteristic of the liquid, with a view to make a correction and/or conversion.

Conversion Device

A part of the calculator which by taking account of the characteristics of the liquid (temperature, density, etc.) measured using associated measuring instruments, or stored in a memory, automatically converts:

— the volume of the liquid measured at metering conditions into a volume at base conditions and/or into mass, or

— the mass of the liquid measured at metering conditions into a volume at metering conditions and/or into a volume at base conditions

Note: A conversion device includes the relevant associated measuring instruments.

Base conditions

The specified conditions to which the measured quantity of liquid at metering conditions is converted.

Measuring System

A system that comprises the meter itself and all devices required to ensure correct measurement or intended to facilitate the measuring operations.

Fuel dispenser

A measuring system intended for the refuelling of motor vehicles, small boats and small aircraft.

Self-service arrangement

An arrangement that allows the customer to use a measuring system for the purpose of obtaining liquid for his own use.

Self-service device

A specific device that is part of a self-service arrangement and which allows one of more measuring systems to perform in this self-service arrangement.

Minimum measured quantity (MMQ)

The smallest quantity of liquid for which the measurement is metrologically acceptable for the measuring system.

Direct indication

The indication, either volume or mass, corresponding to the measure and that the meter is physically capable of measuring.

Note: the direct indication may be converted into another quantity using a conversion device.

Interruptible/non interruptible

A measuring system is considered as interruptible/non interruptible when the liquid flow can/cannot be stopped easily and rapidly.

Flowrate range

The range between the minimum flowrate (Q_{min}) and maximum flowrate (Q_{max}).

SPECIFIC REQUIREMENTS

1. RATED OPERATING CONDITIONS

The manufacturer shall specify the rated operating conditions for the instrument, in particular;

1.1. The flowrate range

The flowrate range is subject to the following conditions:

i) the flowrate range of a measuring system shall be within the flowrate range of each of its elements, in particular the meter.

ii) meter and measuring system:

Specific measuring system	Characteristic of liquid	Minimum ratio of Q_{max}: Q_{min}
Fuel dispensers	Not Liquefied gases	10 : 1
	Liquefied gases	5 : 1
Measuring system	Cryogenic liquids	5 : 1
Measuring systems on pipeline and systems for loading ships	All liquids	Suitable for use
All other measuring systems	All liquids	4 : 1

Table 1

1.2. The properties of the liquid to be measured by the instrument by specifying the name or type of the liquid or its relevant characteristics, for example:

— Temperature range;

— Pressure range;

— Density range;

— Viscosity range.

1.3. The nominal value of the AC voltage supply and/or limits of the DC voltage supply.

1.4. The base conditions for converted values.

Note: Paragraph 1.4 is without prejudice to the Member States' obligations to require use of a temperature of either 15ºC in accordance with Article 3(1) of Council Directive 92/81/EEC of 19 October 1992 on the harmonisation of the structures of excise duties on mineral oils ([1]) or, for heavy fuel oils, LPG and methane, another temperature pursuant to Article 3(2) of that Directive.

2. ACCURACY CLASSIFICATION AND MAXIMUM PERMISSIBLE ERRORS (MPEs)

2.1. For quantities equal to or greater than 2 litres the MPE on indications is:

	Accuracy Class				
	0,3	0,5	1,0	1,5	2,5
Measuring systems (A)	0,3 %	0,5 %	1,0 %	1,5 %	2,5 %
Meters (B)	0,2 %	0,3 %	0,6 %	1,0 %	1,5 %

Table 2

2.2. For quantities less than two litres the MPE on indications is:

Measured volume V	MPE
V < 0,1 L	4 × value in Table 2, applied to 0,1 L
0,1 L ≤ V < 0,2 L	4 × value in Table 2

([1]) OJ L 316, 31.10.1992, p. 12. Directive repealed by Directive 2003/96/EC (OJ L 283, 31.10.2003, p. 51).

0,2 L ≤ V < 0,4 L	2 × value in Table 2, applied to 0,4 L
0,4 L ≤V < 1 L	2 × value in Table 2
1 L ≤ V < 2 L	Value in Table 2, applied to 2 L

Table 3

2.3. However, no matter what the measured quantity may be, the magnitude of the MPE is given by the greater of the following two values:

— the absolute value of the MPE given in Table 2 or Table 3,

— the absolute value of the MPE for the minimum measured quantity (E_{min}).

2.4.1. For minimum measured quantities greater than or equal to 2 litres the following conditions apply:

Condition 1

E_{min} shall fulfil the condition: $E_{min} \geq 2R$, where R is the smallest scale interval of the indication device.

Condition 2

E_{min} is given by the formula: $E_{min} = (2\ MMQ) \times (A/100)$, where:

— MMQ is the minimum measured quantity,

— A is the numerical value specified in line A of Table 2.

2.4.2. For minimum measured quantities of less than two litres, the above mentioned condition 1 applies and Emin is twice the value specified in Table 3, and related to line A of Table 2.

2.5. Converted indication

In the case of a converted indication the MPEs are as in line A of Table 2.

2.6. Conversion devices

MPEs on converted indications due to a conversion device are equal to ± (A − B), A and B being the values specified in Table 2.

Parts of conversion devices that can be tested separately

(a) Calculator

MPEs on quantities of liquid indications applicable to calculation, positive or negative, are equal to one-tenth of the MPEs as defined in line A of Table 2.

(b) Associated measuring instruments

Associated measuring instruments shall have an accuracy at least as good as the values in Table 4:

MPE on Measurements	Accuracy classes of the measuring system				
	0,3	0,5	1,0	1,5	2,5
Temperature	± 0,3 °C	± 0,5 °C			± 1,0 °C
Pressure	Less than 1 MPa: ± 50 kPa From 1 to 4 MPa: ± 5 % Over 4 MPa: ± 200 kPa				
Density	± 1 kg/m³		± 2 kg/m³		± 5 kg/m³

Table 4

These values apply to the indication of the characteristic quantities of the liquid displayed by the conversion device.

(c) Accuracy for calculating function

The MPE for the calculation of each characteristic quantity of the liquid, positive or negative, is equal to two fifths of the value fixed in (b).

2.7. The requirement (a) in paragraph 2.6 applies to any calculation, not only conversion.

3. MAXIMUM PERMISSIBLE EFFECT OF DISTURBANCES

3.1. The effect of an electromagnetic disturbance on a measuring system shall be one of the following;

— the change in the measurement result is not greater than the critical change value as defined in paragraph 3.2, or

— the indication of the measurement result shows a momentary variation that cannot be interpreted, memorised or transmitted as a measuring result. Furthermore, in the case of an interruptible system, this can also mean the impossibility to perform any measurement, or

— the change in the measurement result is greater than the critical change value, in which case the measuring system shall permit the retrieval of the measuring result just before the critical change value occurred and cut off the flow.

3.2. The critical change value is the greater of MPE/5 for a particular measured quantity or E_{min}.

4. DURABILITY

After an appropriate test, taking into account the period of time estimated by the manufacturer, has been performed, the following criterion shall be satisfied:

The variation of the measurement result after the durability test, when compared with the initial measurement result, shall not exceed the value for meters specified in line B of table 2.

5. SUITABILITY

5.1. For any measured quantity relating to the same measurement, the indications provided by various devices shall not deviate one from another by more than one scale interval where devices have the same scale interval. In the case where the devices have different scale intervals, the deviation shall not be more than that of the greatest scale interval.

However, in the case of a self-service arrangement the scale intervals of the main indicating device on the measuring system and the scale intervals of the self-service device shall be the same and results of measurement shall not deviate one from another.

5.2. It shall not be possible to divert the measured quantity in normal conditions of use unless it is readily apparent.

5.3. Any percentage of air or gas not easily detectable in the liquid shall not lead to a variation of error greater than:

— 0,5 % for liquids other than potable liquids and for liquids of a viscosity not exceeding 1 mPa.s, or

— 1 % for potable liquids and for liquids of a viscosity exceeding 1 mPa.s. However, the allowed variation shall never be smaller than 1 % of MMQ. This value applies in the case of air or gas pockets.

5.4. Instruments for direct sales.

5.4.1. A measuring system for direct sales shall be provided with means for resetting the display to zero.

It shall not be possible to divert the measured quantity.

5.4.2. The display of the quantity on which the transaction is based shall be permanent until all parties in the transaction have accepted the measurement result.

5.4.3. Measuring systems for direct sales shall be interruptible.

5.4.4. Any percentage of air or gas in the liquid shall not lead to a variation of error greater than the values specified in paragraph 5.3.

5.5. Fuel Dispensers

5.5.1. Displays on fuel dispensers shall not be capable of being reset to zero during a measurement.

5.5.2. The start of a new measurement shall be inhibited until the display has been reset to zero.

5.5.3. Where a measuring system is fitted with a price display, the difference between the indicated price and the price calculated from the unit price and the indicated quantity shall not exceed the price corresponding to E_{min}. However this difference need not be less than the smallest monetary value.

6. POWER SUPPLY FAILURE

A measuring system shall either be provided with an emergency power supply device that will safeguard all measuring functions during the failure of the main power supply device or be equipped with means to save and display the data present in order to permit the conclusion of the transaction in progress and with means to stop the flow at the moment of the failure of the main power supply device.

7. PUTTING INTO USE

Accuracy Class	Types of Measuring system
0,3	— Measuring systems on pipeline
0,5	All measuring systems if not differently stated elsewhere in this Table, in particular: — fuel dispensers (not for liquefied gases), — measuring systems on road tankers for liquids of low viscosity (≤ 20 mPa.s) — measuring systems for (un)loading ships and rail and road tankers (*) — measuring systems for milk — measuring systems for refuelling aircraft
1,0	— Measuring systems for liquefied gases under pressure measured at a temperature equal to or above -10 °C — Measuring systems normally in class 0,3 or 0,5 but used for liquids — whose temperature is less than -10°C or greater than 50 °C — whose dynamic viscosity is higher than 1 000 mPa.s — whose maximum volumetric flowrate is not higher than 20 L/h
1,5	Measuring systems for liquefied carbon dioxide. Measuring systems for liquefied gases under pressure measured at a temperature below -10 °C (other than cryogenic liquids).
2,5	measuring systems for cryogenic liquids (temperature below -153 °C)
(*)	However, Member States may require measuring systems of accuracy class 0.3 or 0.5 when used for the levying of duties on mineral oils when (un)loading ships and rail and road tankers.

Note: However, the manufacturer may specify a better accuracy for a certain type of measuring system.

Table 5

8. UNITS OF MEASUREMENT

The metered quantity shall be displayed in millilitres, cubic centimetres, litres, cubic metres, grams, kilograms or tonnes.

CONFORMITY ASSESSMENT

The conformity assessment procedures referred to in Article 9 that the manufacturer can choose between are:

B+F or B+D or H1 or G.

ANNEX MI-006

AUTOMATIC WEIGHING INSTRUMENTS

The relevant essential requirements of Annex I, the specific requirements of this Annex and the conformity assessment procedures listed in Chapter I of this Annex, apply to automatic weighing instruments defined below, intended to determine the mass of a body by using the action of gravity on that body.

DEFINITIONS

Automatic weighing instrument

An instrument that determines the mass of a product without the intervention of an operator and follows a predetermined programme of automatic processes characteristic of the instrument.

Automatic catchweigher

An automatic weighing instrument that determines the mass of pre-assembled discrete loads (for example prepackages) or single loads of loose material.

Automatic checkweigher

An automatic catchweigher that subdivides articles of different mass into two or more subgroups according to the value of the difference of their mass and a nominal set-point.

Weight labeller

An automatic catchweigher that labels individual articles with the weight value.

Weight/price labeller

An automatic catchweigher that labels individual articles with the weight value, and price information.

Automatic gravimetric filling instrument

An automatic weighing instrument that fills containers with a predetermined and virtually constant mass of product from bulk.

Discontinuous totaliser (totalising hopper weigher)

An automatic weighing instrument that determines the mass of a bulk product by dividing it into discrete loads. The mass of each discrete load is determined in sequence and summed. Each discrete load is then delivered to bulk.

Continuous totaliser

An automatic weighing instrument that continuously determines the mass of a bulk product on a conveyor belt, without systematic subdivision of the product and without interrupting the movement of the conveyor belt.

Rail-weighbridge

An automatic weighing instrument having a load receptor inclusive of rails for conveying railway vehicles.

SPECIFIC REQUIREMENTS

Chapter I — Requirements common to all types of automatic weighing instruments

1. Rated Operating Conditions

The manufacturer shall specify the rated operating conditions for the instrument as follows:

1.1. For the measurand:

The measuring range in terms of its maximum and minimum capacity.

1.2. For the electrical supply influence quantities:

In case of AC voltage supply: the nominal AC voltage supply, or the AC voltage limits.

In case of DC voltage supply: the nominal and minimum DC voltage supply, or the DC voltage limits.

1.3. For the mechanical and climatic influence quantities:

The minimum temperature range is 30°C unless specified otherwise in the following chapters of this Annex.

The mechanical environment classes according to Annex I, paragraph 1.3.2 are not applicable. For instruments which are used under special mechanical strain, e.g. instruments incorporated into vehicles, the manufacturer shall define the mechanical conditions of use.

1.4. For other influence quantities (if applicable):

The rate(s) of operation.

The characteristics of the product(s) to be weighed.

2. Permissible effect of disturbances — Electromagnetic environment

The required performance and the critical change value are given in the relevant Chapter of this Annex for each type of instrument.

3. Suitability

3.1. Means shall be provided to limit the effects of tilt, loading and rate of operation such that maximum permissible errors (MPEs) are not exceeded in normal operation.

3.2. Adequate material handling facilities shall be provided to enable the instrument to respect the MPEs during normal operation.

3.3. Any operator control interface shall be clear and effective.

3.4. The integrity of the display (where present) shall be verifiable by the operator.

3.5. Adequate zero setting capability shall be provided to enable the instrument to respect the MPEs during normal operation.

3.6. Any result outside the measurement range shall be identified as such, where a printout is possible.

4. Conformity assessment

The conformity assessment procedures referred to in Article 9 that the manufacturer can choose between are:

For mechanical systems: B+D or B+E or B+F or D1 or F1 or G or H1.

For electromechanical instruments: B+D or B+E or B+F or G or H1.

For electronic systems or systems containing software: B+D or B+F or G or H1.

Chapter II — Automatic Catchweighers

1. Accuracy Classes

1.1. Instruments are divided into primary categories designated by:

X or Y

as specified by the manufacturer.

1.2. These primary categories are further divided into four accuracy classes:

XI, XII, XIII & XIV

and

Y(I), Y(II), Y(a) & Y(b)

which shall be specified by the manufacturer

2. Category X Instruments

2.1. Category X applies to instruments used to check prepackages made up in accordance with the requirements of Council Directive 75/106/EEC of 19 December 1974 on the approximation of the laws of the Member States relating to the making-up by volume of certain prepackaged liquids [1] and of Council Directive 76/211/EEC of 20 January 1976 on the approximation of the laws of the Member States relating to the making-up by weight or by volume of certain prepackaged products [2] .

2.2. The accuracy classes are supplemented by a factor (*x*) that quantifies the maximum permissible standard deviation as specified in paragraph 4.2.

The manufacturer shall specify the factor (*x*), where (*x*) shall be ≤ 2 and in the form 1×10^k, 2×10^k or 5×10^k , where k is a negative whole number or zero.

3. Category Y Instruments

Category Y applies to all other automatic catchweighers.

4. MPE

4.1. Mean error Category X/MPE Category Y instruments

Table 1

Net Load (m) in verification scale intervals (e)								Maximum permissible mean error	Maximum permissible error
XI	Y(I)	XII	Y(II)	XIII	Y(a)	XIV	Y(b)	X	Y
0 < m ≤ 50 000		0 < m ≤ 5 000		0 < m ≤ 500		0 < m ≤ 50		± 0,5 e	± 1 e
50 000 < m ≤ 200 000		5 000 < m ≤ 20 000		500 < m ≤ 2 000		50 < m ≤ 200		± 1,0 e	± 1,5 e
200 000 < m		20 000 < m ≤ 100 000		2 000 < m ≤ 10 000		200 < m ≤ 1 000		± 1,5 e	± 2 e

[1] OJ L 42, 15.2.1975, p. 1. Directive as last amended by Directive 89/676/EEC (OJ L 398, 30.12.1989, p. 18).
[2] OJ L 46, 21.2.1976, p. 1. Directive as last amended by the EEA Agreeement.

4.2. Standard deviation

Maximum permissible value for the standard deviation of a class X (*x*) instrument is the result of the multiplication of the factor (*x*) by the value in Table 2 below.

Table 2	
Net Load (m)	Maximum permissible standard deviation for class X(1)
m ≤ 50 g	0,48 %
50 g < m ≤ 100 g	0,24 g
100 g < m ≤ 200 g	0,24 %
200 g < m ≤ 300 g	0,48 g
300 g < m ≤ 500 g	0,16 %
500 g < m ≤ 1 000 g	0,8 g
1 000 g < m ≤ 10 000 g	0,08 %
10 000 g < m ≤ 15 000 g	8 g
15 000 g < m	0,053 %
For class XI and XII, (*x*) shall be less than 1 For class XIII, (*x*) shall be not greater than 1 For class XIV, (*x*) shall be greater than 1	

4.3. Verification scale interval — single interval instruments

Table 3				
Accuracy classes		Verification scale interval	Number of verification scale intervals n = Max/e	
			Minimum	Maximum
XI	Y(I)	0,001 g ≤ e	50 000	—
XII	Y(II)	0,001 g ≤ e ≤ 0,05 g	100	100 000
		0,1 g ≤ e	5 000	100 000

Accuracy classes		Verification scale interval	Number of verification scale intervals n = Max/e	
			Minimum	Maximum
XIII	Y(a)	0,1 g ≤ e ≤ 2 g	100	10 000
		5 g ≤ e	500	10 000
XIV	Y(b)	5 g ≤ e	100	1 000

4.4. Verification scale interval — multi-interval instruments

Table 4

Accuracy classes		Verification scale interval	Number of verification scale intervals n = Max/e	
			Minimum value ([1]) $n = Max/e_{(i+1)}$	Maximum value $n = Max_i/e_i$
XI	Y(I)	0,001 g ≤ e_i	50 000	–
XII	Y(II)	0,001 g ≤ e_i ≤ 0,05 g	5 000	100 000
		0,1 g ≤ e_i	5 000	100 000
XIII	Y(a)	0,1 g ≤ e_i	500	10 000
XIV	Y(b)	5 g ≤ e_i	50	1 000

Where:

i = 1, 2, …r

i = partial weighing range

r = total number of partial ranges

([1]) For i = r the corresponding column of Table 3 applies with e replaced by e_r

5. Measurement Range

In specifying the measurement range for class Y instruments the manufacturer shall take account that the minimum capacity shall not be less than:

class Y(I): 100 e

class Y(II): 20 e for 0,001 g ≤ e ≤ 0,05 g, and 50 e for 0,1 g ≤ e

class Y(a): 20 e

class Y(b): 10 e

Scales used for grading, e.g. postal scales and garbage weighers: 5 e

6. Dynamic Setting

6.1. The dynamic setting facility shall operate within a load range specified by the manufacturer.

6.2. When fitted, a dynamic setting facility that compensates for the dynamic effects of the load in motion shall be inhibited from operating outside the load range, and shall be capable of being secured.

7. Performance Under Influence Factors And Electromagnetic Disturbances

7.1. The MPEs due to influence factors are:

7.1.1. For category X instruments:

— For automatic operation; as specified in Tables 1, and 2,

— For static weighing in non-automatic operation; as specified in Table 1.

7.1.2. For category Y instruments

— For each load in automatic operation; as specified in Table 1,

— For static weighing in non-automatic operation; as specified for category X in Table 1.

7.2. The critical change value due to a disturbance is one verification scale interval.

7.3. Temperature range:

— For class XI and Y(I) the minimum range is 5° C,

— For class XII and Y(II) the minimum range is 15° C.

Chapter III — Automatic Gravimetric Filling Instruments

1. Accuracy classes

1.1. The manufacturer shall specify both the reference accuracy class Ref(*x*) and the operational accuracy class(es) X(*x*).

1.2. An instrument type is designated a reference accuracy class, Ref(*x*), corresponding to the best possible accuracy for instruments of the type. After installation, individual instruments are designated for one or more operational accuracy classes, X(*x*), having taken account of the specific products to be weighed. The class designation factor (*x*) shall be ≤ 2, and in the form 1×10^k , 2×10^k or 5×10^k where k is a negative whole number or zero.

1.3. The reference accuracy class, Ref(*x*) is applicable for static loads.

1.4. For the operational accuracy class X(*x*), X is a regime relating accuracy to load weight and (x) is a multiplier for the limits of error specified for class X(1) in 2.2.

2. MPE

2.1. Static weighing error.

2.1.1. For static loads under rated operating conditions, the MPE for reference accuracy class Ref(*x*), shall be 0,312 of the maximum permissible deviation of each fill from the average; as specified in Table 5; multiplied by the class designation factor (*x*).

2.1.2. For instruments where the fill may be made up from more than one load (e.g. cumulative or selective combination weighers) the MPE for static loads shall be the accuracy required for the fill as specified in 2.2 (i.e. not the sum of the maximum permissible deviation for the individual loads).

2.2. Deviation from average fill.

Table 5

Value of the mass, m (g), of the fills	Maximum permissible deviation of each fill from the average for class X(1)
m ≤ 50	7,2 %
50 < m ≤ 100	3,6 g
100 < m ≤ 200	3,6 %
200 < m ≤ 300	7,2 g
300 < m ≤ 500	2,4 %
500 < m ≤ 1 000	12 g
1 000 < m ≤ 10 000	1,2 %
10 000 < m ≤ 15 000	120 g
15 000 < m	0,8 %

Note: The calculated deviation of each fill from the average may be adjusted to take account for the effect of material particle size.

2.3. Error relative to pre-set value (setting error).

For instruments where it is possible to pre-set a fill weight; the maximum difference between the pre-set value and the average mass of the fills shall not exceed 0,312 of the maximum permissible deviation of each fill from the average, as specified in Table 5.

3. Performance Under Influence Factor And Electromagnetic Disturbance

3.1. The MPE due to influence factors shall be as specified in paragraph 2.1.

3.2. The critical change value due to a disturbance is a change of the static weight indication equal to the MPE as specified in paragraph 2.1 calculated for the rated minimum fill, or a change that would give equivalent effect on the fill in the case of instruments where the fill consists of multiple loads. The calculated critical change value shall be rounded to the next higher scale interval (d).

3.3. The manufacturer shall specify the value of the rated minimum fill.

Chapter IV — Discontinuous Totalisers

1. Accuracy Classes

Instruments are divided into four accuracy classes as follows: 0.2, 0.5, 1, 2.

2. MPEs

Table 6

Accuracy class	MPE of totalised load
0.2	± 0,10 %
0.5	± 0,25 %
1	± 0,50 %
2	± 1,00 %

3. Totalisation scale interval

The totalisation scale interval (d_t) shall be in the range: 0,01 % Max ≤ d_t ≤ 0,2 % Max

4. Minimum Totalised Load (Σ_{min})

The minimum totalised load (Σ_{min}) shall be not less than the load at which the MPE is equal to the totalisation scale interval (d_t) and not less than the minimum load as specified by the manufacturer.

5. Zero Setting

Instruments that do not tare weigh after each discharge shall have a zero setting device. Automatic operation shall be inhibited if zero indication varies by:

— 1 d_t on instruments with automatic zero setting device;

— 0,5 d_t on instruments with a semi-automatic, or non-automatic, zero setting device.

6. Operator Interface

Operator adjustments and reset function shall be inhibited during automatic operation.

7. Printout

On instruments equipped with a printing device, the reset of the total shall be inhibited until the total is printed. The printout of the total shall occur if automatic operation is interrupted.

8. Performance under influence factors and electromagnetic disturbances

8.1. The MPEs due to influence factors shall be as specified in Table 7.

Table 7

Load (m) in totalisation scale intervals (d_t)	MPE
$0 < m \leq 500$	$\pm 0{,}5\ d_t$
$500 < m \leq 2\ 000$	$\pm 1{,}0\ d_t$
$2\ 000 < m \leq 10\ 000$	$\pm 1{,}5\ d_t$

8.2. The critical change value due to a disturbance is one totalisation scale interval for any weight indication and any stored total.

Chapter V — Continuous Totalisers

1. Accuracy classes

Instruments are divided into three accuracy classes as follows: 0.5, 1, 2

2. Measurement Range

2.1. The manufacturer shall specify the measurement range, the ratio between the minimum net load on the weighing unit and the maximum capacity, and the minimum totalised load.

2.2. The minimum totalised load Σ_{min} shall not be less than

800 d for class 0.5,

400 d for class 1,

200 d for class 2.

Where d is the totalisation scale interval of the general totalisation device.

3. MPE

Table 8	
Accuracy class	MPE for totalised load
0,5	± 0,25 %
1	± 0,5 %
2	± 1,0 %

4. Speed of the belt

The speed of the belt shall be specified by the manufacturer. For single-speed beltweighers, and variable-speed beltweighers having a manual speed setting control, the speed shall not vary by more than 5 % of the nominal value. The product shall not have a different speed than the speed of the belt.

5. General Totalisation Device

It shall not be possible to reset the general totalisation device to zero.

6. Performance under influence factors and electromagnetic disturbances

6.1. The MPE due to influence factor, for a load not less than the Σ_{min}, shall be 0,7 times the appropriate value specified in Table 8, rounded to the nearest totalisation scale interval (d).

6.2. The critical change value due to a disturbance shall be 0,7 times the appropriate value specified in Table 8, for a load equal to Σ_{min}, for the designated class of the beltweigher; rounded up to the next higher totalisation scale interval (d).

Chapter VI — Automatic Rail Weighbridges

1. Accuracy classes

Instruments are divided into four accuracy classes as follows: 0.2, 0.5, 1, 2.

2. MPE

2.1. The MPEs for weighing-in-motion of a single wagon or a total train are shown in table 9.

Table 9	
Accuracy class	MPE
0.2	± 0,1 %
0.5	± 0,25 %
1	± 0,5 %
2	± 1,0 %

2.2. The MPEs for the weight of coupled or uncoupled wagons weighing-in-motion shall be one of the following values, whichever is the greatest:

— the value calculated according to Table 9, rounded to the nearest scale interval;

— the value calculated according to Table 9, rounded to the nearest scale interval for a weight equal to 35 % of the maximum wagon weight (as inscribed on the descriptive markings);

— one scale interval (d)

2.3. The MPEs for the weight of train weighing-in-motion shall be one of the following values, whichever is the greatest:

— the value calculated according to Table 9, rounded to the nearest scale interval;

— the value calculated according to Table 9, for the weight of a single wagon equal to 35 % of the maximum wagon weight (as inscribed on the descriptive markings) multiplied by the number of reference wagons (not exceeding 10) in the train, and rounded to the nearest scale interval;

— one scale interval (d) for each wagon in the train, but not exceeding 10 d.

2.4. When weighing coupled wagons; the errors of not more than 10 % of the weighing results taken from one or more passes of the train may exceed the appropriate MPE given in paragraph 2.2, but shall not exceed twice the MPE.

3. Scale interval (d)

The relationship between the accuracy class and the scale interval shall be as specified in Table 10.

Table 10

Accuracy class	Scale interval (d)
0.2	d ≤ 50 kg
0.5	d ≤ 100 kg
1	d ≤ 200 kg
2	d ≤ 500 kg

4. Measurement range

4.1. The minimum capacity shall not be less than 1 t, and not greater than the value of the result of the minimum wagon weight divided by the number of partial weighings.

4.2. The minimum wagon weight shall not be less than 50 d.

5. Performance under influence factor and electromagnetic disturbance

5.1. The MPE due to an influence factor shall be as specified in Table 11.

Table 11

Load (m) in verification scale intervals (d)	MPE
0 < m ≤ 500	± 0,5 d
500 < m ≤ 2 000	± 1,0 d
2 000 < m ≤ 10 000	± 1,5 d

5.2. The critical change value due to a disturbance is one scale interval.

ANNEX MI-007

TAXIMETERS

The relevant requirements of Annex 1, the specific requirements of this Annex and the conformity assessment procedures listed in this Annex apply to taximeters.

DEFINITIONS

Taximeter

A device that works together with a signal generator (*) to make a measuring instrument. This device measures duration, calculates distance on the basis of a signal delivered by the distance signal generator. Additionally, it calculates and displays the fare to be paid for a trip on the basis of the calculated distance and/or the measured duration of the trip.

Fare

The total amount of money due for a trip based on a fixed initial hire fee and/or the length and/or the duration of the trip. The fare does not include a supplement charged for extra services.

Cross—over speed

The speed value found by division of a time tariff value by a distance tariff value.

Normal calculation mode S (single application of tariff)

Fare calculation based on application of the time tariff below the cross-over speed and application of the distance tariff above the cross-over speed.

Normal calculation mode D (double application of tariff)

Fare calculation based on simultaneous application of time tariff and distance tariff over the whole trip.

Operating position

(*) the distance signal generator is outside the scope of this Directive.

The different modes in which a taximeter fulfils the different parts of its functioning. The operating positions are distinguished by the following indications:

'For Hire': The operating position in which the fare calculation is disabled

'Hired': The operating position in which the fare calculation takes place on the basis of a possible initial charge and a tariff for distance travelled and/or time of the trip

'Stopped': The operating position in which the fare due for the trip is indicated and at least the fare calculation based on time is disabled.

Design requirements

1. The taximeter shall be designed to calculate the distance and to measure the duration of a trip.

2. The taximeter shall be designed to calculate and display the fare, incrementing in steps equal to the resolution fixed by the Member State in the operation position 'Hired'. The taximeter shall also be designed to display the final value for the trip in the operating position 'Stopped'.

3. A taximeter shall be able to apply the normal calculation modes S and D. It shall be possible to choose between these calculation modes by a secured setting.

4. A taximeter shall be able to supply the following data through an appropriate secured interface(s):

   — operation position: 'For Hire', 'Hired' or 'Stopped';

   — totaliser data according to paragraph 15.1;

   — general information: constant of the distance signal generator, date of securing, taxi identifier, real time, identification of the tariff;

   — fare information for a trip: total charged, fare, calculation of the fare, supplement charge, date, start time, finish time, distance travelled;

   — tariff(s) information: parameters of tariff(s).

   National legislation may require certain devices to be connected to the interface(s) of a taximeter. Where such a device is required; it shall be possible, by secured setting, to inhibit automatically the operation of the taximeter for reasons of the non-presence or improper functioning of the required device.

5. If relevant, it shall be possible to adjust a taximeter for the constant of the distance signal generator to which it is to be connected and to secure the adjustment.

   Rated operating conditions

6.1. The mechanical environment class that applies is M3.

6.2. The manufacturer shall specify the rated operating conditions for the instrument, in particular:

   — a minimum temperature range of 80 °C for the climatic environment;

   — the limits of the DC power supply for which the instrument has been designed.

Maximum permissible errors (MPEs)

7. The MPE, excluding any errors due to application of the taximeter in a taxi, are:

— For the time elapsed: +/- 0,1 %

minimum value of mpe: 0,2 s;

— For the distance travelled: +/- 0,2 %

minimum value of mpe: 4 m;

— For the calculation of the fare: +/- 0,1 %

minimum, including rounding: corresponding to the least significant digit of the fare indication.

Permissible effect of disturbances

8. Electromagnetic immunity

8.1. The electromagnetic class that applies is E3.

8.2. The MPE laid down in paragraph 7 shall also be respected in the presence of an electromagnetic disturbance.

Power supply failure

9. In case of a reduction of the voltage supply to a value below the lower operating limit as specified by the manufacturer, the taximeter shall:

— continue to work correctly or resume its correct functioning without loss of data available before the voltage drop if the voltage drop is temporary, i.e. due to restarting the engine;

— abort an existing measurement and return to the position 'For Hire' if the voltage drop is for a longer period.

Other requirements

10. The conditions for the compatibility between the taximeter and the distance signal generator shall be specified by the manufacturer of the taximeter.

11. If there is a supplement charge for an extra service, entered by the driver on manual command, this shall be excluded from the fare displayed. However, in that case a taximeter may display temporarily the value of the fare including the supplementary charge.

12. If the fare is calculated according to calculation mode D a taximeter may have an additional display mode in which only the total distance and duration of the trip are displayed in real time.

13. All values displayed for the passenger shall be suitably identified. These values as well as their identification shall be clearly readable under daylight and night conditions.

14.1. If the fare to be paid or the measures to be taken against fraudulent use can be affected by the choice of functionality from a pre-programmed setting or by free data setting, it shall be possible to secure the instrument settings and data entered.

14.2. The securing possibilities available in a taximeter shall be such that separate securing of the settings is possible.

14.3. The provisions in paragraph 8.3 of Annex I apply also to the tariffs.

15.1. A taximeter shall be fitted with non-resettable totalisers for all of the following values:

— The total distance travelled by the taxi;

— The total distance travelled when hired;

— The total number of hirings;

— The total amount of money charged as supplements;

— The total amount of money charged as fare.

The totalised values shall include the values saved according to paragraph 9 under conditions of loss of power supply.

15.2. If disconnected from power, a taximeter shall allow the totalised values to be stored for one year for the purpose of reading out the values from the taximeter to another medium.

15.3. Adequate measures shall be taken to prevent the display of totalised values from being used to deceive passengers.

16. Automatic change of tariffs is allowed due to the:

— distance of the trip;

— duration of the trip;

— time of the day;

— date;

— day of the week.

17. If properties of the taxi are important for the correctness of the taximeter, the taximeter shall provide means to secure the connection of the taximeter to the taxi in which it is installed.

18. For the purpose of testing after installation, the taximeter shall be equipped with the possibility to test separately the accuracy of time and distance measurement and the accuracy of the calculation.

19. A taximeter and its installation instructions specified by the manufacturer shall be such that, if installed according to the manufacturer's instructions, fraudulent alterations of the measurement signal representing the distance travelled are sufficiently excluded.

20. The general essential requirement dealing with fraudulent use shall be fulfilled in such a way that the interests of the customer, the driver, the driver's employer and the fiscal authorities are protected.

21. A taximeter shall be designed so that it can respect the MPEs without adjustment during a period of one year of normal use.

22. The taximeter shall be equipped with a real-timeclock by means of which the time of the day and the date are kept, one or both can be used for automatic change of tariffs. The requirements for the real-time clock are:

— The timekeeping shall have an accuracy of 0,02 %;

— The correction possibility of the clock shall be not more than 2 minutes per week. Correction for summer and wintertime shall be performed automatically;

— Correction, automatic or manually, during a trip shall be prevented.

23. The values of distance travelled and time elapsed, when displayed or printed in accordance with this Directive, shall use the following units:

Distance travelled:

— in the United Kingdom and Ireland: until the date which will be fixed by these Member States according to Article (1)(b) of Directive 80/181/EEC: kilometres or miles;

— in all other Member States: kilometres.

Time elapsed:

— seconds, minutes or hours, as may be suitable; keeping in mind the necessary resolution and the need to prevent misunderstandings.

CONFORMITY ASSESSMENT

The conformity assessment procedures referred to in Article 9 that the manufacturer can choose between are:

B+F or B+D or H1.

ANNEX MI-008

MATERIAL MEASURES

CHAPTER I — MATERIAL MEASURES OF LENGTH

The relevant essential requirements of Annex I, the specific requirements of this Annex and the conformity assessment procedures listed in this chapter, apply to material measures of length defined below. However, the requirement for the supply of a copy of declarations of conformity may be interpreted as applying to a batch or consignment rather than each individual instruments.

DEFINITIONS

Material measure of length

An instrument comprising scale marks whose distances are given in legal units of length.

SPECIFIC REQUIREMENTS

Reference Conditions

1.1. For tapes of length equal to or greater than five metres, the maximum permissible errors (MPEs) are to be met when a tractive force of fifty newtons or other force values as specified by the manufacturer and marked on the tape accordingly, or in the case of rigid or semi-rigid measures no tractive force is needed, is applied.

1.2. The reference temperature is 20 °C unless otherwise specified by the manufacturer and marked on the measure accordingly.

MPEs

2. The MPE, positive or negative in mm, between two non-consecutive scale marks is (a + bL), where:

— L is the value of the length rounded up to the next whole metre; and

— a and b are given in Table 1 below.

When a terminal interval is bounded by a surface, the MPE for any distance beginning at this point is increased by the value c given in Table 1.

Accuracy Class	a (mm)	b	c (mm)
I	0,1	0,1	0,1
II	0,3	0,2	0,2
III	0,6	0,4	0,3
D— special class for dipping tapes (1). Up to and including 30m (2)	1,5	zero	zero
S— special class for tank strapping tapes. For each 30 m length when the tape is supported on a flat surface	1,5	zero	zero

(1) Applies to the tape/dip weight combinations.

(2) If the nominal tape length exceeds 30 m, an additional mpe of 0,75 mm shall be permitted for each 30 m of tape length.

Table 1

Dip tapes may also be of Classes I or II in which case for any length between two scale marks, one of which is on the sinker and the other on the tape, the mpe is ± 0,6 mm when application of the formula gives a value of less than 0,6 mm.

The MPE for the length between consecutive scale marks, and the maximum permissible difference between two consecutive intervals, are given in Table 2 below.

Length i of the interval	MPE or difference in millimetres according to accuracy class		
	I	II	III
$i \leq 1$ mm	0,1	0,2	0,3
1 mm $< i \leq$ 1 cm	0,2	0,4	0,6

Table 2

Where a rule is of the folding type, the jointing shall be such as not to cause any errors, supplementary to those above, exceeding: 0.3 mm for Class II, and 0.5 mm for Class III.

Materials

3.1. Materials used for material measures shall be such that length variations due to temperature excursions up to ±8 °C about the reference temperature do not exceed the MPE. This does not apply to Class S and Class D measures where the manufacturer intends that thermal expansion corrections shall be applied to observed readings where necessary.

3.2. Measures made from material whose dimensions may alter materially when subjected to a wide range of relative humidity, may only be included in Classes II or III.

Markings

4. The nominal value shall be marked on the measure. Millimetre scales shall be numbered every centimetre and measures with a scale interval greater than 2 cm shall have all scale marks numbered.

CONFORMITY ASSESSMENT

The conformity assessment procedures referred to in Article 9 that the manufacturer can choose between are:

F 1 or D1 or B+D or H or G.

CHAPTER II — CAPACITY SERVING MEASURES

The relevant essential requirements of Annex I, and the specific requirements and the conformity assessment procedures listed in this chapter, apply to capacity serving measures defined below. However, the requirement for the supply of a copy of declarations of conformity may be interpreted as applying to a batch or consignment rather than each individual instrument. Also, the requirement for the instrument to bear information in respect of its accuracy shall not apply.

DEFINITIONS

Capacity serving measure

A capacity measure (such as a drinking glass, jug or thimble measure) designed to determine a specified volume of a liquid (other than a pharmaceutical product) which is sold for immediate consumption.

Line measure

A capacity serving measure marked with a line to indicate nominal capacity.

Brim measure

A capacity serving measure for which the internal volume is equal to the nominal capacity.

Transfer measure

A capacity serving measure from which it is intended that the liquid is decanted prior to consumption.

Capacity

The capacity is the internal volume for brim measures or internal volume to a filling mark for line measures.

SPECIFIC REQUIREMENTS

1. Reference Conditions

1.1. Temperature: the reference temperature for measurement of capacity is 20 °C.

1.2. Position for correct indication: free standing on a level surface.

2. MPEs

	line	brim
Transfer measures		
< 100 mL	± 2 mL	- 0 + 4 mL
≥ 100 mL	± 3 %	- 0 + 6 %
Serving measures		
< 200 mL	± 5 %	- 0 + 10 %
≥ 200 mL	± 5mL + 2,5 %	- 0 + 10 mL + 5 %

Table 1

3. Materials

Capacity serving measures shall be made of material which is sufficiently rigid and dimensionally stable to maintain capacity within the MPE.

4. Shape

4.1. Transfer measures shall be designed so that a change of contents equal to the MPE causes a change in level of at least 2 mm at the brim or filling mark.

4.2. Transfer measures shall be designed so that the complete discharge of the liquid being measured will not be impeded.

5. Marking

5.1. The nominal capacity declared shall be clearly and indelibly marked on the measure.

5.2. Capacity serving measures may also be marked with up to three clearly distinguishable capacities, none of which shall lead to confusion one to the other.

5.3. All filling marks shall be sufficiently clear and durable to ensure that MPEs are not exceeded in use.

CONFORMITY ASSESSMENT

The conformity assessment procedures referred to in Article 9 that the manufacturer can choose between are:

A1 or F1 or D1 or E1 or B+E or B+D or H.

ANNEX MI-009

DIMENSIONAL MEASURING INSTRUMENTS

The relevant essential requirements of Annex I, the specific requirements of this Annex and the conformity assessment procedures listed in this Annex, apply to dimensional measuring instruments of the types defined below.

Definitions

Length measuring instrument

A length measuring instrument serves for the determination of the length of rope-type materials (e.g. textiles, bands, cables) during feed motion of the product to be measured.

Area Measuring Instruments

An area measuring instrument serves for the determination of the area of irregular shaped objects, e.g. for leather.

Multi-dimensional Measuring Instruments

A multi-dimensional measuring instrument serves for the determination of the edge length (length, height, width) of the smallest enclosing rectangular parallelepiped of a product.

CHAPTER I — EQUIREMENTS COMMON TO ALL DIMENSIONAL MEASURING INSTRUMENTS

Electromagnetic immunity

1. The effect of an electromagnetic disturbance on a dimensional measuring instrument shall be such that:

   — the change in measurement result is no greater than the critical change value as defined in paragraph 2.3; or

   — it is impossible to perform any measurement; or

   — there are momentary variations in the measurement result that cannot be interpreted, memorised or transmitted as a measuring result; or

   — there are variations in the measurement result severe enough to be noticed by all those interested in the measurement result.

2. The critical change value is equal to one scale interval.

CONFORMITY ASSESSMENT

The conformity assessment procedures referred to in Article 9 that the manufacturer can choose between are:

For mechanical or electromechanical instruments:

F1 or E1 or D1 or B+F or B+E or B+D or H or H 1 or G.

For electronic instruments or instruments containing software:

B+F or B+D or H1 or G.

CHAPTER II — LENGTH MEASURING INSTRUMENTS

Characteristics of the product to be measured

1. Textiles are characterised by the characteristic factor K. This factor takes the stretchability and force per unit area of the product measured into account and is defined by the following formula:

   $K = \varepsilon.(G_A + 2{,}2\ N/m^2)$, where

   ε is the relative elongation of a cloth specimen 1 m wide at a tensile force of 10 N,

   G_A is the weight force per unit area of a cloth specimen in N/m^2.

   Operating conditions

2.1. Range

   Dimensions and K-factor, where applicable, within the range specified by the manufacturer for the instrument. The ranges of K-factor are given in Table 1:

Group	Range of K	Product
I	$0 < K < 2\times10^{-2}\ N/m^2$	low stretchability
II	$2\times10^{-2}\ N/m^2 < K < 8\times10^{-2}\ N/m^2$	medium stretchability
III	$8\times10^{-2}\ N/m^2 < K < 24\times10^{-2}\ N/m^2$	high stretchability
IV	$24\times10^{-2}\ N/m^2 < K$	very high stretchability

Table 1

2.2. Where the measured object is not transported by the measuring instrument, its speed must be within the range specified by the manufacturer for the instrument.

2.3. If the measurement result depends on the thickness, the surface condition and the kind of delivery (e.g. from a big roll or from a pile), corresponding limitations are specified by the manufacturer.

MPEs

3. Instrument

Accuracy class	MPE
I	0,125 %, but not less than 0,005 L_m
II	0,25 %, but not less than 0,01 L_m
III	0,5 %, but not less than 0,02 L_m

Table 2

Where L_m is the minimum measurable length, that is to say the smallest length specified by the manufacturer for which the instrument is intended to be used.

The true length value of the different types of materials should be measured using suitable instruments (e.g. tapes of length). Thereby, the material which is going to be measured should be laid out on a suitable underlay (e.g. a suitable table) straight and unstretched.

Other requirements

4. The instruments must ensure that the product is measured unstretched according to the intended stretchability for which the instrument is designed.

CHAPTER III — AREA MEASURING INSTRUMENTS

Operating conditions

1.1. Range

Dimensions within the range specified by the manufacturer for the instrument.

1.2. Condition of the product

The manufacturer shall specify the limitations of the instruments due to the speed, and thickness of the surface conditions if relevant, of the product.

MPEs

2. Instrument

The MPE is 1,0 %, but not less than 1 dm^2.

Other requirements

3. Presentation of the product

In the case of pulling back or stopping the product, it should not be possible to have an error of measurement or the display must be blanked.

4. Scale interval

The instruments must have a scale interval of 1,0 dm^2. In addition, it must be possible to have a scale interval of 0,1 dm^2 for testing purposes.

CHAPTER IV — MULTIDIMENSIONAL MEASURING INSTRUMENTS

Operating conditions

1.1. Range

Dimensions within the range specified by the manufacturer for the instrument.

1.2. Minimum dimension

The lower limit of the minimum dimension for all values of the scale interval is given in Table 1.

Scale interval (d)	Minimum dimension (min) (lower limit)
d ≤ 2 cm	10 d
2 cm < d ≤ 10 cm	20 d
10 cm < d	50 d

Table 1

1.3. Speed of the product

The speed must be within the range specified by the manufacturer for the instrument.

MPE

2. Instrument:

The MPE is ± 1,0 d.

ANNEX MI-010

EXHAUST GAS ANALYSERS

The relevant requirements of Annex I, the specific requirements of this Annex and the conformity assessment procedures listed in this Annex, apply to exhaust gas analysers defined below intended for inspection and professional maintenance of motor vehicles in use.

DEFINITIONS

Exhaust gas analyser

An exhaust gas analyser is a measuring instrument that serves to determine the volume fractions of specified components of the exhaust gas of a motor vehicle engine with spark ignition at the moisture level of the sample analysed.

These gas components are:

carbon monoxide (CO), carbon dioxide (CO_2), oxygen (O_2) and hydrocarbons (HC).

The content of hydrocarbons has to be expressed as concentration of n-hexane (C_6 H_{14}), measured with near-infrared absorption techniques.

The volume fractions of the gas components are expressed as a percentage (% vol) for CO, CO_2 and O_2 and in parts per million (ppm vol).

Moreover, an exhaust gas analyser calculates the lambda value from the volume fractions of the components of the exhaust gas.

Lambda

Lambda is a dimensionless value representative of the burning efficiency of an engine in terms of air/fuel ratio in the exhaust gases. It is determined with a reference standardised formula.

SPECIFIC REQUIREMENTS

Instrument Classes

1. Two classes (0 and I) are being defined for exhaust gas analysers. The relevant minimum measuring ranges for these classes are shown in Table 1.

Parameter	Classes 0 and I
CO fraction	from 0 to 5 % vol
CO_2 fraction	from 0 to16 % vol
HC fraction	from 0 to 2 000 ppm vol
O_2 fraction	from 0 to 21 % vol
λ	from 0,8 to 1,2

Table 1 — Classes and measuring ranges

Rated operating conditions

2. The values of the operating conditions shall be specified by the manufacturer as follows:

2.1. For the climatic and mechanical influence quantities:

— A minimum temperature range of 35 °C for the climatic environment;

— The mechanical environment class that applies is M1.

2.2. For the electrical power influence quantities:

— The voltage and frequency range for the AC voltage supply;

— The limits of the DC voltage supply.

2.3. For the ambient pressure:

— The minimum and the maximum values of the ambient pressure are for both classes:

$p_{min} \leq$ 860 hPa, $p_{max} \geq$1 060 hPa.

Maximum permissible errors (MPEs)

3. The MPEs are defined as follows:

3.1. For each of the fractions measured, the maximum error value permitted under rated operating conditions according to paragraph 1.1 of Annex I is the greater of the two values shown in Table 2. Absolute values are expressed in % vol or ppm vol, percentage values are percent of the true value.

Parameter	Class 0	Class I
CO fraction	± 0,03 % vol ± 0,06 % vol	± 5 % ± 5 %
CO_2 fraction	± 0,5 % vol ± 0,5 % vol	± 5 % ± 5 %
HC fraction	± 10 ppm vol ± 12 ppm vol	± 5 % ± 5 %
O_2 fraction	± 0,1 % vol ± 0,1 % vol	± 5 % ± 5 %

Table 2 — MPEs

3.2. The MPE on lambda calculation is 0,3 %. The conventional true value is calculated according to the formula defined in point 5.3.7.3 of Annex I of Directive 98/69/EC of the EP and the Council relating to measures to be taken against air pollution by emissions from motor vehicles and amending Council Directive 70/220/EEC. ([1]). For this purpose, the values displayed by the instrument are used for calculation.

Permissible effect of disturbances

4. For each of the volume fractions measured by the instrument, the critical change value is equal to the MPE for the parameter concerned.

5. The effect of an electromagnetic disturbance shall be such that:

— either the change in the measurement result is not greater than the critical change value laid down in paragraph 4;

([1]) OJ L 350, 28.12.1998, p. 17.

— or the presentation of the measurement result is such that it cannot be taken for a valid result.

Other requirements

6. The resolution shall be equal to or of one order of magnitude higher than the values shown in Table 3.

	CO	CO_2	O_2	HC
Class 0 and class I	0,01 % vol	0,1 % vol	(*)	1 ppm vol

(*) 0,01 % vol for measured values below or equal to 4 % vol, otherwise 0,1 % vol.

Table 3 — Resolution

The lambda value shall be displayed with a resolution of 0,001.

7. The standard deviation of 20 measurements shall not be greater than one third of the modulus of the MPE for each applicable gas volume fraction.

8. For measuring CO, CO_2 and HC, the instrument, including the specified gas handling system, must indicate 95 % of the final value as determined with calibration gases within 15 seconds after changing from a gas with zero content, e.g. fresh air. For measuring O_2, the instrument under similar conditions must indicate a value differing less than 0,1 % vol from zero within 60 seconds after changing from fresh air to an oxygen-free gas.

9. The components in the exhaust gas, other than the components whose values are subject to the measurement, shall not affect the measurement results by more than the half of the modulus of the MPEs when those components are present in the following maximum volume fractions:

6 % vol CO,

16 % vol CO_2,

10 % vol O_2,

5 % vol H_2,

0,3 % vol NO,

2 000 ppm vol HC (as n-hexane),

water vapor up to saturation.

10. An exhaust gas analyser shall have an adjustment facility that provides operations for zero-setting, gas calibration and internal adjustment. The adjustment facility for zero-setting and internal adjustment shall be automatic.

11. For automatic or semi-automatic adjustment facilities, the instrument shall be unable to make a measurement as long as the adjustments have not been made.

12. An exhaust gas analyser shall detect hydrocarbon residues in the gas handling system. It shall not be possible to carry out a measurement if the hydrocarbon residues, present before any measurement, exceeds 20 ppm vol.

13. An exhaust gas analyser shall have a device for automatically recognising any malfunctioning of the sensor of the oxygen channel due to wear or a break in the connecting line.

14. If the exhaust gas analyser is capable to operate with different fuels (e.g. petrol or liquefied gas), there shall be the possibility to select the suitable coefficients for the Lambda calculation without ambiguity concerning the appropriate formula.

CONFORMITY ASSESSMENT

The conformity assessment procedures referred to in Article 9 that the manufacturer can choose between are:

B+F or B+D or H1.

P5_TA(2003)0581

Motor vehicles: seats, their anchorages and head restraints ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council directive amending Council directive 74/408/EEC relating to motor vehicles with regards to the seats, their anchorages and head restraints (COM(2003) 361 — C5-0283/2003 — 2003/0128(COD))

(Codecision procedure: first reading)

The European Parliament,

— having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 361) ([1]),

— having regard to Article 251(2) and Article 95 of the EC Treaty, pursuant to which the Commission proposal was submitted to the European Parliament (C5-0283/2003),

— having regard to Rule 67 of the Rules of Procedure,

— having regard to the report of the Committee on Regional Policy, Transport and Tourism (A5-0418/2003),

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.

([1]) Not yet published in OJ.

Wednesday 17 December 2003

P5_TC1-COD(2003)0128

Position of the European Parliament adopted at first reading on 17 December 2003 with a view to the adoption of Directive *2004/…/EC* of the European Parliament and of the Council amending Council Directive 74/408/EEC relating to motor vehicles with regards to the seats, their anchorages and head restraints

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 ([1]),

Having regard to the opinion of the European Economic and Social Committee ([1]),

Having regard to the opinion of the Committee of the Regions ([1]),

Acting in accordance with the procedure laid down in Article 251 of the Treaty ([2]),

Whereas:

(1) Research has shown that the use of safety belts and restraint systems can contribute to a substantial reduction in the number of fatalities and the severity of injury in the event of an accident, even due to rollover. Their fitting in all categories of vehicles will certainly constitute an important step forward to provide an increase in road safety and a consequent saving of lives.

(2) A substantial benefit to society can be accrued if all vehicles are provided with safety belts.

(3) In its resolution of 18 February 1986 on common measures to reduce road accidents, as part of the Community's programme for road safety ([3]), the European Parliament stressed the need for making the wearing of safety belts compulsory for all passengers, including children, except in public service vehicles. Therefore, a distinction has to be made between public service buses and other vehicles as regards the compulsory installation of safety belts and/or restraint systems.

(4) Pursuant to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ([4]), the Community type-approval system *has been* implemented for all new vehicles of category M_1 from 1 January 1998. Consequently, only these vehicles have to be fitted with seats, seat *anchorages* and head restraints, *in compliance with* the provisions *of Directive* 74/408/EEC ([5]).

(5) Until the Community type-approval system is extended to all categories of vehicles, the installation of seats and seat *anchorages compatible* with the installation of seat belt anchorages should be required in the interests of road safety in vehicles belonging to categories other than M_1.

(6) Directive 74/408/EEC already provides for all technical and administrative provisions allowing the type-approval of vehicles of categories other than M_1. Therefore, the Member States do not need to introduce further provisions.

([1]) OJ C …
([2]) *Position of the European Parliament of 17 December 2003.*
([3]) OJ C 68, 24.3.1986, p.35.
([4]) OJ L 42, 23.2.1970, p. 1. *Directive as last amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36).*
([5]) OJ L 221, 12.8.1974, p. 1. *Directive as last amended by Commission Directive 96/37/EC (OJ L 186, 25.7.1996, p. 28).*

(7) Since the entry into force of Directive 96/37/EC, several Member States have already made compulsory the provisions contained therein in respect of certain categories of vehicles other than M_1. Manufacturers and their suppliers have thus developed the appropriate technology.

(8) Research work have shown that it is not possible to provide side-facing seats with safety belts ensuring the same level of safety to the occupants as front-facing seats. For safety reasons, it is necessary to ban those seats in certain categories of vehicles.

(9) Research shows that the risks of side-facing seats for passengers in category M_3 vehicles have not been sufficiently assessed. It is necessary to examine these risks using methods such as those used for testing car safety in order to arrive at a balanced risk assessment. The Commission should commission such tests and forward the results to the European Parliament by 31 December 2004.

(*10*) Directive 74/408/EEC should be amended accordingly.

(*11*) Since the objectives of the proposed action, namely the improvement of road safety by the introduction of the compulsory fitting of safety belts in certain categories of vehicles, cannot be sufficiently achieved by the Member States and can, therefore, by reason of the scale 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 Directive does not go beyond what is necessary for that purpose,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Amendment *of* Directive 74/408/EEC

Directive 74/408/EEC is hereby amended as follows:

1. Article 1 shall be amended as follows:

(a) In paragraph 1, the following subparagraph shall be added:

'Vehicles of *categories* M_2 and M_3 are subdivided in class as defined in section 2 of Annex I to Directive 2001/85/EC of the European Parliament and of the Council (*).

(*) OJ L 42, 13.2.2002, p. 1.'

(b) Paragraph 2 shall be replaced by the following:

'2. This Directive does not apply to folding (tip-up) seats as defined in item 2.7. of Annex I and to rearward-facing seats.'

2. The following Article 3a shall be inserted:

'Article 3a

1. With effect from [1 July 2004], Member States shall prohibit the installation of side-facing seats on new types of vehicles of categories M_1 ***and*** N_1 ***as well as category M_2 of class B***.

2. With effect from [1 January 2006], Member States shall prohibit the installation of side-facing seats on new vehicles of categories M_1 ***and*** N_1 ***as well as category M_2 of class B***.

3. Paragraphs 1 and 2 shall not apply to ambulances, the vehicles listed in Article 8(1) first indent to Directive 70/156/EEC *or* to the seating of motor caravans intended solely for use when the vehicle is stationary.'

3. In Annex IV, item 1.1. shall be replaced by the following:

'1.1. The requirements set out in this Annex apply to vehicles in categories N_1, N_2 or N_3 and *to* those in categories M_2 and M_3 not covered by the scope of Annex III. *Without prejudice to paragraph 2.5 the requirements shall also apply to side-facing seats of all categories of vehicles.*'

Article 2

Implementation

1. With effect from [1 January 2004],

(a) refuse to grant EC type-approval, or national type-approval, in respect of a type of vehicle;

(b) prohibit the registration, sale or entry into service of new vehicles.

with respect to the seats, their anchorages and head restraints which comply with the requirements set out in Directive 74/408/EEC as amended by this Directive, Member States shall *not*:

2. With effect from [1 July 2004], with respect to the seats,

(a) no longer grant EC type-approval;

(b) refuse to grant national type-approval.

their anchorages and head *restraints which* do not comply with the requirements set out in Directive 74/408/EEC as amended by this Directive, Member States shall, in respect of a new type of vehicle:

3. With effect from [1 January 2006],

(a) consider certificates of conformity which accompany new vehicles as no longer valid for the purpose of Article 7(1) of Directive 70/156/EEC;

(b) refuse the registration, sale or entry into service of new vehicles, except where the provisions of Article 8(2) of Directive 70/156/EEC are invoked.

with respect to the seats, their anchorages and head *restraints which* do not comply with the requirements set out in Directive 74/408/EEC as amended by this Directive, Member States shall:

Article 3

Transposition

1. Member States shall adopt and publish the laws, regulations and administrative provisions necessary to comply with this Directive before … (*). They shall forthwith inform the Commission thereof.

(*) *Six months after the date of adoption of this Directive.*

2. They shall apply these provisions from … (*).

3. When Member States adopt these provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

4. Member States shall communicate to the Commission the *text* of the main provisions of national *law which* they adopt in the field covered by this Directive.

Article 4

Entry into force

This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

Article 5

Addressees

This Directive is addressed to the Member States

Done at …,

For the European Parliament
The President

For the Council
The President

(*) *Six months after the date of adoption of this Directive.*

P5_TA(2003)0582

Motor vehicles: safety belts and restraint systems ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council directive amending Council Directive 77/541/EEC on the approximation of the laws of the Member States relating to safety belts and restraint systems of motor vehicles (COM(2003) 363 — C5-0282/2003 — 2003/0130(COD))

(Codecision procedure: first reading)

The European Parliament,

— having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 363) ([0]),

— having regard to Articles 251(2) and 95 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0282/2003),

([0]) Not yet published in OJ.

— having regard to Rule 67 of its Rules of Procedure,

— having regard to the report of the Committee on Regional Policy, Transport and Tourism (A5-0304/2003),

1. Approves the Commission proposal as amended;

2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;

3. Instructs its President to forward its position to the Council and Commission.

P5_TC1-COD(2003)0130

Position of the European Parliament adopted at first reading on 17 December 2003 with a view to the adoption of Directive 2004/…/EC of the European Parliament and of the Council amending Council Directive 77/541/EEC on the approximation of the laws of the Member States relating to safety belts and restraint systems of motor vehicles

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 [1],

Having regard to the opinion of the European Economic and Social Committee [1],

Having regard to the opinion of the Committee of the Regions [1],

Acting in accordance with the procedure referred to in Article 251 of the Treaty [2],

Whereas:

(1) Research has shown that the use of safety belts and restraint systems can contribute to a substantial reduction in the number of fatalities and the severity of injury in the event of an accident, even due to rollover. Their fitting in all categories of vehicles will certainly constitute an important step forward to provide an increase in road safety and a consequent saving of lives.

(2) A substantial benefit to society can be accrued if all vehicles are provided with safety belts.

(3) In its resolution of 18 February 1986 on common measures to reduce road accidents, as part of the Community's programme for road safety [3], the European Parliament stressed the need for making the wearing of safety belts compulsory for all passengers, including children, except in public service vehicles. Therefore, a distinction has to be made between public service buses and other vehicles as regards the compulsory installation of safety belts and/or restraint systems.

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[1] *OJ C …*
[2] *Position of the European Parliament of 17 December 2003.*
[3] OJ C 68, 24.3.1986, p. 35.

(4) Pursuant to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their *trailers* ([1]), *the* Community type-approval system has only been implemented for all new vehicles of category M_1 from 1 January 1998. Consequently, only these vehicles have to be fitted with safety belts and/or restraint systems fulfilling the provisions of Directive *77/541/EEC* ([2]).

(5) Until the Community type-approval system is extended to all categories of vehicles, the installation of safety belts and/or restraint systems should be required in the interests of road safety in vehicles belonging to categories other than M_1.

(6) Directive 77/541/EEC already provides for all technical and administrative provisions allowing the type-approval of vehicles of categories other than M_1. Therefore, the Member States do not need to introduce further provisions.

(7) Since the entry into force of Commission Directive *96/36/EC* ([3]) *adapting* to technical progress Directive *77/541/EEC, several* Member States have already made compulsory the provisions contained therein in respect of certain categories of vehicles other than M_1. Manufacturers and their suppliers have thus developed the appropriate technology.

(8) Directive 2001/85/EC of the European Parliament and of the Council of 20 November 2001 relating to special provisions for vehicles used for the carriage of passengers comprising more than eight seats in addition to the driver's seat, and amending Directives 70/156/EEC and 97/27/EC ([4]) makes provision for allowing disabled people or persons of reduced mobility to access more easily vehicles used for the carriage of passengers comprising more than eight seats. It is necessary to allow Member States to permit the installation of safety belts and/or restraint systems, which do not comply with the technical specifications of Directive 77/541/EEC, but were specifically designed for the purposes of securing those people in such vehicles.

(9) Directive 77/541/EEC should be amended accordingly.

(10) Since the objectives of the proposed action, namely the improvement of road safety by the introduction of the compulsory fitting of safety belts in certain categories of vehicles, cannot be sufficiently achieved by the Member States and *can therefore*, by reason of the scale of the *proposed* 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 Directive does not go beyond what is necessary for that purpose,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Amendment *of* Directive 77/541/EEC

Directive 77/541/EEC is hereby amended as follows:

1. The following Article 2a shall be inserted:

'Article 2a

1. Member States may, under national law, allow the installation of safety belts or restraint systems other than those covered by this Directive provided they are intended for disabled people.

([1]) OJ L 42, 23.2.1970, p. 1. *Directive as last amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36).*
([2]) OJ L 220, 29.8.1977, p. 95. *Directive as last amended by Commission Directive 2000/3/EC (OJ L 53, 25.2.2000, p. 1).*
([3]) OJ L 178, 17.7.1996, p. 15.
([4]) OJ L 42, 13.2.2002, p. 1.

2. Member States may also exempt restrains systems designed to comply with the provisions of Annex VII to Directive 2001/85/EC from the provisions of this Directive.

3. The safety belts or restraint systems covered in paragraphs 1 and 2 shall be designed and constructed in order to provide at least the same level of safety as the safety belts or restraint systems covered by this Directive.'

2. In Article 9 the following paragraph shall be added:

'Vehicles of category M_2 and M_3 are subdivided in class as defined in section 2 of Annex I to Directive 2001/85/EC of the European Parliament and of the Council (*)

(*) OJ L 42, 13.2.2002, p. 1.'

3. Annex I shall be amended as follows:

a) The footnote related to item 3.1. shall be deleted;

b) Item 3.1.1. shall be replaced by the following:

'3.1.1. With the exception of folding seats as defined in item 1.9. of Annex I to Directive 76/115/EEC and seating intended solely for use when the vehicle is stationary, vehicles belonging to category M_1, M_2 and M_3 of class III or B, and N shall be equipped with safety belts and/or restraint systems conforming to the requirements of this Directive.

Class I, II or A vehicles belonging to category M_2 or M_3 may be fitted with safety belts and/or restraint systems, provided they conform to the requirements of this Directive.'

4. The table in Annex XV shall be replaced by the following:

'Vehicle category	*Forward facing seating positions*				*Rear facing seating positions*	*Side facing seating positions*
	Outboard seating positions		*Centre seating positions*			
	Front	*Other than front*	*Front*	*Other than front*		
M_1	***Ar4m***	***Ar4m***	***Ar4m***	***Ar4m***	***B, Br3, Br4m***	
$M_2 \leq 3,5$ T	***Ar4m, Ar4Nm***	***Ar4m, Ar4Nm***	***Ar4m, Ar4Nm***	***Ar4m, Ar4Nm***	***Br3, Br4m, Br4Nm***	
$M_2 > 3,5$ T	***Br3, Br4m, Br4Nm or Ar4m, Ar4Nm*** ⌘	***Br3, Br4m, Br4Nm or Ar4m, Ar4Nm*** ⌘	***Br3, Br4m, Br4Nm or Ar4m, Ar4Nm*** ⌘	***Br3, Br4m, Br4Nm or Ar4m, Ar4Nm*** ⌘	***Br3, Br4m, Br4Nm***	
	See point 3.1.10 for conditions when a lap belt is permitted.	***See point 3.1.10 for conditions when a lap belt is permitted.***	***See point 3.1.10 for conditions when a lap belt is permitted.***	***See point 3.1.10 for conditions when a lap belt is permitted.***		

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'Vehicle category	*Forward facing seating positions*				*Rear facing seating positions*	*Side facing seating positions*
	Outboard seating positions		*Centre seating positions*			
	Front	*Other than front*	*Front*	*Other than front*		
M_3	***Br3, Br4m, Br4Nm or Ar4m, Ar4Nm*** ⌘	***Br3, Br4m, Br4Nm or Ar4m, Ar4Nm*** ⌘	***Br3, Br4m, Br4Nm or Ar4m, Ar4Nm*** ⌘	***Br3, Br4m, Br4Nm or Ar4m, Ar4Nm*** ⌘	***Br3, Br4m, Br4Nm***	***Br3, Br4m and Br4Nm***
	See point 3.1.10 for conditions when a lap belt is permitted.	***See point 3.1.10 for conditions when a lap belt is permitted.***	***See point 3.1.10 for conditions when a lap belt is permitted.***	***See point 3.1.10 for conditions when a lap belt is permitted.***		
N_1	***Ar4m, Ar4Nm***	***B, Br3, Br4m, Br4Nm or none #*** ***Point 3.1.8 and 9 lap belt required in exposed seating positions***	***B, Br3, Br4m, Br4Nm or A, Ar4m, Ar4Nm**** ***Point 3.1.7 lap belt permitted if the windscreen is not in reference zone***	***B, Br3, Br4m, Br4Nm or none #*** ***Point 3.1.8 and 9 lap belt required in exposed seating positions***	***None***	
N_2	***B, Br3, Br4m, Br4Nm or A, Ar4m, Ar4Nm****	***B, Br3, Br4m, Br4Nm or none #***	***B, Br3, Br4m, Br4Nm or A, Ar4m, Ar4Nm****	***B, Br3, Br4m, Br4Nm or none #***	***None***	
N_3	***Point 3.1.7 lap belt permitted if the windscreen is not in reference zone and for driver's seat.***	***Point 3.1.8 and 9 lap belt required in exposed seating positions***	***Point 3.1.7 lap belt permitted if the windscreen is not in reference zone.***	***Point 3.1.8 and 9 lap belt required in exposed seating positions***		'

Article 2

Implementation

1. With effect from [1 January 2004], Member States

a) refuse to grant EC type-approval, or national type-approval in respect of a type of vehicle;

b) prohibit the registration, sale or entry into service of new vehicles.

shall not with respect to the installation of safety belts and/or the installation of restraint systems, which comply with the requirements set out in Directive 77/541/EEC as amended by this Directive:

2. With effect from [1 July 2004],

a) no longer grant EC type-approval;

b) refuse to grant national type-approval.

with respect to the installation of safety belts and/or the installation of restraint systems, which do not comply with the requirements set out in Directive 77/541/EEC as amended by this Directive, Member States shall in respect of a new type of vehicle:

3. With effect from [1 January 2006], Member States shall:

a) consider certificates of conformity which accompany new vehicles as no longer valid for the purpose of Article 7(1) of Directive 70/156/EEC;

b) refuse the registration, sale or entry into service of new vehicles, except where the provisions of Article 8(2) of Directive 70/156/EEC are invoked,

with respect to the installation of safety belts and/or the installation of restraint systems, which do not comply with the requirements set out in Directive 77/541/EEC as amended by this Directive.

Article 3

Transposition

1. Member States shall adopt and publish the laws, regulations and administrative provisions necessary to comply with this Directive *before* … (*). They shall forthwith inform the Commission thereof.

2. They shall apply these provisions *from* … (*).

3. When Member States adopt these provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

4. Member States shall communicate to the Commission the texts of the main provisions of national law, which they adopt in the field covered by this Directive.

Article 4

Entry into force

This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

Article 5

Addressees

This Directive is addressed to the Member States

Done at …,

For the European Parliament
The President

For the Council
The President

(*) *Six months after the adoption of this Directive.*

Wednesday 17 December 2003

P5_TA(2003)0583

Motor vehicles: anchorages for safety-belts ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council directive amending Council Directive 76/115/EEC on the approximation of the laws of the Member States relating to anchorages for motor-vehicle safety belts (COM(2003) 362 — C5-0286/2003 — 2003/0136(COD))

(Codecision procedure: first reading)

The European Parliament,

— having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 362) ([1]),

— having regard to Articles 251(2) and 95 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0286/2003),

— having regard to Rule 67 of its Rules of Procedure,

— having regard to the report of the Committee on Regional Policy, Transport and Tourism (A5-0305/2003),

1. Approves the Commission proposal as amended;

2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;

3. Instructs its President to forward its position to the Council and Commission.

([1]) Not yet published in OJ.

P5_TC1-COD(2003)0136

Position of the European Parliament adopted at first reading on 17 December 2003 with a view to the adoption of Directive 2004/…/EC of the European Parliament and of the Council amending Council Directive 76/115/EEC on the approximation of the laws of the Member States relating to anchorages for motor-vehicle safety belts

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 ([1]),

Having regard to the opinion of the European Economic and Social Committee ([1]),

Having regard to the opinion of the Committee of the Regions ([1]),

Acting in accordance with the procedure referred to in Article 251 of the Treaty ([2]),

([1]) *OJ C …*
([2]) *Position of the European Parliament of 17 December 2003.*

Whereas:

(1) Research has shown that the use of safety belts and restraint systems can contribute to a substantial reduction in the number of fatalities and the severity of injury in the event of an accident, even due to rollover. Their fitting in all categories of vehicles will certainly constitute an important step forward to provide an increase in road safety and a consequent saving of lives.

(2) A substantial benefit to society can be accrued if all vehicles are provided with safety belts.

(3) In its resolution of 18 February 1986 on common measures to reduce road accidents, as part of the Community's programme for road safety [1], the European Parliament stressed the need for making the wearing of safety belts compulsory for all passengers, including children, except in public service vehicles. Therefore, a distinction has to be made between public service buses and other vehicles as regards the compulsory installation of safety belts and/or restraint systems.

(4) Pursuant to Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their *trailers* [2], *the* Community type-approval system *has been* implemented for all new vehicles of category M_1 from 1 January 1998. Consequently, only these vehicles have to be fitted with anchorages intended for safety belts and/or restraint systems fulfilling the provisions of Directive *76/115/EEC* [3].

(5) Until the Community type-approval system is extended to all categories of vehicles, the installation of anchorages intended for safety belts and/or restraint systems should be required in the interests of road safety, in vehicles belonging to categories other than M_1.

(6) Directive 76/115/EEC already provides for all technical and administrative provisions allowing the type-approval of vehicles of categories other than M_1. Therefore, the Member States do not need to introduce further provisions.

(7) Since the entry into force of Directive 96/38/EC, several Member States have already made compulsory the provisions contained therein in respect of certain categories of vehicle other than M_1. Manufacturers and their suppliers have thus developed appropriate technology.

(8) Directive 76/115/EEC should be amended accordingly.

(9) Since the objectives of the proposed action, namely the improvement of road safety by the introduction of the compulsory fitting of safety belts in certain categories of vehicles, cannot be sufficiently achieved by the Member States and *can therefore*, by reason of the scale of the *proposed* 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 Directive does not go beyond what is necessary for that purpose,

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[1] OJ C 68, 24.3.1986, p. 35.
[2] OJ L 42, 23.2.1970, p. 1. *Directive as last amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36).*
[3] OJ L 24, 30.1.1976, p. 6. *Directive as last amended by Commission Directive 96/38/EC (OJ L 187, 26.7.1996, p. 95).*

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Amendment *of* Directive 76/115/EEC

Directive 76/115/EEC is hereby amended as follows:

1. In Article 2 the following paragraph shall be added:

'Vehicles of category M_2 and M_3 are subdivided in class as defined in section 2 of Annex I to Directive 2001/85/EC of the European Parliament and of the Council (*).

(*) OJ L 42, 13.2.2002, p. 1.'

2. *Annex I is amended as follows:*

(a) Item *4.3.1. shall* be replaced by the following:

'4.3.1. With the exception of folding seats as defined in item 1.9. of Annex I and seating intended solely for use when the vehicle is stationary, vehicles belonging to categories M_1, M_2 and M_3 of class III or B, and N shall be *fitted with* anchorages for safety belts conforming to the requirements of this Directive.

Class I, II or A vehicles belonging to category M_2 or M_3 may be fitted with anchorages for safety belts, provided they conform to the requirements of this Directive.'

(b) ***Item 4.3.2. shall be replaced by the following:***

'***4.3.2. The minimum number of safety belt anchorages for each seating position shall be as specified in Appendix 1.***'

(c) ***The following item shall be added:***

'***4.3.11. In buses and coaches in category M_3, subcategories III and B, at each side facing seating position whose longitudinal vertical plane forms an angle of 45° to 135° with the median longitudinal plane of the vehicle, a padded divider at least 100 mm long and at least 100 mm high must be provided. Length and height extend from the H point after that point has been displaced horizontally into each plane passing vertically through the outermost point on the side of the seating position nearer to the front of the vehicle. The divider may be foldable so as to afford easy access to the seating position.***'

(d) ***The title of Item 5.4.6. shall be replaced by the following:***

'***5.4.6. Test in the case of rearward and side facing seats***'

(e) ***In Appendix 1, the table shall be replaced by the following:***

Vehicle category	*Forward facing seating positions*				*Rear facing seating positions*	*Side facing seating positions*
	Outboard		*Centre*			
	Front	*Other*	*Front*	*Other*		
M_1	*3*	*3 or 2 ∅*	*3 or 2 **	*2*	*2*	-
$M_2 \leq 3,5$ *t*	*3*	*3*	*3*	*3*	*2*	-

Vehicle category	*Forward facing seating positions*				*Rear facing seating positions*	*Side facing seating positions*
	Outboard		*Centre*			
	Front	*Other*	*Front*	*Other*		
M_2 > 3,5 t	3 ☼	3 or 2 ⌘	3 or 2 ⌘	3 or 2 ⌘	2	-
M_3	3 ☼	3 or 2 ⌘	3 or 2 ⌘	3 or 2 ⌘	2	2 Δ
N_1, N_2 & N_3	3	2 or 0 #	3 or 2 *	2 or 0 #	-	-

(f) ***In Appendix 1, the following symbol shall be added:***

'***Δ: refers to Item 4.3.11. (special provision for side facing seating positions whose longitudinal vertical plane forms an angle of 45º to 135º with median longitudinal vertical plane of the vehicle).***'

Article 2

Implementation

1. With effect from [1 January 2004], Member States shall:

a) refuse to grant EC type-approval, or national type-approval, in respect of a type of vehicle;

b) prohibit the registration, sale or entry into service of new vehicles,

not with respect to the anchorages for safety belts, which comply with the requirements set out in Directive 76/115/EEC as amended by this Directive.

2. With effect from [1 July 2004], Member States shall in respect of a new type of vehicle:

a) no longer grant EC type-approval;

b) refuse to grant national type-approval,

with respect to the anchorages for safety belts, which do not comply with the requirements set out in Directive 76/115/EEC as amended by this Directive.

3. With effect from [1 January 2006], Member States shall:

a) consider certificates of conformity which accompany new vehicles as no longer valid for the purpose of Article 7(1) of Directive 70/156/EEC;

b) refuse the registration, sale or entry into service of new vehicles, except where the provisions of Article 8(2) of Directive 70/156/EEC are invoked,

with respect to the anchorages for safety belts, which do not comply with the requirements set out in Directive 76/115/EEC as amended by this Directive.

Article 3

Transposition

1. Member States shall adopt and publish the laws, regulations and administrative provisions necessary to comply with this Directive *before* … (*). They shall forthwith inform the Commission thereof.

(*) *Six months after the adoption of this Directive.*

2. They shall apply these provisions *from* … (*).

3. When Member States adopt these provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

4. Member States shall communicate to the Commission the texts of the main provisions of national law, which they adopt in the field covered by this Directive.

Article 4

Entry into force

This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

Article 5

Addressees

This Directive is addressed to the Member States

Done at …,

For the European Parliament
The President

For the Council
The President

(*) *Six months after the adoption of this Directive.*

P5_TA(2003)0584

Freedom of movement and ownership of goods

European Parliament resolution on a legal framework for free movement within the internal market of goods whose ownership is likely to be contested (2002/2114(INI))

The European Parliament,

— having regard to its resolutions of 14 December 1995 on the return of plundered property to Jewish communities ([1]) and of 16 July 1998 on the restitution of property belonging to Holocaust victims ([2]),

— having regard to the European Convention on Offences relating to Cultural Property of 23 June 1985 and Council Directive 93/7/EEC of 15 March 1993 on the return of cultural objects unlawfully removed from the territory of a Member State ([3]),

— having regard to Rule 163 of its Rules of Procedure,

— having regard to the report of the Committee on Legal Affairs and the Internal Market (A5-0408/2003),

([1]) OJ C 17, 22.1.1996, p. 199.
([2]) OJ C 292, 21.9.1998, p. 166.
([3]) OJ L 74, 27.3.1993, p. 74.

A. whereas early moves were made following the end of the Second World War to find and return looted property to its country of origin,

B. whereas a very considerable amount of property has not been recovered by its owners or their successors,

C. whereas litigants have often been confronted with difficult problems due to conflicts of law, varying prescriptive periods and other difficulties, and that this hampers or prevents access to swift and efficient resolution of the interests of all parties affected,

D. whereas this is an important human and legal problem as victims continue to encounter legal and technical problems,

E. whereas a public hearing was held on 18 March 2003,

F. whereas this is a widespread European legal problem,

1. Welcomes the recognition among various governments that the unique problems associated with cultural goods (i.e. public or private property considered as constituting an artistic creation or cultural property) which were plundered in wartime through acts of violence, confiscation or by apparently legal transactions or auctions need to be addressed;

2. Recognises that, although the problem of these goods is a matter of public knowledge, it has often proved remarkably difficult for private claimants to recover their property and to clarify their provenance;

3. Welcomes the efforts being made by third countries (especially the United States of America and the Russian Federation) to take parallel or reciprocal action;

4. Calls on the Commission, with due regard for Article 295 of the EC Treaty, to undertake a study by the end of 2004 on:

— establishing a common cataloguing system, to be used by both public entities and private collections of art to gather together data on the situation regarding looted cultural goods and the exact status of existing claims;

— developing common principles regarding access to public or private archives containing information on property identification and location and tying together existing databases of information about title to disputed properties;

— identifying common principles on how ownership or title is established, prescription, standards of proof and rights to export or import property which has been recovered;

— exploring possible dispute-resolution mechanisms that avoid lengthy and uncertain judicial procedures and take into account principles of fairness and equity;

— the value of creating a cross-border coordination administrative authority to deal with disputes on title to cultural goods;

5. Calls on the Member States and the accession States to make all necessary efforts to adopt measures to ensure the creation of mechanisms which favour the return of the property referred to in this resolution and to be mindful that the return to rightful claimants of art objects looted as part of crimes against humanity is a matter of general interest for the purposes of Article 1 of Protocol 1 to the European Convention of Human Rights;

6. Calls on the Presidency of the European Union to assign this issue to a working group of the Council;

7. Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States and the accession States and the Council of Europe.

P5_TA(2003)0585

Legislative and work programme of the Commission for 2004

European Parliament resolution on the Commission's legislative and work programme for 2004

The European Parliament,

— having regard to the conclusion of the interinstitutional agreement on better law-making between the European Parliament, the Council and the Commission,

— having regard to the Commission's legislative and work programme (COM(2003) 645),

— having regard to the presentation by the Commission of that programme on 18 November 2003 and the ensuing debate in the presence of Council,

— having regard to the Brussels European Council of 12 and 13 December 2003,

— having regard to Rule 57 and Rule 37(4) of the Rules of Procedure,

A. whereas the annual legislative programme constitutes an indispensable interinstitutional instrument for coordinating, evaluating and monitoring the Union's activities in a transparent and efficient way,

B. whereas transparency and predictability with regard to the European Union's legislative work are core principles of modern governance,

C. whereas 2004 will be a significant and crucial year for the European Union, marked by major events, such as the most extensive enlargement the EU has ever known, the approval of a new Constitutional Treaty, the election of a new European Parliament in June, the arrival of Commissioners from the new Member States in May and the establishment of a new College of Commissioners in November,

D. whereas more transparent and efficient legislative planning on the part of the European Union requires closer involvement of the Council in the interinstitutional legislative programming exercise; whereas the draft interinstitutional agreement on better law-making provides a basis for such enhanced interinstitutional coordination,

E. whereas the Brussels European Council of 12-13 December 2003 opened the way for multiannual legislative programmation by adopting a first Council triannual strategic programme in accordance with the conclusions of the 2002 Seville European Council,

General and institutional remarks

1. Takes note of the Commission's work and legislative programme and the political priorities outlined, namely the absorption of the accession of ten new Member States, stability and sustainable growth;

2. Notes that in view of the special institutional character of the year 2004 the Commission has limited the number of key initiatives to be presented in 2004 to those it considers absolutely necessary and feasible; notes that the proposals to be put forward match the political priorities, but takes the view, nevertheless, that the Commission has taken too little action in response to the calls made by the parliamentary committees;

3. Notes that the annual legislative and work programme contains a total of 275 legislative proposals and non-legislative acts, 128 of which directly correspond to the political priorities for 2004 but only 57 of which are legislative acts; notes that a substantial part of the programme for 2004 consists of proposals postponed from previous programmes;

4. Regrets that only about half of the proposals announced in the legislative and work programme for 2003 have actually been adopted by the Commission; hopes that the programme for 2004 is based on more realistic assumptions;

5. Notes that the European Parliament elections and the enlargement and subsequent renewal of the Commission in 2004 represent important challenges with regard to both the implementation of the legislative and work programme for 2004 and the interinstitutional dialogue on the preparation of the programme for 2005;

6. Calls upon its parliamentary committees to examine closely the proposals contained in the legislative and work programme with a view to identifying those proposals that still need to be dealt with under the current legislature;

7. Calls, in view of the imminent end of the current legislature, for close cooperation between the institutions with regard to the management of legislative procedures currently under examination; proposes, while fully respecting the Commission's and Council's rights and prerogatives, the following arrangements:

— calls upon the Commission to present all proposals that require a decision before the end of the year 2004 in good time, given the time constraints arising from the fact that the electoral process will take place during the 2004 legislative year;

— calls upon the Commission not to present any other new and far-reaching proposals shortly before the European elections, when Parliament cannot examine them properly owing to the electoral process;

8. Takes the view that, in 2004, it will be necessary to reach agreement with the Commission on an ad hoc procedure governing the various stages in the preparation and presentation of the next legislative programme;

9. Calls upon the Commission to comply with the timetables indicated in its legislative and work programme for the presentation of new proposals; insists, should the Commission envisage deviating from these timetables, on the need to consult the relevant parliamentary committee beforehand;

10. Takes the view that application of the interinstitutional agreement on better law-making will clear the way for wider-ranging coordination of legislative work among the three institutions, and considers that the Council should be involved in an interinstitutional legislative programme;

11. Takes the view that the links between the Commission's programme and the Council's multi-annual strategic programme drawn up in December 2003 are as yet far from clear; calls on the Commission and Council to explain precisely how these two planning processes go together;

12. Points out that the need to revise the institutional framework of the enlarged European Union and to continue the work of establishing a future Constitution for Europe represents one of the major challenges for 2004;

13. Notes that discussions and work are in progress in the Commission on the subject of future priorities for a revised financial framework for post-2006; takes the view that this debate is relevant, but that no decision should be taken at this stage, particularly in view of the imminence of the enlargement of the Union (1 May 2004) and the European elections (June 2004); believes that the decision should be taken by the future Commission once it has been formed and has determined its priorities, and that the final decision must be taken by the budgetary authority;

Enlargement, stability and the EU's role in the world

14. Welcomes the fact that on 1 May 2004 ten new Member States will join the European Union; agrees that this historic enlargement will provide a considerable boost to the EU's economic and political potential, but will also represent an enormous challenge for the EU and in particular for the Commission;

15. Recalls in this context the Commission's role in ensuring that the acquis communautaire is adhered to in the new Member States, with regard inter alia to the rules on the internal market, in the areas of employment and social protection policy, the environment and justice and home affairs;

16. Points to the importance of economic cohesion within the Union, and deplores the fact that the Commission has not yet presented Parliament with an Action Plan for after May 2004 concerning the efforts needed for the new Member States to catch up economically and converge with the EU 15;

17. Takes the view that the accession of 10 new Member States, the ongoing negotiations with Romania and Bulgaria, the report on the situation in Turkey and the opinion on Croatia's membership application together form the key political priority for 2004, but emphasises that, in the current tense and unstable international situation, the new framework created by an enlarged Union with new neighbourhood relations with countries to the east and in the Mediterranean will make closer coordination and tangible progress in the sphere of the CFSP essential with a view to the establishment of an area of security, peace, stability and prosperity, chiefly involving the Union's new neighbours; welcomes the adoption of a security strategy for the Union and calls on the Commission to implement policies which are consistent with that document;

18. Supports further development of the joint economic area, area of justice and security and research area with Russia, as well as the feasibility studies concerning stabilisation and association agreements with Bosnia-Herzegovina and Serbia-Montenegro;

19. Invites the Commission to devote particular attention to further developments and the progress of reform in Turkey, in particular in the run-up to the progress report for the December 2004 Council; in the aftermath of the recent terrible bomb attacks invites the Commission to maintain and even foster its engagement in Turkey in order to express the full solidarity of the European Union;

20. Welcomes the Commission's analysis regarding the need for a reinforced ESDP, and invites the Commission and Council to work ever more closely together and to follow the consultation and information procedures of the European Parliament; insists, furthermore, that the Commission inform the competent European Parliament committee regularly during the budget year about the ongoing implementation of the budget dedicated to external actions, and in particular provide information about specific problems of implementation, in order to avoid a repetition of the 2003 global transfer situation, which clearly demonstrates that political priorities set by Parliament in the budgetary procedure have not been implemented;

21. Regrets the fact that the Israeli-Palestinian conflict has disrupted and hampered the Barcelona integration process and applauds the ongoing efforts of the Commission and the High Representative for the CFSP to bring about peace in the region;

22. Emphasises the importance of the EU presence in Afghanistan; thanks the European Commission's delegation to Kabul for its efforts; calls for Community and Member State aid to be continued in order to meet the needs of the population;

23. Welcomes the recent communication from the Commission on the budgetisation of the European Development Fund (EDF); reiterates its long-standing support for the budgetisation of the EDF, which will provide for parliamentary supervision and democratic scrutiny of the EU's financial and technical cooperation with the ACP countries; gives the ACP countries an assurance that, through the exercise of its powers as one arm of the budgetary authority, it will prevent the diversion of funds from previous EDFs to other areas of the EU budget, by means of ringfencing and other appropriate measures;

24. Calls on the Commission to give a firm undertaking to draw up a detailed, comprehensive strategy designed to achieve the UN's millennium development objectives, in particular the elimination of poverty, and the objectives in the spheres of health and education;

25. Welcomes the Peace Facility set up by the European Union to finance peacekeeping operations by the African Union; calls on the Commission to take steps to ensure that prompt use is made of this instrument in the various conflict areas in Africa;

26. Encourages the Commission to implement the Action Plan on communicable diseases and reproductive health; insists that concrete action be taken in this area in order to mark the tenth anniversary of the International Conference on Population and Development (ICPD+10) in 2004;

27. Strongly recommends that the European policies aimed at progressing towards the establishment of an area of Freedom, Security and Justice (Tampere agenda) be implemented before the May 2004 deadline; points out that, following the Treaty of Nice, the next stage in the establishment of an area of freedom, security and justice provides for the application of the codecision procedure to most measures concerning asylum and immigration;

28. Recalls the need for major progress towards overall implementation of a European immigration policy; supports the Commission's proposals aimed at achieving a balance between measures to counteract illegal immigration and measures designed to ensure fair treatment and integration of legal immigrants;

29. Notes the Commission's determination to set up new cooperation programmes with third countries in the area of immigration, programmes which are part of the fight against clandestine immigration and trafficking in human beings;

30. Stresses the need to develop efficient management of the Member States' common borders in the framework of a coherent common policy in collaboration with the European Parliament; draws attention to the need to establish a Community operational structure, with a view to stepping up cooperation on the protection of external frontiers, in particular ahead of the 2004 enlargement;

31. Calls for the development of a new Schengen Information System (SIS) to be carried out in a transparent and democratic manner, which presupposes that Parliament should be consulted and that the provisions on data protection should be complied with;

Sustainable development and social policy

32. Agrees that sustainable development should be one of the major work priorities of the Commission; insists, however, that more focus must be given to concrete actions developing this policy towards employment, investment in human resources, prosperity and quality of life for European citizens;

33. Supports all additional efforts to enhance growth and sustainable development, including investment in European networks; stresses, however, that the beneficial effects of these measures will only be felt if the process of implementation is accelerated; insists that, alongside the TENs and R&D projects, investment in the human dimension and capital must be given the highest priority; recalls the importance of the Commission's role in this process and declares its own readiness to contribute to speedy decision-making where necessary;

34. Takes the view that the establishment of an integrated electricity market in an enlarged Europe will improve security of supply, but that further efforts should be made to achieve a satisfactory level of electrical interconnectivity; calls for a new proposal on closer coordination in the sector with a view to preventing blackouts similar to those recently suffered by Italy, Sweden, Denmark and the United Kingdom;

35. Welcomes the support for innovation, research and development, which are fundamental to European growth and the European Union's Lisbon strategy, in particular the action plan which aims to increase investment in research and development in line with the target of 3% of GDP and to attract more and more human resources to the research sector; points out that specific measures must be taken to meet the needs of innovative SMUs active in Europe;

36. Acknowledges that consideration should be given to the idea of establishing a European Research Council, endowed with adequate resources, with a view to strengthening fundamental research in Europe; takes the view that such a body should give priority to bottom-up approaches, cover all scientific areas and be based on scientific criteria;

37. Underlines the importance of smoothly functioning services of general interest; deplores in this context the fact that the Commission again does not intend to propose a framework directive on services of general interest, as requested by Parliament on several occasions and by the European Council meeting in Laeken;

38. Notes that the extension of the 'Lamfalussy' approach to the banking, insurance and UCITS sectors is not included in the Commission's priorities for 2004; supports this extension in principle but reminds the Commission firmly that this support is conditional upon a guarantee of a call-back for the European Parliament on the implementing measures to be adopted in these areas;

39. Underlines again the importance of an effective and dynamic follow-up and implementation of the Lisbon strategy in 2004; considers that the Lisbon structural reform agenda has to result in better, and sustainable, jobs, in order to create a knowledge-based economy; insists that economic, environmental and social reforms must be mutually supportive and must be achieved in close cooperation with all actors concerned; looks to the Commission to step up cooperation with the social partners with a view to drawing up joint strategies and measures to achieve the employment objectives laid down in Lisbon, in particular greater involvement for the elderly and women on the labour market;

40. Deplores the absence of any reference to the European economic and social model; is of the opinion that one consequence of the specificity of the European economic and social model should be that the Commission considers more carefully possible social and environmental consequences of its proposals, in particular when putting forward initiatives to liberalise economic activities further;

41. Calls on the Commission to regard as a priority measures to remedy the serious socio-economic effects of the various plans to reconstitute fish stocks on communities that are highly dependent on fishing;

42. Welcomes the thematic strategies incorporated into the legislative programme, such as those outlined in the sixth action programme on the environment; stresses the importance a Commission initiative aimed at drawing up a thematic strategy on the urban environment;

43. Calls on the Commission to take practical steps to follow up the conclusions of the Thessaloniki European Council of 19 and 20 June 2003, which called for the establishment of 'a European diplomacy on environment and sustainable development', and urges the Commission to put forward a specific political strategy in this area; asks to be kept regularly informed, between now and June 2005, about the progress made towards establishing a network of experts, in keeping with the strategy, adopted in Barcelona, on integrating the environment into external policies;

44. Notes the new measures presented by the Commission with a view to completing the internal market, liberalising the various transport sectors and guaranteeing passengers using all modes of transport increased safety; in that connection, points out that the onus is now on the Council to speed up its efforts to adopt common positions on extremely important matters, such as social provisions in the sphere of road transport, the introduction of a system imposing certain restrictions on the use of heavy good vehicles, public service requirements and the award of public service contracts in the sphere of the transport of passengers by rail, road and inland waterway, and EU-OPSs in civil aviation;

45. Emphasises that the Commission must implement all the measures required to take account of the increase in life expectancy, a major challenge which the European Union will be required to meet in the near future, and to implement a large-scale information campaign on health and eating habits;

46. Points out that, in Council Decision 2003/578/EC of 22 July 2003 on guidelines for the employment policies of the Member States [1], the need for an adequate labour supply and the promotion of active ageing is emphasised, with a view to encouraging enterprises to hire or retain older employees, strengthening access to training and changing employer attitudes;

47. Calls on the Commission to put forward practical proposals to build on the momentum established by the European Year of People with Disabilities;

48. Urges that the new generation of Community programmes in the areas of education, culture, youth and audiovisual policy for the post-2006 period should be programmed in good time in order to ensure continuity in terms of both policy and implementation;

Eurostat

49. Calls on the Commission to address the Eurostat case and all its aspects with the utmost seriousness; deplores the fact that the action plan provides no proper explanation for the Commission's failure to react for so long to the crisis in Eurostat, despite the evidence which mounted up over the years;

50. Draws the Commission's attention to the deficiencies within its internal communication system, in particular to the need to improve the flow of information at all levels within the Commission in order to ensure that it is in a position to exercise its tasks properly; in this context, however, warns against establishing new bureaucratic structures; is disappointed at the fact that, despite commitments to improve European governance, the Commission is not planning to come forward with a proposal for a code of good administrative behaviour or a regulation on administrative law;

51. Welcomes the commitment expressed by the President of the Commission to strengthening OLAF's operational independence and capability, including internal investigations; expects the Commission to come up with concrete proposals with a view to having them adopted before the enlargement, i.e. by this Parliament; calls on OLAF to complete all its outstanding investigations concerning Eurostat and to submit its final reports to Parliament as soon as possible, and by 15 January 2004 at the latest;

52. Demands that the Commission urgently take all necessary measures to change the culture of secrecy and complacency regarding financial control instruments, so that any wrongdoing can in future be quickly detected and dealt with, and that it take steps to address immediately the need for effective communication between Commissioners and their Directorates-General; calls for existing rules (such as the Commissioners' Code of Conduct and the rules governing the Commission's relationship with OLAF) to be implemented in full, and for the outstanding cases concerning whistle-blowers to be resolved as soon as possible and procedures developed for their protection;

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[1] OJ L 197, 5.8.2003, p. 13.

53. Calls on its committees responsible to hold hearings or similar meetings to scrutinise closely developments concerning the Commission's accounting system and calls for that step to be accompanied by an assessment of the overall stage reached in implementing the financial control instruments which form part of the reform package, in the light of the Eurostat affair;

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* *

54. Instructs its President to forward this resolution to the Council, the Commission and the governments and parliaments of the Member States and the future Member States that will join the European Union in May 2004.

P5_TA(2003)0586

Role of the Union in conflict prevention in Africa and in particular in the implementation of the Linas-Marcoussis Agreement in the Côte d'Ivoire

European Parliament resolution on the European Union's role in conflict prevention in Africa and particularly in the implementation of the Linas-Marcoussis Agreement in Côte d'Ivoire

The European Parliament,

— having regard to its previous resolutions on Côte d'Ivoire,

— having regard to the Linas-Marcoussis Agreement, negotiated under the auspices of France with the participation of the UN, the Economic Community of West African States (ECOWAS) and the EU, and signed by all parties to the Côte d'Ivoire civil conflict on 24 January 2003,

— having regard to the fact that the EU is represented by both the Commission and the Council on the Monitoring Committee on the Linas-Marcoussis Agreement,

— having regard to the efforts made by ECOWAS to re-establish peace and security, thereby safeguarding the national integrity of Côte d'Ivoire,

— having regard to the declarations by the Presidency, on behalf of the European Union, of 22 September and 27 October 2003,

— having regard to the declaration by the President of the UN Security Council of 13 November 2003,

— having regard to its resolution of 15 March 2001 on developing the Union's capabilities in conflict prevention and civil crisis management ([1]),

— having regard to the Council's decision of 22 January 2001 setting up the permanent bodies of the Common European Security and Defence Policy (CESDP),

— having regard to the Italian Presidency's declaration of 9 December 2003 on behalf of the European Union,

— having regard to Rule 37(4) of its Rules of Procedure,

A. whereas this conflict, which cannot be attributed to the ethnic factor alone, has complex and multidimensional origins, including in particular poverty, unequal distribution of wealth, social injustice, human rights violations, the oppression of minorities, religious discrimination and the dysfunctional State,

([1]) OJ C 343, 5.12.2001, p. 261.

B. concerned at the failure to secure a peaceful resolution to the conflict in Côte d'Ivoire and at the suspension by rebel ministers of their participation in the government of national reconciliation, precipitating the inability to implement the Linas-Marcoussis Agreement and the freeze on disarmament plans and the commitment of European funds,

C. whereas the mandate and role of the Monitoring Committee on the Linas-Marcoussis Agreement and the various actors engaged in the process have met with some criticism,

D. mindful of the political, economic and humanitarian risks that a resumption of hostilities in Côte d'Ivoire poses to the whole subregion, and that conflict prevention mechanisms have clearly failed in the current crisis,

E. whereas the Ivorian 'rebel forces' have so far opposed the demilitarisation of non-governmental armed groups, which was due to begin on 1 August 2003 under international supervision; and whereas all the military commanders of both government and rebel forces agreed on 10 December 2003, in the presence of the peace-keeping forces, that before Christmas they would withdraw all heavy artillery pieces from the frontline, gather in their weapons, confine their men to barracks and clear all roadblocks,

F. whereas on 24 November 2003 Kofi Annan, speaking to the United Nations Security Council, expressed his fear of a resumption of the conflict between rebel and government forces in Côte d'Ivoire,

G. whereas the Commission has decided to grant Côte d'Ivoire EUR 6 million in aid for victims of the conflict and EUR 30 million over three years for a rehabilitation programme additional to the programmes adopted in the framework of the 7th and 8th EDFs and the national indicative programme under the 9th EDF,

H. alarmed at the Commission's position in favour of extending by one year the current fisheries agreement with Côte d'Ivoire despite the fact that the implementation of development cooperation under the Cotonou Agreement in fact remains suspended owing to the conflict,

I. whereas the European Union Council decided on 17 November 2003 to allocate EUR 250 million from the European Development Fund to a Peace Facility for Africa which is intended to provide the African Union with the financial muscle to ensure stability and peace in Africa,

J. whereas the implementation of the reforms envisaged by the various agreements concluded by the political and military forces must lead a unified and cohesive Côte d'Ivoire to credible, transparent and open elections in 2005,

1. Deplores the lack of political goodwill and the slow progress of the implementation of the Linas-Marcoussis Agreement; nevertheless welcomes the consideration given by the Ivorian Council of Ministers to the texts deriving from the Linas-Marcoussis Agreement on the nationality code and naturalisation requirements, the electoral code, eligibility requirements, in particular concerning eligibility to seek election as President of the Republic, and the land ownership code, and hopes that these will be adopted by the parliament and, in the case of those texts requiring a referendum amending the constitution, by a majority of the electorate;

2. Calls on all parties to ensure the scrupulous application of the Linas-Marcoussis Agreement and calls for a stronger commitment from the EU and other international actors in the peace process;

3. Calls on the ministers from the rebel forces to take up their seats again in the government in order to work towards appeasement and national reconciliation in the spirit of the Linas-Marcoussis Agreement;

4. Condemns the human rights violations that have occurred, and calls for an international committee of inquiry to be set up to investigate the abuses committed by the government and the rebels;

5. Calls on the UN Security Council to consider the possibility of increasing the strength of the ECOWAS mission in Côte d'Ivoire, within the context of the African Union Peace Facility, and of transforming it into a UN peace-keeping force;

6. Calls for the ECOWAS peace-keeping force to be given an extended mandate and to be reinforced, and for the costs to be borne by the international community;

7. Calls for a rapid start to the programme of disarmament, demobilisation and reintegration of non-governmental armed forces; welcomes the fact that prisoners of war have started to be released;

8. Calls for the authority of the State (administration and public services) to be restored throughout the country and welcomes the reinstatement of prefects and sub-prefects in the western part of the country;

9. Welcomes the European Union's confirmation, via the Presidency of the Council, of its willingness to support the reunification and reconstruction of Côte d'Ivoire by all possible means;

10. Strongly condemns the concept of 'ivoirité', which serves to exclude part of the population from playing any democratic part in political activity in the country, and calls on President Gbagbo to urge his government and the Ivorian military to guarantee the protection of civilians, whatever their ethnic origin or nationality; deplores the recent arbitrary arrests and detention without trial of politicians mainly from political parties other than the President's ruling party;

11. Strongly condemns any attempt to make direct or indirect use of violence in the political process in Côte d'Ivoire, as well as any threats to law and order and stability in the country; strongly condemns, in this context, the attacks on UN personnel in Bouaké and Man on 24 and 25 October 2003;

12. Condemns the murder of the journalist Jean Hélène, who worked as correspondent for Radio France International in Côte d'Ivoire, and calls on the Ivorian authorities to continue their action to fully investigate this crime;

13. Regrets the lack of visibility and transparency with regard to the operations of the Monitoring Committee on the Linas-Marcoussis Agreement, and calls on France, which hosted the formal peace negotiations, to make, in due course, a provisional assessment of the implementation of the Agreement;

14. Urges the Commission to evaluate systematically the impact of EC actions targeted at the prevention of conflict in specific regions of tension;

15. Calls for conflict prevention and structural stability to be key objectives of EU development policy; considers that EU conflict-prevention policy must address the structural causes of conflicts linked to poverty, including unequal distribution of wealth, social injustice, human rights violations, the oppression of minorities and religious discrimination;

16. Instructs its President to forward this resolution to the Council, the Commission, the ACP-EU Council, the African Union secretariat and the Government of Côte d'Ivoire.

Thursday 18 December 2003

(2004/C 91 E/04)

MINUTES

PROCEEDINGS OF THE SITTING

IN THE CHAIR: Gerhard SCHMID

Vice-President

1. Opening of sitting

The sitting opened at 10.00.

Bill Miller spoke on the lock-out of staff of the European Parliament office in London by the UK Independence Party (the President took note of his remarks).

2. Documents received

The following documents had been received:

1) *from the Council and Commission:*

— Proposal for a Regulation of the European Parliament and of the Council on the compilation of quarterly non-financial accounts by institutional sector (COM(2003) 789 — C5-0645/2003 — 2003/0296(COD))

referred to responsible ECON

legal basis Article 285(1) EC

— Opinion of the Council on transfer of appropriations 47/2003 between Chapters in Section III — Commission — Part B — of the General Budget for the European Union for the financial year 2003 (C5-0647/2003 — 2003/2250(GBD))

referred to responsible BUDG

legal basis Article 274 EC

— Proposal for a Council Regulation concerning the compilation and transmission of data on the quarterly government debt (COM(2003) 761 — C5-0649/2003 — 2003/0295(CNS))

referred to responsible ECON

legal basis Article 104 (14), third subparagraph EC

— Proposal for a Council Directive amending Directive 77/388/EEC to extend the facility allowing Member States to apply reduced rates of VAT to certain labour-intensive services (COM(2003) 825 — C5-0653/2003 — 2003/0317(CNS))

referred to responsible ECON
opinion EMPL

legal basis Article 93 EC

2) *from the Court of Auditors:*

— Court of Auditors: Report on the financial statements of the European Centre for the Development of Vocational Training for the financial year 2002 together with the Centre's replies (I5-0020/2003 — C5-0630/2003 — 2003/2240(DEC))

referred to	responsible	CONT
	opinion	EMPL

— Court of Auditors: Report on the financial statements of the European Foundation for the Improvement of Living and Working Conditions for the financial year 2002 together with the Foundation's replies (I5-0021/2003 — C5-0631/2003 — 2003/2241(DEC))

referred to	responsible	CONT
	opinion	EMPL

— Court of Auditors: Report on the financial statements of the European Agency for Reconstruction for the financial year 2002 together with the Agency's replies (I5-0022/2003 — C5-0632/2003 — 2003/2242(DEC))

referred to	responsible	CONT
	opinion	AFET

— Court of Auditors: Report on the financial statements of the European Monitoring Centre on Racism and Xenophobia for the financial year 2002, together with the Centre's replies (I5-0023/2003 — C5-0633/2003 — 2003/2243(DEC))

referred to	responsible	CONT
	opinion	LIBE

— Court of Auditors: Report on the financial statements of the European Monitoring Centre for Drugs and Drug Addiction for the financial year 2002, together with the Centre's replies (I5-0024/2003 — C5-0634/2003 — 2003/2244(DEC))

referred to	responsible	CONT
	opinion	LIBE

— Court of Auditors: Report on the financial statements of the European Environment Agency for the financial year 2002, together with the Agency's replies (I5-0025/2003 — C5-0635/2003 — 2003/2245(DEC))

referred to	responsible	CONT
	opinion	ENVI

— Court of Auditors: Report on the financial statements of the European Agency for Safety and Health at Work concerning the financial year 2002, together with the Agency's replies (I5-0026/2003 — C5-0636/2003 — 2003/2246(DEC))

referred to	responsible	CONT
	opinion	EMPL

— Court of Auditors: Report on the financial statements of the Translation Centre for the bodies of the European Union for the financial year 2002 together with the Centre's replies (I5-0027/2003 — C5-0637/2003 — 2003/2247(DEC))

referred to	responsible	CONT

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— Court of Auditors: Report on the financial statements of the European Agency for the Evaluation of Medicinal Products concerning the financial year 2002 together with the Agency's replies (I5-0029/2003 — C5-0638/2003 — 2003/2255(DEC))

referred to responsible CONT
opinion ENVI

— Proposal for a Report on the financial statements of the Community Plant Variety Office concerning the financial year 2002 together with the Office's replies (I5-0030/2003 — C5-0639/2003 — 2003/2257(DEC))

referred to responsible CONT
opinion AGRI

— Court of Auditors: Report on the financial statements of the Office for Harmonisation in the Internal Market for the financial year 2002 together with the Office's replies (I5-0028/2003 — C5-0640/2003 — 2003/2258(DEC))

referred to responsible CONT
opinion JURI

— Court of Auditors: Report on the financial statements of the European Training Foundation for the financial year 2002 together with the Foundation's replies (I5-0032/2003 — C5-0641/2003 — 2003/2259(DEC))

referred to responsible CONT
opinion EMPL

— Court of Auditors: Annual Report and Statement of Assurance concerning the ECSC for the financial year ended 23 July 2002, together with the Commission's replies (I5-0033/2003 — C5-0646/2003 — 2003/2218(DEC))

referred to responsible CONT

3) *from Members:*

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

— Salvador Garriga Polledo on a European start-up register (B5-0571/2003)

referred to responsible ITRE
opinion JURI, ECON

3.2) *proposed amendments to the Rules of Procedure (Rule 181):*

— Glyn Ford on amendment of Rule 51, paragraphs 3 and 4 (B5-0584/2003)

referred to responsible AFCO

3. Transfers of appropriations

The Committee on Budgets had considered proposal for transfer of appropriations 47/2003 (C5-0590/2003 — SEC(2003)1409 final).

Having noted the Council's opinion, 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 — Provisions		
— Article B2-515 — Forestry	CA	– 1 500 000 EUR
— Article B2-517 — Plant and animal genetic resources	CA	– 1 500 000 EUR
— Item B3-4331 — European Food Safety Authority — Subsidy under Title 3	CA	– 3 880 000 EUR
Chapter B2-51 — Cntrols and other operations in the agricultural sector		
— Article B2-511 — Checks on application of the rules on agriculture	CA	– 600 000 EUR
Chapter B2-90 — Spport measures for the common fisheries policy		
— Article B2-904 — Support for the management of fishery resources and stepping up of research (collection of basic data and improvement of scientific advice)	CA	– 1 000 000 EUR
Chapter B4-30 — Action on the environment		
— Article B4-304 — Legislation, awareness-raising and other general actions based on the Community action programmes in the field of the environment	CA	– 2 500 000 EUR
— Article B4-305 — Community framework for cooperation to promote sustainable urban development	CA	– 2 300 000 EUR
— Article B4-308 — Community action programme in the field of civil protection	CA	– 2 000 000 EUR
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	– 3 800 000 EUR
— Item B5-3002 — Operation and development of the internal market, particularly in the fields of notification, certification and sectoral approximation	CA	– 670 000 EUR
— Article B5-304 — Procedures for awarding and advertising public supply, works and service contracts	CA	– 2 050 000 EUR
Chapter B5-31 — Standardisation and evaluation measures		
— Article B5-312 — Subsidy for the European Agency for the Evaluation of Medicinal Products		
— Item B5-3120 — European Agency for the Evaluation of Medicinal Products — Subsidy for Titles 1 and 2	CA	– 1 500 000 EUR
— Item B5-3121 — European Agency for the Evaluation of Medicinal Products — Subsidy for Title 3	CE	– 1 500 000 EUR

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Chapter B5-32 — Promotion of growth and employment: measures to assist firms		
— Article B5-326 — Industrial competitiveness policy for the European Union	CA	– 700 000 EUR
Chapter B5-60 — Statistical information policy connected with the completion of the internal market and in support of community policies		
— Article — B5-600 Statistical information policy	CA	– 2 000 000 EUR
Chapter B5-72 — Telecommunications networks		
— Article B5-721 — Telematics networks linking administrations		
— Item B5-7210 — Networks for the interchange of data between administrations (IDA)	CA	– 2 500 000 EUR
— Item B5-7211 — Networks for intra-Community statistics (Edicom)	CA	– 3 000 000 EUR

TO:

Chapter B6-61 — Operating expenditure — Integrating and strengthening the european research area		
— Article B6-611 — Genomics and biotechnology for health	CA	26 000 000 EUR
— Article B6-617 — Citizens and governance in a knowledge-based society	CA	5 000 000 EUR
Chapter B6-63 — Operating expenditure — Research and training actions under the euratom treaty		
— Article B6-631 — Priority thematic areas of research		
— Item B6-6311 — Controlled thermonuclear fusion	CA	2 000 000 EUR

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The Committee on Budgets had considered proposal for transfer of appropriations 48/2003 (C5-0566/2003 — SEC(2003)1390 final).

Having noted the Council's opinion, 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 B6-52 — Completion of the fifth framework programme (1998 to 2002)		

— Article B6-521 — Completion of the fifth framework programme (1998 to 2002)		
— Item B6-5211 — Completion of the fifth framework programme (1998 to 2002)	PA	– 14 000 000 EUR
TO:		
Chapter B3-20 — Culture and Audiovisual media		
— Article B3-200 — Culture		
— Item B3-2008 Framework programme in support of culture	PA	6 000 000 EUR
— Article B3-201 — Audiovisual media		
— Item B3-2010 — MediaPlus (measures to promote the development of the audiovisual industry)	PA	8 000 000 EUR

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The Committee on Budgets had considered proposal for transfer of appropriations 49/2003 (C5-0591/2003 — SEC(2003)1412 final).

Having noted the Council's opinion, 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 — Provisions		
— Item B7-6313 — Aid for basic education in developing countries	CA	– 3 500 000 EUR
Chapter B7-54 — Cooperation with the western Balkan countries		
— Article B7-548 — Macroeconomic assistance for the countries of the western Balkans not concerned by a pre-accession strategy	CA	– 3 600 000 EUR
Chapter B7-81 — External aspects of environment policy		
— Article B7-810 — LIFE (European Financial Instrument for the Environment) — Operations outside Community territory	CA	– 2 900 000 EUR
TO:		
Chapter B7-31 — Cooperation with Latin American developing countries		
— Article B7-310 — Financial and technical cooperation with Latin American developing countries	CA	10 000 000 EUR

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The Committee on Budgets had considered proposal for transfer of appropriations 50/2003 (C5-0592/2003 — SEC(2003)1411 final).

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Having noted the Council's opinion, 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-24 — Postal charges, telecommunications and computer infrastructure		
— Article A-240 — Postal charges	NDA	– 350 000 EUR
Chapter A-25 — Other expenditure on formal and other meetings		
— Article A-253 — Bodies specialising in industrial safety		
— Item A-2530 — Mines Safety and Health Commission	NDA	– 80 000 EUR
Chapter A-30 — Community subsidies		
— Article A-304 — Community participation in the financing of organisations advancing the idea of the European civil society		
— Item A-3044 — European Agency for Development in Special Needs Education	NDA	– 187 000 EUR
— Item A-3045 — Educational activities to combat racism, xenophobia and anti-Semitism	NDA	– 100 000 EUR
Chapter A-32 — Youth, education and town-twinning		
— Article A-320 — Cost of organising graduate traineeships with the institution		
— Item A-3201 — Subsidy for organising traineeships for young diplomats from the applicant countries	NDA	– 200 000 EUR
Chapter A-34 — Publishing		
— Article A-342 — Publications Office	NDA	– 1 646 000 EUR
Chapter A-35 — Monitoring, surveys and methods of analysis in the field of economics, trade and industry, and other sectors		
— Article A-350 — Economic information and administration of economic and monetary union		
— Item A-3500 — Harmonised European economic surveys and use of findings	NDA	– 28 000 EUR
— Item A-3501 — Economic information and administration of economic and monetary union	NDA	– 72 000 EUR
Chapter A-36 — European Anti-Fraud Office (OLAF)		
— Article A-360 — European Anti-Fraud Office (OLAF)	NDA	– 500 000 EUR

Chapter A-40 — Management of resources		
— Article A-403 — Professional training for staff		
— Item A-4030 — Language courses	NDA	– 130 000 EUR
Chapter A-45 — ADMINISTRATIVE OFFICES		
— Article A-452 — Office for Infrastructure and Logistics (Brussels)	NDA	– 350 000 EUR
Chapter A-70 — Decentralised expenditure on support staff and administration		
— Article A-700 — Decentralised expenditure on support staff		
— Item A-7000 — Auxiliary staff	NDA	– 1 350 000 EUR
— Article A-703 — Expenditure on formal and other meetings		
— Item A-7030 — Meetings in general	NDA	– 2 500 000 EUR
TO:		
Chapter A-20 — Investments in immovable property, rental of buildings and associated costs		
— Article A-200 — Rent and ground rent	NDA	7 493 000 EUR

4. Texts of agreements forwarded by the Council

The Council had forwarded certified true copies of the following documents:

— Agreement in the form of an exchange of letters between the European Community and the Kingdom of Norway concerning certain agricultural products

— Agreement in the form of an exchange of letters between the European Community and the Republic of Croatia concerning the system of ecopoints to be applied to Croatian transit traffic through Austria as from 1 January 2003

— Additional Protocol to the Agreement between the European Economic Community and the Kingdom of Norway consequent on the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union

— Agreement between the Kingdom of Norway and the European Community on a Norwegian financial mechanism for the period 2004-2009

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5. Discrimination against MS patients (debate)

Report on Petition 842/2001 concerning the effects of discriminatory treatment afforded to persons with Multiple Sclerosis, within the European Union [2003/2173(INI)] — Committee on Petitions. Rapporteur: Uma Aaltonen (A5-0451/2003).

Uma Aaltonen introduced the report.

Michaele Schreyer (Member of the Commission) spoke.

The following spoke: Richard Howitt (draftsman of the opinion of the EMPL Committee), Richard A. Balfe, on behalf of the PPE-DE Group, Margot Keßler, on behalf of the PSE Group, Elizabeth Lynne, on behalf of the ELDR Group, María Luisa Bergaz Conesa, on behalf of the GUE/NGL Group, Roy Perry, Proinsias De Rossa, Astrid Thors, Ilda Figueiredo, Michl Ebner, Minerva Melpomeni Malliori, Roger Helmer, Catherine Stihler and Uma Aaltonen.

The debate closed.

Vote: *Item 23*.

6. World Summit on the Information Society (first phase: Geneva, 10/12 December 2003) (debate)

Commission statement: World Summit on the Information Society (first phase: Geneva, 10/12 December 2003).

Michaele Schreyer (Member of the Commission) made the statement.

The following spoke: Malcolm Harbour, on behalf of the PPE-DE Group, Myrsini Zorba, on behalf of the PSE Group, Astrid Thors, on behalf of the ELDR Group, Konstantinos Alyssandrakis, on behalf of the GUE/NGL Group, Daniel Marc Cohn-Bendit, on behalf of the Verts/ALE Group, Marco Cappato, Non-attached Member, Paul Rübig, Erika Mann, Carles-Alfred Gasòliba i Böhm, Michl Ebner, Barbara O'Toole, Kyösti Tapio Virrankoski, Anna Karamanou and Marco Cappato, for a point of order.

The debate closed.

VOTING TIME

Details of voting (amendments, separate and split votes, etc.) appear in Annex 1 to the Minutes.

IN THE CHAIR: Pat COX

President

7. Ban on cat and dog fur (Rule 51)

The President announced, pursuant to Rule 51, that written declaration 17/2003 by Struan Stevenson, Bob van den Bos, Nelly Maes, Mihail Papayannakis and Phillip Whitehead on a ban on trade in cat and dog fur had obtained the signatures of the majoirity of the Members of Parliament, and would therefore be forwarded to its addressees, together with the names of the signatories, and published in the Texts Adopted of that sitting (P5-TA(2003)0605), also with the names of the signatories.

8. Mobilisation of the flexibility instrument for Iraq (Rule 110a) (vote)

Report on the proposal for a decision of the European Parliament and of the Council on the mobilisation of the flexibility instrument in favour of the rehabilitation and reconstruction of Iraq according to point 24 of the Interinstitutional Agreement of 6 May 1999 [COM(2003) 576 — C5-0455/2003 — 2003/0225(ACI)] — Committee on Budgets. Rapporteur: Joan Colom i Naval (A5-0456/2003).

(Qualified majority plus three-fifths of the votes cast (IIA of 6 May 1999, paragraph 24 and Article 272(9) of EC Treaty))

(Voting record: Annex 1, Item 1)

MOTION FOR A RESOLUTION

Adopted by single vote *(P5_TA(2003)0587)*

9. Draft general budget 2004, as modified by the Council (vote)

Draft amendments to the draft general budget modified by the Council

CORRIGENDUM to first reading: Annex to texts adopted at the sitting of Thursday 23 October 2003 (Amendments and proposed modifications to the draft general budget of the European Union for the financial year 2004 — 2nd part: Section III — Commission). Amendment 805 on Budget reference line 02 02 03 02 should read:

	AMENDMENT		DB+AMENDMENT	
	Commitments	Payments	Commitments	Payments
EU-15	2 000 000	1 000 000	2 000 000	1 000 000
EU-10	4 000 000	1 000 000	4 000 000	1 000 000

(Qualified majority)

(Voting record: Annex 1, Item 2)

Jan Mulder, general rapporteur, pointed out that the vote dealt with the EU-15 budget and that the enlargement appropriations voted at first reading would be taken into account in the amending budget for enlargement.

He then announced technical corrections to amendments 335 and 378, and pointed out that a technical adjustment would have to be made in the light of the vote to ensure that Chapter XX was consistent with the vote in the different policy areas.

Parliament adopted the amendments as corrected.

The amendments adopted appear in an annex to the Texts Adopted

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10. Draft 2004 budget as modified by the Council and Letters of Amendment 1,2 & 3/2004 (vote)

Report on the draft general budget of the European Union for the year 2004 as modified by the Council (all sections) [11357/2003 — C5-0600/2003 — 2003/2001(BUD) — 2003/2002(BUD)] and Letters of Amendment Nos 1, 2 and 3/2004 [14837/2003 — C5-0570/2003, 14838/2003 — C5-0571/2003, 14839/2003 — C5-0572/2003] to the draft general budget of the European Union for the financial year 2004

Section I — European Parliament
Section II — Council
Section III — Commission
Section IV — Court of Justice
Section V — Court of Auditors
Section VI — Economic and Social Committee
Section VII — Committee of the Regions
Section VIII(A) — European Ombudsman
Section VII(B) — European Data Protection Supervisor — Committee on Budgets. rapporteurs: Jan Mulder and Neena Gill (A5-0473/2003)

(Simple majority)

(Voting record: Annex 1, Item 3)

MOTION FOR A RESOLUTION

Adopted *(P5_TA(2003)0588)*

The following spoke:

— Neena Gill (rapporteur) on amendment 1;

— Terence Wynn (Chairman of BUDG Committee), who thanked all those who had taken part in the budgetary procedure and asked the Council for its position on the outcome of the second reading;

— Gianluigi Magri (President-in-Office of the Council) made the following statement:

> '… We have concluded the second reading of the draft general budget for the financial year 2004, which is of historical importance given the Union's enlargement to 25.

We are pleased to note that by your vote you have confirmed the agreement between the institutions which emerged from the conciliation meetings of 24 November.

While noting that divergences remain as regards the classification of expenditure — in respect of which the Council reserves its rights — I should like to conclude this statement in the same spirit as I began when I spoke of a historical occasion, and thank all the actors in this procedure, including the institutions, for enabling this memorable day in the life of the European Union to be concluded on such a successful note.'

— Michaele Schreyer (Member of the Commission) pointed out that the budgetary preparation of enlargement had been completed; she thanked Terence Wynn, Jan Mulder and Neena Gill on behalf of the Commission.

The President called on President-in-Office of the Council Gianluigi Magri, Commission representative Michaele Schreyer, Budgets Committee Chairman Terence Wynn, and rapporteurs Jan Mulder, Neena Gill and Joan Colom i Naval to join him, and then proceeded to sign the budget.

11. Future budget requirements for external measures (vote)

Report on future budget requirements for external measures [2003/2037(INI)] — Committee on Budgets. Rapporteur: Guido Podestà (A5-0434/2003).

(Simple majority)

(Voting record: Annex 1, Item 4)

MOTION FOR A RESOLUTION

Adopted *(P5_TA(2003)0589)*

12. Transitional points system for HGVs in Austria in 2004 ***III (vote)

Report on the joint text approved by the Conciliation Committee for a European Parliament and Council regulation establishing a transitional points system applicable to heavy goods vehicles travelling through Austria for the year 2004 within the framework of a sustainable transport policy [PE-CONS 3689/2003 — C5-0562/2003 — 2001/0310(COD)] — Parliament's delegation to the Conciliation Committee. Rapporteur: Paolo Costa (A5-0475/2003).

(Simple majority for approval)

(Voting record: Annex 1, Item 5)

JOINT TEXT

Adopted *(P5_TA(2003)0590)*

13. Compensation and assistance to air passengers ***III (vote)

Report of Parliament's delegation to the Conciliation Committee on the joint text, approved by the Conciliation Committee, of a regulation of the European Parliament and of the Council establishing common rules on compensation and assistance to air passengers in the event of denied boarding and of cancellation or long delay of flights [PE-CONS 3676/2003 — C5-0518/2003 — 2001/0305(COD)] — Parliament's delegation to the Conciliation Committee. Rapporteur: Giorgio Lisi (A5-0464/2003).

(Simple majority for approval)

(Voting record: Annex 1, Item 6)

JOINT TEXT

Adopted *(P5_TA(2003)0591)*

14. Cogeneration ***II (vote)

Recommendation for second reading on the common position of the Council with a view to adopting a directive of the European Parliament and of the Council on the promotion of cogeneration based on a useful heat demand in the internal energy market and amending Directive 92/42/EEC [10345/2/2003 — C5-0444/2003 — 2002/0185(COD)] — Committee on Industry, External Trade, Research and Energy. Rapporteur: Norbert Glante (A5-0457/2003).

(Qualified majority)

(Voting record: Annex 1, Item 7)

COMMON POSITION OF THE COUNCIL

Declared approved as amended *(P5_TA(2003)0592)*

The following spoke:

The rapporteur, on amendment block 1.

15. Meeting of heads of state and/or government on the IGC (Brussels, 12/13 December 2003) (vote)

Motions for resolution B5-0535, 0573, 0574, 0575, 0576, 0579 and 0581/2003

(Simple majority)

(Voting record: Annex 1, Item 8)

MOTION FOR A RESOLUTION B5-0535/2003

Rejected

JOINT MOTION FOR A RESOLUTION RC-B5-0573/2003

(replacing motions for resolution B5-0573, 0574, 0575 and 0576/2003):

tabled by the following Members:

— Elmar Brok, Hans-Gert Poettering and Íñigo Méndez de Vigo, on behalf of the PPE-DE Group,

— Enrique Barón Crespo, Klaus Hänsch, Giorgio Napolitano and Richard Corbett, on behalf of the PSE Group,

— Andrew Nicholas Duff, on behalf of the ELDR Group,

— Johannes Voggenhuber, Monica Frassoni and Neil MacCormick, on behalf of the Verts/ALE Group

Adopted *(P5_TA(2003)0593)*

(Motions for resolutions B5-0579 et B5-0581/2003 and B5-0581/2003 fell.)

16. Electronic road toll systems ***I (vote)

Report on the proposal for a directive of the European Parliament and of the Council on the widespread introduction and interoperability of electronic road toll systems in the Community [COM(2003) 132 — C5-0190/2003 — 2003/0081(COD)] — Committee on Regional Policy, Transport and Tourism. Rapporteur: Renate Sommer (A5-0435/2003).

(Simple majority)

(Voting record: Annex 1, Item 9)

COMMISSION PROPOSAL

Approved as amended *(P5_TA(2003)0594)*

DRAFT LEGISLATIVE RESOLUTION

Adopted *(P5_TA(2003)0594)*

The following spoke:

Renate Sommer, rapporteur, on certain amendments, and Claude Turmes on amendment 37.

17. Decentralised cooperation (2004-2006) ***I (vote)

Report on the proposal for a regulation of the European Parliament and of the Council extending and amending Council Regulation (EC) No 1659/98 on decentralised cooperation [COM(2003) 413 — C5-0319/2003 — 2003/0156(COD)] — Committee on Development and Cooperation. Rapporteur: Jürgen Zimmerling (A5-0431/2003).

(Simple majority)

(Voting record: Annex 1, Item 10)

COMMISSION PROPOSAL

Approved as amended *(P5_TA(2003)0595)*

DRAFT LEGISLATIVE RESOLUTION

Adopted *(P5_TA(2003)0595)*

The following spoke:

Jürgen Zimmerling, rapporteur, spoke on amendment 5, and pointed out that, following its rejection, amendment 11 fell.

18. Gender equality in development cooperation ***I (vote)

Report on the proposal for a regulation of the European Parliament and of the Council on promoting gender equality in development cooperation [COM(2003) 465 — C5-0367/2003 — 2003/0176(COD)] — Committee on Women's Rights and Equal Opportunities. Rapporteur: Olga Zrihen (A5-0447/2003).

(Simple majority)

(Voting record: Annex 1, Item 11)

COMMISSION PROPOSAL

Approved as amended *(P5_TA(2003)0596)*

DRAFT LEGISLATIVE RESOLUTION

Adopted *(P5_TA(2003)0596)*

19. EC-Côte d'Ivoire fisheries agreement * (vote)

Report on the proposal for a Council regulation on conclusion of an Agreement in the form of an exchange of letters extending to the period 1 July 2003 to 30 June 2004 the validity of the Protocol setting fishing opportunities and a financial contribution as provided for in the Agreement between the European Economic Community and the Republic of Côte d'Ivoire on fishing off the coast of Côte d'Ivoire [COM(2003) 556 — C5-0458/2003 — 2003/0219(CNS)] — Committee on Fisheries. Rapporteur: Struan Stevenson (A5-0459/2003).

(Simple majority)

(Voting record: Annex 1, Item 12)

COMMISSION PROPOSAL

Approved as amended *(P5_TA(2003)0597)*

DRAFT LEGISLATIVE RESOLUTION

Adopted *(P5_TA(2003)0597)*

20. European Council (Brussels, 12/13 December 2003) (vote)

Motions for resolution B5-0570, 0577, 0578, 0580, 0582 and 0583/2003

(Simple majority)

(Voting record: Annex 1, Item 13)

JOINT MOTION FOR A RESOLUTION RC-B5-0570/2003

(replacing motions for resolution B5-0570, B5-0577, B5-0580, B5-0582 and B5-0583/2003):

tabled by the following Members:

— Hans-Gert Poettering, Ilkka Suominen, Othmar Karas, Philippe Morillon, Arie M. Oostlander and Hubert Pirker, on behalf of the PPE-DE Group,

— Enrique Barón Crespo, on behalf of the PSE Group,

— Jules Maaten, on behalf of the ELDR Group,

— Daniel Marc Cohn-Bendit and Monica Frassoni, on behalf of the Verts/ALE Group,

— Charles Pasqua, Cristiana Muscardini, Gerard Collins and Luís Queiró, on behalf of the UEN Group.

Adopted *(P5_TA(2003)0598)*

(Motion for a resolution B5-0578/2003 fell.)

The following spoke:

Christos Zacharakis drew attention to a discrepancy between the Greek version of paragraph 31 and the other languages (the President replied that the matter would be looked into).

21. **Removal of the EU embargo on arms sales to China** (vote)

Motions for resolution B5-0548, 0549, 0552, 0553 and 0565/2003

(Simple majority)

(Voting record: Annex 1, Item 14)

JOINT MOTION FOR A RESOLUTION RC-B5-0548/2003

(replacing motions for resolution B5-0548, 0549, 0552 and 0553/2003):

tabled by the following Members:

— Michael Gahler, Philippe Morillon, Georg Jarzembowski, Charles Tannock and Thomas Mann, on behalf of the PPE-DE Group,

— Margrietus J. van den Berg, on behalf of the PSE Group,

— Ole Andreasen, on behalf of the ELDR Group,

— Daniel Marc Cohn-Bendit and Per Gahrton, on behalf of the Verts/ALE Group

Adopted *(P5_TA(2003)0599)*

(Motion for a resolution B5-0565/2003 fell.)

22. **Coexistence of GM crops with conventional and organic crops** (vote)

Report on the coexistence of genetically modified crops and conventional and organic crops [2003/2098(INI)] — Committee on Agriculture and Rural Development. Rapporteur: Friedrich-Wilhelm Graefe zu Baringdorf (A5-0465/2003).

(Simple majority)

(Voting record: Annex 1, Item 15)

MOTION FOR A RESOLUTION

Adopted *(P5_TA(2003)0600)*

23. Discrimination against MS patients (vote)

Report on Petition 842/2001 concerning the effects of discriminatory treatment afforded to persons with Multiple Sclerosis, within the European Union [2003/2173(INI)] — Committee on Petitions. Rapporteur: Uma Aaltonen (A5-0451/2003).

(Simple majority)

(Voting record: Annex 1, Item 16)

MOTION FOR A RESOLUTION

Adopted *(P5_TA(2003)0601)*

The following spoke:

Before the vote, the President welcomed Mrs Louise McVay, the instigator of the report, who was sitting in the gallery.

Uma Aaltonen, rapporteur, moved an oral amendment to paragraphs 4, 9, 11, 13 and 15.

24. 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 Paolo Costa — A5-0475/2003: Michl Ebner

Joint motion for a resolution RC-0573/2003 om regeringskonferensen: Richard Corbett, on behalf of the PSE Group, and Jean-Maurice Dehousse, on behalf of the Belgian French-speaking members of the PSE Group.

25. Corrections to votes

Corrections to votes were submitted by the following Members:

Report Mulder — A5-0473/2003

— amendment 1
for: Bent Hindrup Andersen, Göran Färm, Ewa Hedkvist Petersen, Hans Karlsson, Yvonne Sandberg-Fries, Maj Britt Theorin, Catherine Guy-Quint, Alexander Radwan, W.G. van Velzen

— resolution (as a whole)
against: Hans-Peter Martin

Report Podestà — A5-0434/2003

— amendment 27
for: Eurig Wyn
against: Claude Turmes

— amendment 30
for: Claude Turmes

Report Paolo Costa — A5-0475/2003

— joint text
against: Georges Berthu, Dominique F.C. Souchet, Michl Ebner
abstention: Gilles Savary

RC-B5-0573/2003 — IGC

— recital D
for: Bent Hindrup Andersen, Jens-Peter Bonde, Ulla Margrethe Sandbæk
against: Gilles Savary

— resolution
for: Bent Hindrup Andersen, Jens-Peter Bonde, Ulla Margrethe Sandbæk, Helle Thorning-Schmidt
against: Johanna L.A. Boogerd-Quaak
abstention: Gérard Onesta

Report Zimmerling — A5-0431/2003

— amendment 10 — first part
for: Georges Garot

RC-B5-0560/2003 — European Council meeting

— amendment 5
for: Armonia Bordes, Chantal Cauquil and Alain Krivine
against: Concepció Ferrer

RC-B5-0548/2003 — China

— resolution (as a whole)
for: Dagmar Roth-Behrendt and Brian Simpson

Report Graefe zu Baringdorf — A5-0465/2003

— amendment 3 — first part
for: Simon Francis Murphy

— amendment 4 — 1st part
for: Helle Thorning-Schmidt

— paragraph 9
for: Avril Doyle

— resolution (as a whole)
for: Francis Wurtz
against: Cristina Gutiérrez-Cortines

Report Aaltonen — A5-0451/2003

— resolution (as a whole)
for: Chantal Cauquil and Alain Krivine

Members present but not voting:

Armonia Bordes and Chantal Cauquil, on resolution B5-0535/2003: recital D and final vote; Stevenson report — A5-0459/2003: amendments 4, 5, and legislative resolution; joint resolution RC-B5-0548/2003 on China: paragraph 3.

END OF VOTING TIME

(The sitting was suspended at 12.40 and resumed at 15.00.)

IN THE CHAIR: Alonso José PUERTA

Vice-President

26. Approval of Minutes of previous sitting

Robert J.E. Evans had informed the Presidency that he had been present but that his name was not on the attendance register.

The Minutes of the previous sitting were approved.

27. Request for urgent procedure (Rule 112)

Council request for the application of urgent procedure (Rule 112) for:

— Proposal for a Council Directive amending Directive 77/388/EEC to extend the facility allowing Member States to apply reduced rates of VAT to certain labour-intensive services (COM(2003) 825 — C5-0653/2003 — 2003/0317(CNS))

Reason for request:

The directive currently enforced was due to expire on 31 December 2003 and the Council wished to obtain Parliament's opinion on the proposal before 29 January 2004.

Parliament would be consulted on the request for urgent procedure at the beginning of the sitting of Monday 12 January 2004.

28. Natural disasters in the South of France and the regions 'Languedoc-Roussillon' and 'Provence Alpes-Côte d'Azur' (statement followed by debate)

Commission statement: Natural disasters in the South of France and the regions 'Languedoc-Roussillon' and 'Provence Alpes-Côte d'Azur'

Philippe Busquin (Member of the Commission) made the statement.

The following spoke: Françoise Grossetête, on behalf of the PPE-DE Group, Gérard Onesta, on behalf of the Verts/ALE Group, Alain Esclopé, on behalf of the EDD Group, and Jean-Claude Martinez, Non-attached Member.

The debate closed.

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 2 of the Minutes of Tuesday 16 December 2003)

29. Georgia (debate)

The next item was the joint debate on 6 motions for resolution (B5-0547, 0550, 0554, 0556, 0560 and 0566/2003).

Bill Newton Dunn, Demetrio Volcic, Bastiaan Belder, Erik Meijer, Joost Lagendijk and Ursula Schleicher introduced motions for resolution.

The following spoke: Marielle De Sarnez, on behalf of the PPE-DE Group, Olivier Dupuis, Non-attached Member, Bernd Posselt and Philippe Busquin (Member of the Commission).

The debate closed.

Vote: *Item 32*.

30. Philippines: end of the moratorium on the death penalty (debate)

The next item was the joint debate on 6 motions for resolution (B5-0545, 0551, 0557, 0562, 0567 and 0569/2003).

María Elena Valenciano Martínez-Orozco, Erik Meijer and Bernd Posselt introduced motions for resolution.

The following spoke: Ulla Margrethe Sandbæk, on behalf of the EDD Group, and Philippe Busquin (Member of the Commission).

The debate closed.

Vote: *Item 33*.

31. **Moldova** (debate)

The next item was the joint debate on 6 motions for resolution (B5-0546, 0555, 0558, 0559, 0561 and 0568/2003).

Paulo Casaca, Bastiaan Belder and Erik Meijer introduced motions for resolution.

Bernd Posselt spoke on a technical matter.

Michael Gahler introduced his motion for a resolution.

Lennart Sacrédeus, on behalf of the PPE-DE Groupspoke.

IN THE CHAIR: Gérard ONESTA

Vice-President

Philippe Busquin (Member of the Commission) spoke.

The debate closed.

Vote: *Item 34*.

END OF DEBATE ON BREACHES OF HUMAN RIGHTS, DEMOCRACY AND THE RULE OF LAW

VOTING TIME

Details of voting (amendments, separate and split votes, etc.) appear in Annex 1 to the Minutes.

32. **Georgia** (vote)

Motions for resolution B5-0547, 0550, 0554, 0556, 0560 and 0566/2003

(Simple majority)

(Voting record: Annex 1, Item 17)

JOINT MOTION FOR A RESOLUTION RC-B5-0547/2003

(replacing motions for resolution B5-0547, 0550, 0554, 0556, 0560 and 0566/2003):

tabled by the following Members:

— Ursula Schleicher, Bernd Posselt and Marielle De Sarnez, on behalf of the PPE-DE Group,

— Demetrio Volcic and Margrietus J. van den Berg, on behalf of the PSE Group,

— Anne André-Léonard, on behalf of the ELDR Group,

— Per Gahrton, Marie Anne Isler Béguin and Miquel Mayol i Raynal, on behalf of the Verts/ALE Group,

— Luigi Vinci, on behalf of the GUE/NGL Group,

— Bastiaan Belder, on behalf of the EDD Group,

— Olivier Dupuis, Marco Pannella, Emma Bonino, Gianfranco Dell'Alba, Benedetto Della Vedova, Marco Cappato and Maurizio Turco

Adopted *(P5_TA(2003)0602)*

33. Philippines: end of the moratorium on the death penalty (vote)

Motions for resolution B5-0545, 0551, 0557, 0562, 0567 and 0569/2003

(Simple majority)

(Voting record: Annex 1, Item 17)

JOINT MOTION FOR A RESOLUTION RC-B5-0545/2003

(replacing motions for resolution B5-0545, 0551, 0557, 0562 and 0567/2003):

tabled by the following Members:

— Bernd Posselt and Ilkka Suominen, on behalf of the PPE-DE Group,

— Margrietus J. van den Berg, on behalf of the PSE Group,

— Bob van den Bos, on behalf of the ELDR Group,

— Patricia McKenna and Matti Wuori, on behalf of the Verts/ALE Group,

— Lucio Manisco and Giuseppe Di Lello Finuoli, on behalf of the GUE/NGL Group

Adopted *(P5_TA(2003)0603)*

(Motion for a resolution B5-0569/2003 fell.)

34. Moldova (vote)

Motions for resolution B5-0546, 0555, 0558, 0559, 0561 and 0568/2003

(Simple majority)

(Voting record: Annex 1, Item 19)

JOINT MOTION FOR A RESOLUTION RC-B5-0546/2003

(replacing motions for resolution B5-0546, 0555, 0559, 0561 and 0568/2003):

tabled by the following Members:

— Michael Gahler, Charles Tannock, Bernd Posselt and Lennart Sacrédeus, on behalf of the PPE-DE Group,

— Margrietus J. van den Berg and Jan Marinus Wiersma, on behalf of the PSE Group,

— Bob van den Bos, Anne André-Léonard and Ole Andreasen, on behalf of the ELDR Group,

— Elisabeth Schroedter and Marie Anne Isler Béguin, on behalf of the Verts/ALE Group,

— Bastiaan Belder, on behalf of the EDD Group

Adopted *(P5_TA(2003)0604)*

(Motion for a resolution B5-0558/2003 fell.)

END OF VOTING TIME

35. Membership of committees and political groups

Parliament took note of the appointment of George Varnava to the AFET Committee as observer, and of the fact that Adam Bielan, Michal Kaminski, Marcin Libicki and Aleksander Szczyglo had joined the UEN Group, with effect from 18 December 2003, as observers.

36. Authorisation to draw up own-initiative reports — cooperation between committees — Withdrawal of an own-initiative report already authorised by the Conference of Presidents

Authorisation to draw up own-initiative reports, pursuant to Rules 47(2) and 163

ENVI Committee

— Integrated product policy — Building on Environmental Life-Cycle Thinking (COM(2003) 302 — C5-0550/2003 — 2003/2221(INI))

(asked for opinion: ITRE)

(Conference of Presidents' decision of 13 November 2003)

— A European environment and health strategy (COM(2003) 338 — C5-0551/2003 — 2003/2222(INI))

(asked for opinion: ITRE)

(Conference of Presidents' decision of 13 November 2003)

Cooperation between committees

Rule 162a had been applied to the following reports:

AFET Committee:

— Developing and consolidating democracy and the rule of law and respect for human rights (COM(2003) 639 — C5-0507/2003 — 2003/0250(COD))

(asked for opinion: BUDG, DEVE)

Rule 162a procedure between AFET and DEVE

(Conference of Presidents' decision of 11 December 2003)

DEVE Committee:

— Budgetisation of the European Development Fund (2003/2163(INI))

(asked for opinion: BUDG)

Rule 162a procedure between DEVE and BUDG

(Conference of Presidents' decision of 11 December 2003)

Withdrawal of an own-initiative report already authorised by the Conference of Presidents

ENVI Committee:

— Follow-up report on Directive 85/337/EEC — environmental impact assessment of public and private projects (COM(2003) 334 — C5-0411/2003 — 2003/2126(INI))

(Announced in Minutes of 4 September 2003)

37. Written declarations included in the register (Rule 51)

Number of signatures obtained by the written declarations in the register (Rule 51(3)):

No. Document	Author	Signatures
17/2003	Struan Stevenson, Bob van den Bos, Nelly Maes, Mihail Papayannakis and Phillip Whitehead	346
18/2003	André Brie, Willi Görlach, Joost Lagendijk and Philippe Morillon	50
19/2003	Marie Anne Isler Béguin and Alexander de Roo	49
20/2003	Philip Claeys and Koenraad Dillen	14
21/2003	María Sornosa Martínez	33
22/2003	Jean-Claude Martinez, Carl Lang, Bruno Gollnisch and Marie-France Stirbois	6
23/2003	Mark Francis Watts, Catherine Stihler and Phillip Whitehead	88
24/2003	Cristiana Muscardini	52
25/2003	Marie Anne Isler Béguin, Inger Schörling, Paul A.A.J.G. Lannoye, Gérard Onesta and Yves Piétrasanta	19
26/2003	Caroline Lucas, Ulla Margrethe Sandbæk and Pernille Frahm	29
27/2003	Marco Cappato and Daniel Marc Cohn-Bendit	41

Thursday 18 December 2003

No. Document	Author	Signatures
28/2003	Sebastiano (Nello) Musumeci, Cristiana Muscardini, Mauro Nobilia and Adriana Poli Bortone	15
29/2003	Chris Davies, Johanna L.A. Boogerd-Quaak, Marco Cappato, Anna Karamanou and Michiel van Hulten	45
30/2003	Jonathan Evans, Jacqueline Foster, Martin Callanan, Ian Twinn and Timothy Kirkhope	36
31/2003	José Ribeiro e Castro	16

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 from 12 to 15 January 2004.

40. Adjournment of session

The session of the European Parliament was adjourned.

The sitting closed at 16.20.

Julian Priestley	Pat Cox
Secretary-General	*President*

Thursday 18 December 2003

ATTENDANCE REGISTER

The following signed:

Aaltonen, Abitbol, Adam, Nuala Ahern, Ainardi, Alavanos, Almeida Garrett, Alyssandrakis, Andersen, Andersson, Andreasen, André-Léonard, Andrews, Aparicio Sánchez, Arvidsson, Atkins, 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, Bonino, Boogerd-Quaak, Bordes, Borghezio, van den Bos, Boudjenah, Boumediene-Thiery, Bouwman, Bowe, Bowis, Bradbourn, Bremmer, Breyer, Brie, Brienza, Buitenweg, Bullmann, Bushill-Matthews, Busk, Butel, Callanan, Calò, Camisón Asensio, Campos, Camre, Cappato, Cardoso, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Caudron, Caullery, Cauquil, Cederschiöld, Celli, Cercas, Cerdeira Morterero, Ceyhun, Chichester, Claeys, Clegg, Cocilovo, Coelho, Cohn-Bendit, Collins, Colom i Naval, Corbett, Corbey, Cornillet, Coûteaux, Cox, Crowley, Cushnahan, van Dam, Dary, Daul, Davies, De Clercq, Dehousse, De Keyser, Dell'Alba, Della Vedova, Deprez, De Rossa, De Sarnez, Descamps, Désir, Deva, De Veyrac, Dhaene, Díez González, Di Lello Finuoli, Dillen, Di Pietro, Doorn, Dover, Doyle, Dührkop Dührkop, Duff, Duhamel, Duin, Dupuis, Dybkjær, Ebner, Echerer, El Khadraoui, Elles, Eriksson, Esclopé, Ettl, Jillian Evans, Robert J.E. Evans, Färm, Fatuzzo, Fava, Ferber, Fernández Martín, Ferrández Lezaun, Ferreira, Ferrer, Ferri, Fiebiger, Figueiredo, Fiori, Flautre, Flesch, Folias, Ford, Foster, Fourtou, Frahm, Fraisse, Frassoni, Friedrich, Fruteau, Gahler, Galeote Quecedo, Garaud, García-Margallo y Marfil, García-Orcoyen Tormo, Garot, Garriga Polledo, Gasòliba i Böhm, Gemelli, Ghilardotti, Gill, Gillig, Gil-Robles Gil-Delgado, Glante, Glase, Gobbo, Goebbels, Goepel, Görlach, Gomolka, Goodwill, Gorostiaga Atxalandabaso, Gouveia, Graefe zu Baringdorf, Graça Moura, Gröner, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Guy-Quint, Hänsch, Hager, Hansenne, Harbour, Hatzidakis, Haug, Hazan, Hedkvist Petersen, Helmer, Hermange, Hernández Mollar, Herranz García, Herzog, Hieronymi, Hoff, Honeyball, Hortefeux, Howitt, Hughes, Huhne, van Hulten, Hume, Hyland, Iivari, Ilgenfritz, Imbeni, Inglewood, Isler Béguin, Izquierdo Collado, Izquierdo Rojo, Jackson, Jarzembowski, Jean-Pierre, Jeggle, Jensen, Jöns, Jonckheer, Jové Peres, Junker, Karamanou, Karas, Karlsson, Kastler, Katiforis, Kaufmann, Keppelhoff-Wiechert, Keßler, Khanbhai, Kindermann, Glenys Kinnock, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Koukiadis, Koulourianos, Krarup, Kratsa-Tsagaropoulou, Krehl, Kreissl-Dörfler, Krivine, Kronberger, Kuckelkorn, Kuhne, Kuntz, Lage, Lagendijk, Laguiller, Lalumière, Lamassoure, Lambert, Lang, Langen, Langenhagen, Lannoye, de La Perriere, Laschet, Lechner, Lehne, Leinen, Liese, Linkohr, Lipietz, Lisi, Lucas, Lulling, Lund, Lynne, Maat, Maaten, McAvan, McCarthy, McCartin, MacCormick, McKenna, McNally, Malliori, Malmström, Manders, Manisco, Erika Mann, Thomas Mann, Marchiani, Marinho, Marini, Marinos, Marques, Marset Campos, Martens, David W. Martin, Hans-Peter Martin, Hugues Martin, Martinez, Martínez Martínez, Mastorakis, Mathieu, Matikainen-Kallström, Hans-Peter Mayer, Xaver Mayer, Mayol i Raynal, Medina Ortega, Meijer, Mendiluce Pereiro, Menéndez del Valle, Menrad, Miguélez Ramos, Miller, Miranda de Lage, Modrow, Mombaur, Monsonís Domingo, Montfort, Moraes, Morillon, Mulder, Murphy, Muscardini, Mussa, Myller, Naïr, Napoletano, Napolitano, Naranjo Escobar, Nassauer, Newton Dunn, Nicholson, Niebler, Nisticò, Nobilia, Nogueira Román, Nordmann, Ojeda Sanz, Olsson, Ó Neachtain, Onesta, Oomen-Ruijten, Oostlander, Oreja Arburúa, O'Toole, Paasilinna, Pacheco Pereira, Pack, Paisley, Papayannakis, Parish, Pasqua, Pastorelli, Patakis, Paulsen, Pérez Álvarez, Perry, Pesälä, Pex, Piecyk, Piétrasanta, Piscarreta, Pittella, Podestà, Poettering, Pohjamo, Poignant, Poos, Posselt, Prets, Pronk, Puerta, Purvis, Queiró, Rack, Radwan, Randzio-Plath, Rapkay, Raschhofer, Read, Ribeiro e Castro, Ries, Riis-Jørgensen, Ripoll y Martínez de Bedoya, Rocard, Rod, Rodríguez Ramos, de Roo, Roth-Behrendt, Rothley, Roure, Rovsing, Rübig, Rühle, Sacconi, Sacrédeus, Saint-Josse, Salafranca Sánchez-Neyra, Sandberg-Fries, Sandbæk, Santer, Santini, dos Santos, Sartori, Sauquillo Pérez del Arco, Savary, Scarbonchi, Schaffner, Scheele, Schierhuber, Schleicher, Gerhard Schmid, Herman Schmid, Olle Schmidt, Schmitt, Schnellhardt, Schörling, Ilka Schröder, Jürgen Schröder, Schroedter, Schulz, Schwaiger, Segni, Seppänen, Simpson, Sjöstedt, Skinner, Smet, Sörensen, Sommer, Sornosa Martínez, Souchet, Souladakis, Staes, Stauner, Stenmarck, Stenzel, Sterckx, Stevenson, Stihler, Stirbois, Stockmann, Stockton, Sturdy, Sudre, Suominen, Swoboda, Tajani, Tannock, Terrón i Cusí, Theato, Theorin, Thomas-Mauro, Thorning-Schmidt, Thors, Titford, Titley, Torres Marques, Trakatellis, Trentin, Tsatsos, Turchi, Turco, Turmes, Twinn, Uca, Vachetta, Valdivielso de Cué, Valenciano Martínez-Orozco, Van Lancker, Van Orden, Varela Suanzes-Carpegna, Vatanen, Vattimo, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vinci, Virrankoski, Vlasto, Voggenhuber, Volcic, Wachtmeister, Watson, Watts, Weiler, Wenzel-Perillo, Whitehead, Wiersma, von Wogau, Wynn, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener, Zorba, Zrihen.

Observers

Bastys, Biela, Chronowski, Czinege, Ékes, Gurmai, Ilves, Kelemen, Klukowski, Kriščiūnas, Daniel Kroupa, Kuzmickas, Kvietkauskas, Lachnit, Laštůvka, Lydeka, Macierewicz, Maldeikis, Mallotová, Ouzký, Alojz Peterle, Pieniążek, Plokšto, Podgórski, Ransdorf, Janno Reiljan, Sefzig, Surján, Szabó, Szájer, Szent-Iványi, Tabajdi, Tomczak, Valys, Vastagh, Vėsaitė, Wittbrodt, Zahradil, Žiak.

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ANNEX 1

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. Mobilisation of the flexibility instrument for Iraq

Report: COLOM I NAVAL (A5-0456/2003)

Subject	RCV, etc.	Vote	RCV/EV — remarks
single vote (*)		+	*qualified majority*
(*) ***majority required = qualified majority + 3/5 of the votes cast (IIA of 6 May 1999, point 24 and Art. 272(9) of the EC Treaty)***			

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2. 2004 draft general budget, as amended by the Council

AM n°	Budget line	Block, RCV, EV, sep	Split votes	Vote	Votes by RCV/EV — remarks
COMMISSION					
45	05	**BLOCK 1**			
120	11				
47	05 04 01 02				
48	05 04 01 12				
123	11 06 01				
127	13				
334	13 03 01				
130	13 03 02				
335	13 04 01				technical modifications
82	08			+	
85	08 02 01 02				
96	09 04 01				
118	10				
333	10 01 05 03				
389	05 08 03				
56	06 01 04 02				
324	06 02 01 01				
325	06 02 02 01				
61	06 02 02 03				
62	06 02 03 01				
326	06 02 08 02				
121	11 01 04 02				
149	15 02 02 01				
150	15 02 02 02				
342	15 03 01 03				
140	15				
1	01				

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AM n°	Budget line	Block, RCV, EV, sep	Split votes	Vote	Votes by RCV/EV — remarks
314	01 02 04				
143	15 02 01 01				
161	15 06 01 01				
169	16				
171	16 01 04 02			+	
172	16 02 02				
173	16 03 01				
174	16 03 02				
175	16 04 02				
176	16 04 03				
355	16 05 01				
201	18 08 01				
287	22 04				
295	25 03 02				
18	04				
20	04 01 04 02				
24	04 02 12				
26	04 03 03 01	**BLOCK 1**			
27	04 03 03 02				
317	04 03 04 01				
318	04 03 05 02				
319	04 03 05 03				
34	04 04 02 01				
35	04 04 02 02				
36	04 04 03				
41	04 04 08				
42	04 04 09				
182	17 03 01 01				
356	17 04 08 01				

AM n°	Budget line	Block, RCV, EV, sep	Split votes	Vote	Votes by RCV/EV — remarks
54	06			+	
329	06 04 03				
72	07				
74	07 01 04 01				
330	07 03 01 01				
77	07 03 08				
331	07 04 01 01				
80	07 04 02				
81	07 05 01				
179	17				
7	02				
315	02 04 02 01				
15	02 04 02 03				
16	02 05 01	**BLOCK 1**			
17	03				
90	08 14 01				
91	09				
92	09 01 04 01				
332	09 03 05 02				
124	12				
125	12 01 04 01				
126	12 02 01				
137	14				
138	14 01 04 01				
139	14 02 01				
260	20			+	
4	01 04 05				
10	02 02 03				

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AM n°	Budget line	Block, RCV, EV, sep	Split votes	Vote	Votes by RCV/EV — remarks
11	02 02 03 02				
25	04 02 15				
381	25 04 01				
304	29 01 04 01				
385	29 02 01				
327	06 03 01				
328	06 03 02				
37	04 04 04				
320	04 04 06 01				
43	04 04 10				
186	18	**BLOCK 1**			
187	18 01 04 01				
189	18 03 03				
357	18 03 06				
192	18 04 01 01				
193	18 04 01 02				
194	18 04 03				
195	18 05 01 02				
196	18 05 01 03				
358	18 06 04 01				
359	18 07 01 01				
202	18 08 02				
203	18 08 03			+	
217	19 04 02				
377	22 02 09				
290	24				
292	24 02 01				
282	22 01 04 04				

AM n°	Budget line	Block, RCV, EV, sep	Split votes	Vote	Votes by RCV/EV — remarks
378	22 03 04				technical modifications
293	25				
297	26				
300	27				
301	28				
302	29				
213	19 03 03	**BLOCK 2/RCV**			59, 406, 7
214	19 03 04				
218	19 04 03				
222	19 06 01				
232	19 08 02 01				
241	19 09 01				
243	19 09 03			-	
244	19 09 04				
250	19 10 01				
251	19 10 02				
253	19 10 04				
254	19 10 06				
265	21 02 03				
272	21 03	**BLOCK 3**			
274					
275					
273				+	
276	21 03 01 N				
288	23				
204	19				
216	19 04				

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AM n°	Budget line	Block, RCV, EV, sep	Split votes	Vote	Votes by RCV/EV — remarks
245	19 10	**BLOCK 3**			
248					
246					
247					
249					
371	19 10 01				
372	19 10 02				
252	19 10 03				
394	19 10 04				
262	21				
236	19 09				
239					
237				+	
240					
238					
368	19 09 01				
242	19 09 02				
369	19 09 03				
393	19 09 04				
277	21 03 17				
228	19 08				
229					
230					
231					

AM n°	Budget line	Block, RCV, EV, sep	Split votes	Vote	Votes by RCV/EV — remarks
366	19 08 02 01	**BLOCK 3**			
367	19 08 03				
234	19 08 05				
392	19 06 01				
223	19 06 02				
224	19 07 01				
225	19 07 02				
226	19 07 03				
227	19 07 04				
343	15 03 03 01				
208	19 02 03				
209	19 02 04				
211	19 02 12			+	
362	19 02 13				
221	19 05 01				
266	21 02 07 02				
267	21 02 07 03				
268	21 02 07 04				
395	21 02 13				
271	21 02 17				
278	21 03 20				
279	21 04 02				
364	19 04 03				
219	19 04 04				
391	19 04 05				
255	19 11 02	**BLOCK 3**			
261	20 01 04 01			+	
390	19 03 03				
215	19 03 06				

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AM n°	Budget line	Block, RCV, EV, sep	Split votes	Vote	Votes by RCV/EV — remarks
374	19 10 06	split	1. amount	+	
			2. reserve	+	
376	21 02 03	split	1. amount	+	
			2/RCV reserve	+	380, 89, 4
280	22	**BLOCK 4**			
396	XX 01 01 01				
309					
311	XX 01 02 01 01				
387	XX 01 02 11 01				
388	XX 01 02 11 04				
308	PARTC-5				replaced by 405
307	PARTC-4			+	
2	01 02 02				
316	04 01 02 11				
321	04 04 07				
322	04 05 03				
336	15 01 02 11				
337	15 02 01 02				
338	15 02 01 03				
339	15 02 01 04	**BLOCK 4**			
340	15 02 01 05				
341	15 02 01 07				
344	15 04 01 01				
345	15 04 01 02				
346	15 04 01 03				
347	15 04 01 04				

AM n°	Budget line	Block, RCV, EV, sep	Split votes	Vote	Votes by RCV/EV — remarks
348	15 06 01 03				
349	15 06 01 04				
350	15 06 01 05				
351	15 06 01 06				
352	15 06 01 07			+	
353	15 06 01 08				
354	15 07 01 02				
360	19 01 02 11				
361	19 02 02				
375	21 01 02 11				
285	22 02 08				
379	24 01 06				
380	25 01 02 11				
382	26 01 09 01				
383	26 01 50 23				
384	29 01 02 01				
COURT OF JUSTICE					
104	11	**BLOCK 5**			
114					
98				+	
99					
116	1110				
257	2001				

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AM n°	Budget line	Block, RCV, EV, sep	Split votes	Vote	Votes by RCV/EV — remarks
COURT OF AUDITORS					
113	11	**BLOCK 6**			
100					
101				+	
117	1110				
256	200				
ECONOMIC AND SOCIAL COMMITTEE					
110	11	**BLOCK 7**			
103					
112					
102				+	
105					
111					
258	204				
COMMITTEE OF THE REGIONS					
97	1004	**BLOCK 8**			
106	11				
109					
108				+	
107					
115	110				
259	204				
EUROPEAN OMBUDSMAN					
306	A-11	sep		+	

Requests for roll-call votes

GUE/NGL: block of amendments concerning heading 4 (block 2), am 376/2nd part only

Requests for split votes

GUE/NGL

am 376 (line 21 02 03 — NGOs)

1st part: amounts
2nd part: reserve (in the event of rejection of the reserve, the appropriations are entered on the line)

Verts/ALE

am 376 (line 21 02 03 — NGOs)

1st part: amounts
2nd part: reserve (in the event of rejection of the reserve, the appropriations are entered on the line)

am 374 (line 19 10 06 — Afghanistan)

1st part: amounts
2nd part: reserve (in the event of rejection of the reserve, the appropriations are entered on the line)

3. 2004 draft general budget, as amended by the Council (all sections)/Letters of Amendment 1, 2 & 3/2004

Report: MULDER/GILL (A5-0473/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
§ 1		***original text***	RCV	+	429, 46, 5
§ 2		***original text***	sep	+	
§ 4		***original text***	sep	+	
after § 4	1	EDD	split/RCV		
			1	-	203, 270, 4
			2	↓	
§ 13		***original text***	sep	+	
§ 19		***original text***	sep	+	
§ 20		***original text***	split		
			1	+	
			2	+	
§ 21		***original text***	split		
			1	+	
			2	+	
			3	+	
§ 22		***original text***	sep	+	

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
§ 25	2 = 5 =	ELDR PPE-DE		+	
after § 25	3 = 6 =	ELDR PPE-DE		+	
after § 27	4	UEN		+	
vote: resolution (as a whole)			RCV	+	410, 65, 10

Requests for roll-call votes

GUE/NGL: § 1, final vote

EDD: am 1

HEATON-HARRIS ao: am 1 [1st part]

Requests for split votes

Verts/ALE

§ 21

1st part: text as a whole except the words 'maintains the reserves created in first reading and' and 'underlines that the reserves … by the EP'
2nd part: 'maintains the reserves created in first reading and'
3rd part: 'underlines that the reserves … by the EP'

EDD

§ 20

1st part: up to 'development of civil rights'
2nd part: remainder

HEATON-HARRIS ao

am 1

1st part: text as a whole except the words 'or the lowest published air fares'
2nd part: those words

Requests for separate vote

GUE/NGL: § 2, 4, 13, 19, 20, 22

EDD: § 22

4. Future budget requirements for external measures

Report: PODESTÀ (A5-0434/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
§ 2		***original text***	split		
			1	+	
			2	-	
			3	+	

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
§ 10		***original text***	split		
			1	+	
			2	+	
§ 15		***original text***	sep	+	
§ 16		***original text***	split		
			1	+	
			2/EV	+	262, 197, 8
§ 27		***original text***	RCV	+	387, 73, 11
§ 28		***original text***	sep	+	
§ 30		***original text***	RCV	+	371, 66, 33
§ 33		***original text***	split		
			1/EV	+	273, 197, 2
			2	+	
vote: resolution (as a whole)			RCV	+	385, 66, 26

Requests for roll-call votes

GUE/NGL: §§ 27, 30 and final vote

Requests for split votes

PPE-DE

§ 10

1st part: 'Notes that the own resources … or 1,02 % of GNI,'
2nd part: 'there is an annual … be allocated to external measures;'

§ 33

1st part: 'Recommends that … heading 7 to heading 4,'
2nd part: 'while pointing out … funding allocations;'

Verts/ALE

§ 2

1st part: text as a whole except the words 'with great concern' and 'before the Commission puts forward its proposals'
2nd part: 'with great concern'
3rd part: 'before the Commission puts forward its proposals'

PSE

§ 16

1st part: text as a whole except the words 'if necessary'
2nd part: those words

Requests for separate vote

Verts/ALE: § 27

GUE/NGL: §§ 15, 28

5. Traditional points system for HGVs in Austria in 2004 ***III

Report: COSTA (A5-0475/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
vote: joint text			RCV	+	348, 102, 32

Requests for roll-call votes

Verts/ALE: final vote

6. Compensation and assistance to air passengers ***III

Report: LISI (A5-0464/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
vote: joint text			RCV	+	467, 4, 13

Requests for roll-call votes

PSE: final vote

7. Cogeneration ***II

Recommendation for second reading: GLANTE (A5-0457/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
text as a whole	block 1	***committee***		+	
	block 2	***committee***		↓	

Block 1 = compromise amendments of the ITRE Committee (amendments 60 to 79)

Block 2 = amendments of the ITRE Committee (amendments 1 to 59)

8. Meeting of heads of state and/or government on the IGC

Motions for resolutions: B5-0573, 0574, 0575, 0576, 0579, 0581/2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
motion for a resolution B5-0535/2003 (EVANS ao)					
rec D		***original text***	RCV	-	128, 331, 22
vote: resolution (as a whole)			RCV	-	58, 371, 49
joint motion for a resolution RC5-0573/2003 (PPE-DE, PSE, ELDR, Verts/ALE)					
§ 3		***original text***	sep	+	
§ 4		***original text***	sep	+	
§ 6		***original text***	split		
			1	+	
			2	+	
§ 7		***original text***	split		
			1	+	
			2/EV	-	191, 269, 17
vote: resolution (as a whole)			RCV	+	344, 115, 23
motions for resolutions by political groups					
B5-0573/2003		PSE		↓	
B5-0574/2003		PPE-DE		↓	
B5-0575/2003		ELDR		↓	
B5-0576/2003		Verts/ALE		↓	
B5-0579/2003		GUE/NGL		↓	
B5-0581/2003		UEN		↓	

Requests for roll-call votes

ELDR: final vote of the JT MOT

M. Mr Jonathan EVANS: rec D, final vote of B5-0535/2003

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Requests for separate vote

Verts/ALE: §§ 4, 7

GUE/NGL: § 3

Requests for split votes

PSE

§ 7

1st part: text as a whole except the word 'institutional'
2nd part: that word

Verts/ALE

§ 6

1st part: text as a whole except the words 'to reconvene the IGC at the level … for making progress and'
2nd part: those words

9. Electronic road toll systems ***I

Report: SOMMER (A5-0435/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
amendments by committee responsible — block vote	2 4-10 12-15 17-18 20 22 25 28 32-33 36	***committee***		+	
amendments by committee responsible — separate votes	1	***committee***	sep	+	
	3	***committee***	RCV	+	466, 6, 5
	11	***committee***	sep	+	
	19	***committee***	split		
			1	+	
			2/EV	+	257, 203, 12
	29	***committee***	sep/EV	+	284, 179, 12
	34	***committee***	sep/EV	+	281, 178, 7
art 1, § 1	16	***committee***		+	
	37	Verts/ALE	RCV	-	213, 249, 11
art 1, after subparagraph 1	44	PSE	EV	+	293, 167, 10

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
art. 1, point 2	41 = 45 =	ELDR PSE		+	
	38	Verts/ALE	RCV	-	220, 244, 14
art 2, § 4	21 D	***committee***		+	
	43	PSE		↓	
art 2, after § 5	46	PPE-DE		+	
	23	***committee***		↓	
art 2, § 6	48	PPE-DE		+	
	24	***committee***		↓	
art 3, § 1	49	PPE-DE		+	
	26	***committee***		↓	
art 3, § 2	42	ELDR		-	
	27	***committee***	EV	+	252, 215, 3
art 3, § 3, points (a) and (b)	50	PPE-DE		+	
	30	***committee***		↓	
	31	***committee***		↓	
art 4, after § 5	51	PPE-DE		+	
	35	***committee***		↓	
art 5	39	Verts/ALE	EV	+	246, 217, 7
after recital 9	40	Verts/ALE		-	
	47	PPE-DE		+	
vote: amended proposal				+	
vote: legislative resolution				+	

Requests for roll-call votes

Verts/ALE: ams 37, 38

BRADBOURN ao: am 3

Thursday 18 December 2003

Requests for separate vote

PSE: am 1, 29, 34

BRADBOURN ao: am 11

Requests for split votes

PSE

am 19

1st part: text as a whole except the words 'contractual set of rules'
2nd part: those words

10. Decentralised cooperation (2004-2006) ***I

Report: ZIMMERLING (A5-0431/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
amendments by committee responsible — block vote	1 2 4 6-9	***committee***		+	
amendments by committee responsible — separate votes	5	***committee***	RCV	-	75, 389, 10
art 3	10	PPE-DE, PSE	split/RCV		
			1	+	460, 8, 6
			2	+	350, 111, 8
	3	***committee***		↓	
vote: amended proposal				+	
§ 2	11	Committee on Budgets		↓	
vote: legislative resolution			RCV	+	415, 45, 11

Requests for roll-call votes

PPE-DE: final vote

Verts/ALE: ams 5, 10

Requests for separate vote

PPE-DE: am 5

ELDR: am 5

Requests for split votes

Verts/ALE

am 10

1st part: text as a whole except the word 'churches'
2nd part: that word

Misellaneous

Amendment 11 fell following the rejection of amendment 5.

11. Gender equality in development cooperation ***I

Report: ZRIHEN (A5-0447/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
amendments by committee responsible — block vote	1-18 20	***committee***		+	
amendments by committee responsible — separate votes	21	***committee***	sep	+	
art 10, § 2	23	PSE, SANDERS		+	
	19	***committee***		↓	
vote: amended proposal				+	
draft legislative resolution					
§ 2	22	Committee on Budgets		+	
vote: legislative resolution				+	

Requests for separate vote

PSE: am 21

ELDR: am 21

12. EC-Côte d'Ivoire fisheries agreement *

Report: STEVENSON (A5-0459/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
amendments by committee responsible — block vote	1-3	***committee***		+	
after recital 1	4 = 5 =	Verts/ALE ELDR	RCV	-	95, 332, 30

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
vote: amended proposal				+	
vote: legislative resolution			RCV	+	341, 101, 14

Requests for roll-call votes

Verts/ALE: ams 4/5, final vote

13. European Council

Motions for resolutions: B5-0570, 0577, 0578, 0580, 0582, 0583/2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
joint motion for a resolution RC5-0570/2003 (PPE-DE, PSE, ELDR, Verts/ALE, UEN)					
§ 1	4	PPE-DE	EV	+	227, 217, 5
§ 2	1	Verts/ALE		-	
§ 3	2	Verts/ALE		-	
	§	***original text***	sep	+	
§ 9	3	ELDR	RCV	+	286, 166, 7
	§	***original text***		↓	
after § 10	5	PSE	RCV	-	209, 229, 22
§ 13		***original text***	split		
			1	+	
			2	+	
§ 17		***original text***	sep	+	
§ 46		***original text***	split		
			1	+	
			2/EV	+	205, 197, 41
§ 51		***original text***	sep	+	
vote: resolution (as a whole)				+	
motions for resolutions by political groups					
B5-0570/2003		Verts/ALE		↓	

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
B5-0577/2003		PSE		↓	
B5-0578/2003		GUE/NGL		↓	
B5-0580/2003		ELDR		↓	
B5-0582/2003		UEN		↓	
B5-0583/2003		PPE-DE		↓	

Requests for roll-call votes

PPE-DE: am 5

ELDR: am 3

Requests for split votes

PPE-DE

§ 46

1st part: text as a whole except the words 'in preparation for the next EU-USA and EU-Canada summits'
2nd part: those words

ELDR

§ 13

1st part: up to 'relocations'
2nd part: remainder

Requests for separate vote

PPE-DE: § 17

PSE: § 3

Verts/ALE: § 51

UEN: § 17

14. Removal of the EU embargo on arms sales to China

Motions for resolutions: B5-0548, 0549, 0552, 0553, 0565/2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
joint motion for a resolution RC5-0548/2003 (PPE-DE, PSE, ELDR, Verts/ALE)					
§ 3		***original text***	RCV	+	389, 27, 22
vote: resolution (as a whole)			RCV	+	373, 32, 29

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
motions for resolutions by political groups					
B5-0548/2003		ELDR		↓	
B5-0549/2003		PPE-DE		↓	
B5-0552/2003		Verts/ALE		↓	
B5-0553/2003		PSE		↓	
B5-0565/2003		GUE/NGL		↓	

The UEN Group did not sign the JT MOT

Requests for roll-call votes

PPE-DE: final vote of the JT MOT

Verts/ALE: § 3, final vote of JT MOT

15. Coexistence of GM crops with conventional and organic crops

Report: GRAEFE ZU BARINGDORF (A5-0465/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
§ 3	2	ELDR		-	
after § 7	3	EDD	split		
			1/RCV	-	84, 327, 8
			2	↓	
	4	EDD	split		
			1/RCV	-	76, 338, 8
			2	↓	
§ 9		***original text***	RCV	+	222, 166, 34
§ 14		***original text***	sep	+	
recital B		***original text***	split		
			1	+	
			2	+	

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
recital E		***original text***	RCV	+	383, 27, 8
recital F	1	ELDR		-	
vote: resolution (as a whole)			RCV	+	327, 52, 34

Requests for roll-call votes

Verts/ALE: am 3 [1st part], 4 [1st part]

GUE/NGL: final vote

EDD: rec E, § 9

Requests for separate vote

ELDR: §§ 9, 14

Requests for split votes

Verts/ALE

am 3

1st part: 'Calls on the Commission to instruct … of GMO farmers'
2nd part: 'A Member State should be allowed … an EU Council meeting'

am 4

1st part: 'Calls on the Commission to instruct … of GMO farmers'
2nd part: 'A Member State should be allowed … an EU Council meeting'

EDD

recital B

1st part: text as a whole without the word 'extensive'
2nd part: that word

16. Discrimination against MS patients

Report: AALTONEN (A5-0451/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
after § 2	2	Verts/ALE		+	
§ 4		***original text***		+	***Amended orally***
§ 9		***original text***		+	***Amended orally***
§ 11		***original text***		+	***Amended orally***
after § 11	3	Verts/ALE		+	

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
§ 13		***original text***		+	***Amended orally***
§ 15		***original text***		+	***Amended orally***
rec P	1	Verts/ALE		+	
vote: resolution (as a whole)			RCV	+	340, 0, 4

Requests for roll-call votes

PPE-DE: final vote

Other information

Mrs AALTONEN tabled an oral amendment to paragraphs 4, 9, 11, 13, 15, seeking the insertion, after the words 'multiple sclerosis', of the words 'and similar diseases'. The President established that there was no objection to the oral amendment which was adopted.

17. Georgia

Motions for resolutions: B5-0547, 0550, 0554, 0556, 0560 and 0566/2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
joint motion for a resolution RC5-0547/2003 (PPE-DE, PSE, ELDR, Verts/ALE, GUE/NGL, EDD, DUPUIS ao)					
after § 2	3	GUE/NGL		-	
after § 10	2	PSE	EV	-	25, 35, 1
after recital F	1	PSE		-	
vote: resolution (as a whole)			RCV	+	61, 1, 0
motions for resolutions by political groups					
B5-0547/2003		ELDR		↓	
B5-0550/2003		PSE		↓	
B5-0554/2003		EDD		↓	
B5-0556/2003		GUE/NGL		↓	
B5-0560/2003		Verts/ALE		↓	
B5-0566/2003		PPE-DE		↓	

Requests for roll-call votes

PPE-DE: final vote of the JT MOT

18. Philippines: end of the moratorium on the death penalty

Motions for resolutions: B5-0545, 0551, 0557, 0562, 0567 and 0569/2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
joint motion for a resolution RC5-0545/2003 (PPE-DE, PSE, ELDR, Verts/ALE, GUE/NGL)					
vote: resolution (as a whole)				+	
motions for resolutions by political groups					
B5-0545/2003		ELDR		↓	
B5-0551/2003		PSE		↓	
B5-0557/2003		GUE/NGL		↓	
B5-0562/2003		Verts/ALE		↓	
B5-0567/2003		PPE-DE		↓	
B5-0569/2003		UEN		↓	

19. Moldova

Motions for resolutions: B5-0546, 0555, 0558, 0559, 0561 and 0568/2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
joint motion for a resolution RC5-0546/2003 (PPE-DE, PSE, ELDR, Verts/ALE, EDD)					
vote: resolution (as a whole)				+	
motions for resolutions by political groups					
B5-0546/2003		ELDR		↓	
B5-0555/2003		EDD		↓	
B5-0558/2003		GUE/NGL		↓	
B5-0559/2003		PSE		↓	
B5-0561/2003		Verts/ALE		↓	
B5-0568/2003		PPE-DE		↓	

Thursday 18 December 2003

ANNEX II

RESULT OF ROLL-CALL VOTES

Draft budget 2004
Block 2

For: 59

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Koulourianos, Krivine, Manisco, Marset Campos, Meijer, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Seppänen, Sjöstedt, Vachetta, Vinci, Wurtz

PPE-DE: Callanan, Chichester, Deva, Foster, García-Orcoyen Tormo, Goodwill, Helmer, Kirkhope, Parish, Purvis, Sturdy, Tannock, Twinn, Van Orden

PSE: Hoff, Savary, Sornosa Martínez, Tsatsos

Verts/ALE: Boumediene-Thiery, Isler Béguin, Lannoye, Lipietz, McKenna, Piétrasanta, Rod

Against: 406

EDD: Abitbol, Bernié, Blokland, Butel, Coûteaux, van Dam, Esclopé, Kuntz, Mathieu, Saint-Josse

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Thors, Virrankoski, Watson

NI: Berthu, Beysen, Bonino, Borghezio, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Garaud, Hager, Ilgenfritz, Kronberger, de La Perriere, Martinez, Souchet, Stirbois, Turco

PPE-DE: Almeida Garrett, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Brienza, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Fourtou, Friedrich, Gahler, Galeote Quecedo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hansenne, Harbour, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Klamt, Klaß, Knolle, Koch, Konrad, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Sudre, Suominen, Tajani, Theato, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cercas, Cerdeira Morterero, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Iivari, Imbeni, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Souladakis, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Titley, Trentin, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Berlato, Bigliardo, Camre, Caullery, Collins, Crowley, Hyland, Marchiani, Mussa, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Ahern, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Jonckheer, Lagendijk, Lambert, Lucas, MacCormick, Mayol i Raynal, Nogueira Román, Onesta, de Roo, Rühle, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wyn

Abstention: 7

EDD: Andersen, Bonde, Sandbæk

GUE/NGL: Krarup, Modrow

PSE: Dehousse

Verts/ALE: Schörling

Draft budget 2004
Amendment 376, 2nd part

For: 380

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

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Thors, Virrankoski, Watson

NI: Beysen, Garaud, Hager, Ilgenfritz, Kronberger, de La Perriere

PPE-DE: Almeida Garrett, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Brienza, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hansenne, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cercas, Cerdeira Morterero, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, 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, Krehl, Kreissl-Dörfler, Kuckelkorn, 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, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Titley, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Berlato, Bigliardo, Caullery, Marchiani, Mussa, Nobilia, Pasqua, Thomas-Mauro, Turchi

Against: 89

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Koulourianos, Krarup, Krivine, Manisco, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Sjöstedt, Vachetta, Wurtz

NI: Bonino, Borghezio, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Martinez, Stirbois, Turco

PSE: Mendiluce Pereiro

UEN: Collins, Crowley, Hyland, Ó Neachtain, Queiró, Ribeiro e Castro, Segni

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wyn

Abstention: 4

NI: Berthu, Souchet

PSE: Martin Hans-Peter

UEN: Camre

Mulder/Gill report A5-0473/2003
Paragraph 1

For: 429

EDD: Abitbol, Blokland, Coûteaux, van Dam, Kuntz

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Thors, Virrankoski, Watson

GUE/NGL: Fraisse

NI: Berthu, Beysen, Bonino, Cappato, Dell'Alba, Della Vedova, Dupuis, Garaud, Hager, Ilgenfritz, Kronberger, de La Perriere, Souchet, Turco

PPE-DE: Almeida Garrett, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Brienza, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cercas, Cerdeira Morterero, 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, Goebbels, Görlach, 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, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lalumière, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Titley, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Berlato, Bigliardo, Caullery, Collins, Crowley, Hyland, Marchiani, Mussa, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wyn

Against: 46

EDD: Bernié, Butel, Esclopé, Mathieu, Saint-Josse

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Herzog, Jové Peres, Koulourianos, Krarup, Krivine, Manisco, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Scarbonchi, Schmid Herman, Seppänen, Sjöstedt, Vachetta, Vinci, Wurtz

NI: Borghezio, Claeys, Dillen, Martinez, Stirbois

PPE-DE: Xarchakos

UEN: Camre

Abstention: 5

EDD: Andersen, Bonde, Sandbæk

GUE/NGL: Puerta

PSE: Martin Hans-Peter

Mulder/Gill report A5-0473/2003
Amendment 1, 1st part

For: 203

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

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Thors, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Koulourianos, Krarup, Krivine, Manisco, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Vinci, Wurtz

NI: Berthu, Beysen, Borghezio, Claeys, Dillen, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, de La Perriere, Martinez, Souchet, Stirbois

PPE-DE: Arvidsson, Atkins, Beazley, Bowis, Bradbourn, Bushill-Matthews, Callanan, Cederschiöld, Chichester, Deprez, Deva, Dover, Foster, Goodwill, Grönfeldt Bergman, Harbour, Helmer, Inglewood, Khanbhai, Kirkhope, Matikainen-Kallström, Parish, Perry, Posselt, Purvis, Sacrédeus, Scallon, Stenmarck, Stevenson, Sturdy, Tannock, Twinn, Van Orden, Wachtmeister

PSE: van den Berg, Bowe, Corbett, Corbey, De Keyser, El Khadraoui, Ford, Gill, Honeyball, Howitt, Hughes, van Hulten, Karlsson, Kinnock, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Marinho, Martin David W., Mendiluce Pereiro, Miller, Moraes, Murphy, Myller, O'Toole, Rothley, Savary, Simpson, Skinner, Sousa Pinto, Stihler, Thorning-Schmidt, Titley, Watts, Weiler, Whitehead, Wiersma, Wynn

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, MacCormick, McKenna, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wyn

Against: 270

NI: Bonino, Cappato, Dell'Alba, Della Vedova, Dupuis, Garaud, Turco

PPE-DE: Almeida Garrett, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Brienza, Camisón Asensio, Cardoso, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, De Sarnez, Descamps, De Veyrac, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenzel, Stockton, Sudre, Suominen, Tajani, Theato, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wenzel-Perillo, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berger, Bösch, Bullmann, Campos, Carlotti, Carnero González, Carrilho, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, De Rossa, Désir, Díez González, Dührkop Dührkop, Duin, Ettl, Färm, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Malliori, Mann Erika, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Napoletano, Napolitano, Paasilinna, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Schulz, Sornosa Martínez, Souladakis, Stockmann, Swoboda, Theorin, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Zorba

UEN: Berlato, Bigliardo, Camre, Caullery, Collins, Crowley, Hyland, Marchiani, Mussa, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Abstention: 4

PSE: Casaca, Dehousse, Martin Hans-Peter, Zrihen

Thursday 18 December 2003

Mulder/Gill report A5-0473/2003
Resolution

For: 410

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Thors, Virrankoski, Watson

NI: Beysen, Hager, Ilgenfritz, Kronberger

PPE-DE: Almeida Garrett, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Brienza, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cercas, Cerdeira Morterero, 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, Goebbels, Görlach, 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, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Berlato, Bigliardo, Caullery, Collins, Crowley, Hyland, Mussa, Nobilia, Ó Neachtain, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, de Roo, Rühle, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wyn

Against: 65

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

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Koulourianos, Krarup, Krivine, Manisco, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Vinci, Wurtz

NI: Bonino, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Gorostiaga Atxalandabaso, de La Perriere, Martinez, Souchet, Stirbois, Turco

PSE: Schmid Gerhard

UEN: Camre

Abstention: 10

GUE/NGL: Puerta

NI: Berthu, Borghezio, Garaud

PSE: Martin Hans-Peter

UEN: Marchiani, Pasqua

Verts/ALE: McKenna, Rod, Schörling

Podestà report A5-0434/2003
Paragraph 27

For: 387

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Thors, Virrankoski, Watson

GUE/NGL: Fraisse

NI: Beysen, Bonino, Borghezio, Cappato, Dell'Alba, Della Vedova, Dupuis, Hager, Turco

PPE-DE: Almeida Garrett, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Bremmer, Brienza, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Fiori, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Harbour, Hatzidakis, Helmer, Hermange, Herranz García, Hortefeux, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Konrad, Korhola, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Scallon, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Murphy, Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Roure, Sacconi, Sandberg-Fries, dos

Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Berlato, Bigliardo, Muscardini, Mussa, Segni, Turchi

Verts/ALE: Aaltonen, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lipietz, MacCormick, Nogueira Román, Onesta, Piétrasanta, de Roo, Rühle, Sörensen, Staes, Turmes, Voggenhuber

Against: 73

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

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Caudron, Cauquil, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Jové Peres, Koulourianos, Krarup, Krivine, Manisco, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Scarbonchi, Schmid Herman, Seppänen, Sjöstedt, Vachetta, Vinci, Wurtz

NI: Berthu, Claeys, Dillen, Garaud, Gorostiaga Atxalandabaso, de La Perriere, Martinez, Souchet, Stirbois

PSE: Martin Hans-Peter

UEN: Camre, Collins, Crowley, Hyland, Marchiani, Ó Neachtain, Pasqua, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Ahern, Lambert, Lannoye, Lucas, McKenna, Schörling, Schroedter, Wyn

Abstention: 11

GUE/NGL: Herzog, Puerta

NI: Ilgenfritz, Kronberger

PPE-DE: Sacrédeus

PSE: Lund, Myller

UEN: Queiró

Verts/ALE: Evans Jillian, Mayol i Raynal, Rod

Podestà report A5-0434/2003
Paragraph 30

For: 371

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Thors, Virrankoski, Watson

GUE/NGL: Fraisse

NI: Beysen, Bonino, Cappato, Dell'Alba, Della Vedova, Dupuis, Turco

PPE-DE: Almeida Garrett, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Bremmer, Brienza, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Fiori, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Harbour, Hatzidakis, Helmer, Hermange, Herranz García, Hortefeux, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Konrad, Korhola, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa,

Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Fruteau, Garot, Gebhardt, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, van Hulten, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Leinen, Linkohr, Lund, Malliori, Mann Erika, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Myller, Napoletano, Napolitano, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Sornosa Martínez, Souladakis, Sousa Pinto, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Weiler, Wiersma, Zorba, Zrihen

UEN: Berlato, Bigliardo, Muscardini, Mussa, Segni, Turchi

Verts/ALE: Aaltonen, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lannoye, Lipietz, MacCormick, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schroedter, Sörensen, Staes, Voggenhuber, Wyn

Against: 66

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

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Jové Peres, Koulourianos, Krarup, Krivine, Manisco, Marset Campos, Meijer, Naïr, Papayannakis, Patakis, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Vinci, Wurtz

NI: Berthu, Claeys, Dillen, Garaud, Gorostiaga Atxalandabaso, Hager, de La Perriere, Martinez, Souchet, Stirbois

PPE-DE: Sacrédeus

PSE: Paasilinna

UEN: Camre, Marchiani, Pasqua, Queiró, Ribeiro e Castro

Verts/ALE: Lambert, Schörling

Abstention: 33

GUE/NGL: Herzog, Puerta

NI: Borghezio, Ilgenfritz, Kronberger

PSE: Corbett, Ford, Hoff, Honeyball, Howitt, Kinnock, McAvan, McCarthy, McNally, Martin David W., Martin Hans-Peter, Miller, Moraes, Murphy, O'Toole, Simpson, Skinner, Stihler, Titley, Whitehead, Wynn

UEN: Caullery, Collins, Crowley, Hyland, Ó Neachtain, Thomas-Mauro

Verts/ALE: Mayol i Raynal

Podestà report A5-0434/2003
Resolution

For: 385

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Malmström, Monsonís Domingo, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Schmidt, Sterckx, Thors, Virrankoski, Watson

GUE/NGL: Fraisse

NI: Beysen, Bonino, Borghezio, Cappato, Dell'Alba, Della Vedova, Dupuis, Hager, Ilgenfritz, Kronberger, Turco

PPE-DE: Almeida Garrett, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Bremmer, Brienza, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Fiori, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Harbour, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hortefeux, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Wenzel-Perillo, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Berlato, Bigliardo, Muscardini, Mussa, Segni, Turchi

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Dhaene, Echerer, Ferrández Lezaun, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lannoye, Lipietz, MacCormick, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, de Roo, Rühle, Schroedter, Sörensen, Staes, Voggenhuber, Wyn

Thursday 18 December 2003

Against: 66

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

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Jové Peres, Koulourianos, Krarup, Krivine, Manisco, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Vinci, Wurtz

NI: Berthu, Claeys, Dillen, Garaud, Gorostiaga Atxalandabaso, de La Perriere, Martinez, Souchet, Stirbois

PPE-DE: Arvidsson, Cederschiöld, Grönfeldt Bergman, Stenmarck, Wachtmeister

PSE: Gill, Martin Hans-Peter

UEN: Marchiani, Pasqua

Abstention: 26

ELDR: Maaten, Manders, Mulder, Sanders-ten Holte

GUE/NGL: Herzog, Puerta

PPE-DE: Helmer, Montfort, Pastorelli, Sacrédeus

UEN: Camre, Caullery, Collins, Crowley, Hyland, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Evans Jillian, Lambert, Lucas, McKenna, Rod, Schörling, Turmes

Costa report A5-0475/2003
Joint text

For: 348

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

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Thors, Virrankoski, Watson

GUE/NGL: Blak

NI: Berthu, Beysen, Bonino, Cappato, Dell'Alba, Della Vedova, Dupuis, Garaud, de La Perriere, Souchet, Turco

PPE-DE: Almeida Garrett, Arvidsson, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bremmer, Brienza, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, De Veyrac, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Fiori, Folias, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hortefeux, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Kastler, Keppelhoff-Wiechert, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Lisi, Maat, McCartin, Mann Thomas, Marini, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Bowe, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, El Khadraoui, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Guy-Quint, Haug, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kuckelkorn, Lage, Lalumière, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Poignant, Poos, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Schulz, Simpson, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Volcic, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Berlato, Bigliardo, Caullery, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Against: 102

EDD: Abitbol

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bordes, Boudjenah, Brie, Caudron, Cauquil, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Koulourianos, Krarup, Krivine, Manisco, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Vinci, Wurtz

NI: Hager, Ilgenfritz, Kronberger

PPE-DE: Karas, Lulling, Rack, Rübig, Sacrédeus, Schierhuber, Stenzel

PSE: Berger, Bösch, Bullmann, Ettl, Hänsch, Kreissl-Dörfler, Kuhne, Lund, Mann Erika, Martin Hans-Peter, Prets, Roth-Behrendt, Scheele, Schmid Gerhard, Swoboda, Van Lancker, Walter

UEN: Camre

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wyn

Abstention: 32

EDD: Andersen, Bonde, Coûteaux, Kuntz, Sandbæk

NI: Borghezio, Claeys, Dillen, Gorostiaga Atxalandabaso, Martinez, Stirbois

PPE-DE: Atkins, Balfe, Beazley, Bowis, Bradbourn, Bushill-Matthews, Chichester, Deva, Dover, Elles, Foster, Harbour, Helmer, Khanbhai, Kirkhope, Marques, Perry, Purvis, Scallon, Stevenson

PSE: Gröner

Lisi report A5-0464/2003
Joint text

For: 467

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

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Thors, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Koulourianos, Krivine, Manisco, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Vinci, Wurtz

NI: Berthu, Beysen, Borghezio, Claeys, Dillen, Garaud, Gorostiaga Atxalandabaso, Ilgenfritz, de La Perriere, Martinez, Souchet, Stirbois

PPE-DE: Almeida Garrett, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Bremmer, Brienza, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Fiori, Folias, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Harbour, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cercas, Cerdeira Morterero, 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, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Berlato, Bigliardo, Camre, Caullery, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wyn

Against: 4

EDD: Abitbol

PPE-DE: Deva, Foster, Helmer

Abstention: 13

GUE/NGL: Alyssandrakis, Bordes, Cauquil, Krarup, Patakis

NI: Bonino, Cappato, Dell'Alba, Della Vedova, Dupuis, Hager, Kronberger, Turco

B5-0535/2003 — IGC
Recital D

For: 128

EDD: Abitbol, Bernié, Butel, Coûteaux, Esclopé, Kuntz, Mathieu, Saint-Josse

ELDR: Boogerd-Quaak, van den Bos

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Di Lello Finuoli, Figueiredo, Fraisse, Jové Peres, Koulourianos, Krivine, Marset Campos, Modrow, Naïr, Papayannakis, Patakis, Scarbonchi, Vachetta, Vinci, Wurtz

NI: Berthu, Claeys, Dillen, Garaud, Gorostiaga Atxalandabaso, Hager, de La Perriere, Martinez, Souchet, Stirbois

PPE-DE: Atkins, Balfe, Beazley, Bowis, Bradbourn, Bushill-Matthews, Callanan, Chichester, Deva, Dover, Elles, Foster, Goodwill, Harbour, Helmer, Inglewood, Khanbhai, Kirkhope, Lamassoure, Nicholson, Parish, Perry, Purvis, Scallon, Stevenson, Stockton, Sturdy, Tannock, Twinn, Van Orden

PSE: Casaca, Lund, Savary

UEN: Berlato, Bigliardo, Caullery, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber

Against: 331

EDD: Belder, Blokland, van Dam

ELDR: Andreasen, André-Léonard, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Thors, Virrankoski, Watson

NI: Beysen, Ilgenfritz, Kronberger

PPE-DE: Almeida Garrett, Arvidsson, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bremmer, Brienza, Camisón Asensio, Cardoso, Cederschiöld, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, De Veyrac, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Fiori, Folias, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Carrilho, Cercas, Cerdeira Morterero, 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, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Simpson, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre, Segni

Abstention: 22

EDD: Andersen

GUE/NGL: Eriksson, Frahm, Herzog, Krarup, Manisco, Meijer, Puerta, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt

NI: Bonino, Borghezio, Cappato, Dell'Alba, Della Vedova, Dupuis, Turco

PSE: Hoff

Verts/ALE: Evans Jillian, Wyn

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Resolution

For: 58

EDD: Abitbol, Belder, Blokland, Coûteaux, van Dam, Kuntz

NI: Berthu, Garaud, de La Perriere, Souchet

PPE-DE: Atkins, Balfe, Beazley, Bowis, Bradbourn, Bushill-Matthews, Callanan, Chichester, Deva, Dover, Elles, Foster, Goodwill, Harbour, Helmer, Inglewood, Khanbhai, Kirkhope, Nicholson, Parish, Perry, Purvis, Scallon, Stevenson, Stockton, Sturdy, Tannock, Twinn, Van Orden

PSE: Hazan, Lund, Myller, Thorning-Schmidt

UEN: Bigliardo, Caullery, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro, Turchi

Against: 371

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreasen, André-Léonard, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Thors, Virrankoski, Watson

GUE/NGL: Alyssandrakis, Fraisse, Herzog, Patakis, Puerta, Vinci

NI: Beysen, Ilgenfritz

PPE-DE: Almeida Garrett, Arvidsson, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bremmer, Brienza, Camisón Asensio, Cardoso, Cederschiöld, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, De Veyrac, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Fiori, Folias, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cercas, Cerdeira Morterero, 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, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Murphy, Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Simpson, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Titley, Torres Marques, Trentin, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre, Segni

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wyn

Abstention: 49

EDD: Bernié, Butel, Esclopé, Mathieu, Saint-Josse

ELDR: Boogerd-Quaak, van den Bos

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bergaz Conesa, Blak, Brie, Caudron, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Jové Peres, Koulourianos, Krarup, Krivine, Manisco, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Wurtz

NI: Bonino, Borghezio, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Gorostiaga Atxalandabaso, Hager, Kronberger, Martinez, Stirbois, Turco

RC — B5-0573/2003 — IGC
Resolution

For: 344

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Thors, Virrankoski, Watson

NI: Beysen, Bonino, Cappato, Dell'Alba, Della Vedova, Dupuis, Hager, Ilgenfritz, Kronberger, Turco

PPE-DE: Almeida Garrett, Arvidsson, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bremmer, Brienza, Camisón Asensio, Cederschiöld, Cocilovo, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, De Veyrac, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Fiori, Folias, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Grönfeldt Bergman, Grosch, Grossetête, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lulling, Maat, McCartin, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pastorelli, Pérez Álvarez, Pex, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Simpson, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Theorin, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba

UEN: Bigliardo, Segni

Verts/ALE: Aaltonen, Bouwman, Breyer, Buitenweg, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Lagendijk, Lambert, MacCormick, Piétrasanta, de Roo, Rühle, Schroedter, Staes, Voggenhuber, Wyn

Against: 115

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

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Jové Peres, Koulourianos, Krarup, Krivine, Manisco, Marset Campos, Meijer, Modrow, Naïr, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Vinci, Wurtz

NI: Berthu, Claeys, Dillen, Garaud, Gorostiaga Atxalandabaso, de La Perriere, Martinez, Souchet, Stirbois

PPE-DE: Atkins, Balfe, Beazley, Bowis, Bradbourn, Bushill-Matthews, Callanan, Chichester, Deva, Dover, Elles, Foster, Goodwill, Harbour, Helmer, Inglewood, Khanbhai, Kirkhope, Nicholson, Parish, Perry, Purvis, Scallon, Stevenson, Stockton, Sturdy, Tannock, Twinn, Van Orden

PSE: Dehousse, De Keyser, Ferreira, Lund, Martin Hans-Peter, Schmid Gerhard, Zrihen

UEN: Berlato, Camre, Marchiani, Nobilia, Pasqua, Queiró, Ribeiro e Castro

Verts/ALE: Ahern, Boumediene-Thiery, Celli, Isler Béguin, Jonckheer, Lannoye, Lipietz, Lucas, McKenna, Onesta, Rod, Schörling, Sörensen, Turmes

Thursday 18 December 2003

Abstention: 23

GUE/NGL: Herzog, Papayannakis

NI: Borghezio

PPE-DE: Bastos, Cardoso, Coelho, Gouveia, Graça Moura, Lisi, Montfort, Pacheco Pereira, Piscarreta

PSE: Swoboda

UEN: Caullery, Collins, Crowley, Hyland, Muscardini, Mussa, Ó Neachtain, Thomas-Mauro, Turchi

Verts/ALE: Mayol i Raynal

Sommer report A5-0435/2003
Amendment 3

For: 466

EDD: Andersen, Bernié, Bonde, Butel, Coûteaux, Esclopé, Kuntz, Mathieu, Saint-Josse, Sandbæk

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Thors, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Koulourianos, Krarup, Manisco, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schröder Ilka, Seppänen, Sjöstedt, Vinci, Wurtz

NI: Berthu, Beysen, Bonino, Borghezio, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Garaud, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, de La Perriere, Martinez, Souchet, Stirbois, Turco

PPE-DE: Almeida Garrett, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Bremmer, Brienza, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Fiori, Folias, Foster, Fourtou, Friedrich, Gahler, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carrilho, Casaca, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Simpson, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Berlato, Bigliardo, Caullery, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wyn

Against: 6

EDD: Belder, Blokland, van Dam

GUE/NGL: Bordes, Cauquil

PPE-DE: Banotti

Abstention: 5

EDD: Abitbol

GUE/NGL: Krivine, Vachetta

PSE: Martin Hans-Peter

UEN: Camre

Sommer report A5-0435/2003
Amendment 37

For: 213

EDD: Andersen, Bonde, Sandbæk

ELDR: Davies, Duff

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bergaz Conesa, Boudjenah, Brie, Caudron, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Koulourianos, Krarup, Krivine, Manisco, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso, Kronberger

PPE-DE: Ebner, Ferri, Karas, Rack, Rübig, Schierhuber, Stenzel, Vlasto

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carrilho, Casaca, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schroedter, Sörensen, Staes, Turmes, Voggenhuber

Against: 249

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

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, De Clercq, Di Pietro, Flesch, Gasòliba i Böhm, Jensen, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Thors, Virrankoski, Watson

GUE/NGL: Blak, Bordes, Cauquil

NI: Berthu, Beysen, Bonino, Cappato, Dell'Alba, Della Vedova, Dupuis, Garaud, Hager, Ilgenfritz, de La Perriere, Souchet, Turco

PPE-DE: Almeida Garrett, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Bremmer, Brienza, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Elles, Ferber, Fernández Martín, Ferrer, Fiori, Folias, Foster, Fourtou, Friedrich, Gahler, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Wachtmeister, Wenzel-Perillo, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

UEN: Berlato, Bigliardo, Camre, Caullery, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Abstention: 11

GUE/NGL: Alyssandrakis, Patakis

NI: Borghezio, Claeys, Dillen, Martinez, Stirbois

PSE: Adam, Hänsch, Martin Hans-Peter, Poos

Sommer report A5-0435/2003
Amendment 38

For: 220

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

ELDR: Boogerd-Quaak

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bergaz Conesa, Boudjenah, Brie, Caudron, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Koulourianos, Krarup, Manisco, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Vinci, Wurtz

NI: Berthu, Claeys, Dillen, Gorostiaga Atxalandabaso, Kronberger, de La Perriere, Martinez, Souchet, Stirbois

Thursday 18 December 2003

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carrilho, Casaca, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wyn

Against: 244

ELDR: Andreasen, André-Léonard, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Thors, Virrankoski, Watson

GUE/NGL: Blak, Bordes, Cauquil

NI: Beysen, Bonino, Cappato, Dell'Alba, Della Vedova, Dupuis, Garaud, Hager, Ilgenfritz, Turco

PPE-DE: Almeida Garrett, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Bremmer, Brienza, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Foster, Fourtou, Friedrich, Gahler, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

UEN: Berlato, Bigliardo, Camre, Caullery, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Queiró, Segni, Thomas-Mauro, Turchi

Abstention: 14

EDD: Abitbol, Bernié, Butel, Esclopé, Mathieu, Saint-Josse

GUE/NGL: Alyssandrakis, Krivine, Patakis, Vachetta

NI: Borghezio

PSE: Adam, Martin Hans-Peter

UEN: Ribeiro e Castro

Zimmerling report A5-0431/2003
Amendment 5

For: 75

GUE/NGL: Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Koulourianos, Krarup, Krivine, Manisco, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso

PSE: Dehousse, Leinen, Marinho

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, MacCormick, McKenna, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wyn

Against: 389

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

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Thors, Virrankoski, Watson

NI: Berthu, Beysen, Claeys, Dillen, Garaud, Hager, Ilgenfritz, Kronberger, de La Perriere, Martinez, Stirbois

PPE-DE: Almeida Garrett, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Bremmer, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Foster, Fourtou, Friedrich, Gahler, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Campos, Carlotti, Carrilho, Casaca, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle,

Miguélez Ramos, Miller, Miranda de Lage, Moraes, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Berlato, Bigliardo, Camre, Caullery, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Abstention: 10

NI: Bonino, Borghezio, Cappato, Dell'Alba, Della Vedova, Dupuis, Souchet, Turco

PPE-DE: Schierhuber

PSE: Martin Hans-Peter

Zimmerling report A5-0431/2003
Amendment 10, 1st part

For: 460

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

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Thors, Virrankoski, Watson

GUE/NGL: Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Koulourianos, Krarup, Krivine, Manisco, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Vinci, Wurtz

NI: Beysen, Bonino, Cappato, Dell'Alba, Della Vedova, Dupuis, Garaud, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Turco

PPE-DE: Almeida Garrett, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Bremmer, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Foster, Fourtou, Friedrich, Gahler, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klamt, Klaß, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carrilho, Casaca, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Murphy, Myller,

Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Simpson, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Berlato, Bigliardo, Caullery, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, MacCormick, McKenna, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wyn

Against: 8

NI: Berthu, Claeys, Dillen, de La Perriere, Martinez, Stirbois

PSE: Garot, Savary

Abstention: 6

GUE/NGL: Bordes, Cauquil

NI: Borghezio, Souchet

PSE: Martin Hans-Peter

UEN: Camre

Zimmerling report A5-0431/2003
Amendment 10, 2nd part

For: 350

EDD: Abitbol, Andersen, Belder, Blokland, Bonde, Coûteaux, van Dam, Kuntz, Sandbæk

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Thors, Watson

NI: Beysen, Garaud, Hager, Ilgenfritz, Kronberger, de La Perriere

PPE-DE: Almeida Garrett, Arvidsson, Atkins, Avilés Perea, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Foster, Fourtou, Friedrich, Gahler, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Podestà, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Campos, Carrilho, Casaca, Cercas, Ceyhun, Corbett, Corbey, Dehousse, De Rossa, Dührkop Dührkop, Ettl, Färm, Fava, Ford, Gebhardt, Ghilardotti, Gill, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Karamanou, Karlsson, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Murphy, Myller, Napoletano, Napolitano, O'Toole, Piecyk, Pittella, Poos, Prets, Randzio-Plath, Rapkay, Rodríguez Ramos, Roth-Behrendt, Rothley, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Simpson, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn

UEN: Berlato, Bigliardo, Caullery, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro, Turchi

Against: 111

EDD: Bernié, Butel, Esclopé, Mathieu, Saint-Josse

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Koulourianos, Krarup, Krivine, Manisco, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Vinci, Wurtz

NI: Bonino, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Gorostiaga Atxalandabaso, Martinez, Stirbois, Turco

PSE: Berès, Carlotti, Colom i Naval, De Keyser, Désir, Duhamel, Duin, El Khadraoui, Ferreira, Fruteau, Garot, Gillig, Guy-Quint, Hazan, Lalumière, Paasilinna, Poignant, Rocard, Roure, Savary, Van Lancker, Zorba, Zrihen

UEN: Segni

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, MacCormick, McKenna, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wyn

Abstention: 8

GUE/NGL: Alyssandrakis, Patakis

NI: Berthu, Borghezio, Souchet

PSE: Lage, Martin Hans-Peter

UEN: Camre

Zimmerling report A5-0431/2003
Resolution

For: 415

EDD: Andersen, Bernié, Bonde, Butel, Esclopé, Mathieu, Saint-Josse, Sandbæk

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Thors, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Koulourianos, Manisco, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Vachetta, Vinci, Wurtz

NI: Beysen, Bonino, Cappato, Dell'Alba, Della Vedova, Dupuis, Garaud, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Turco

PPE-DE: Almeida Garrett, Arvidsson, Atkins, Ayuso González, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Bremmer, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Foster, Fourtou, Friedrich, Gahler, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klamt, Klaß, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carrilho, Casaca, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miller, Miranda de Lage, Moraes, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Berlato, Bigliardo, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: MacCormick, Nogueira Román

Against: 45

EDD: Abitbol, Belder, Blokland, Coûteaux, van Dam, Kuntz

NI: Berthu, Claeys, Dillen, de La Perriere, Martinez, Stirbois

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wyn

Abstention: 11

GUE/NGL: Alyssandrakis, Bordes, Cauquil, Krarup, Krivine, Patakis

NI: Borghezio, Souchet

PSE: Martin Hans-Peter

UEN: Camre, Caullery

Stevenson report A5-0459/2003
Amendments 4-5

For: 95

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

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Virrankoski, Watson

GUE/NGL: Blak, Eriksson, Frahm, Fraisse, Krarup, Meijer, Schmid Herman, Seppänen, Sjöstedt

NI: Bonino, Dupuis, Garaud

PPE-DE: Deva, Dover, Foster, Helmer, Perry

PSE: van den Berg, Casaca, Kreissl-Dörfler, Lund, Mendiluce Pereiro, Skinner, Wiersma, Zrihen

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans Jillian, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, MacCormick, McKenna, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber

Against: 332

EDD: Abitbol, Bernié, Butel, Coûteaux, Esclopé, Kuntz, Mathieu, Saint-Josse

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Boudjenah, Brie, Caudron, Di Lello Finuoli, Figueiredo, Herzog, Jové Peres, Koulourianos, Krivine, Manisco, Marset Campos, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Schröder Ilka, Vachetta, Vinci, Wurtz

NI: Berthu, Beysen, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Souchet

PPE-DE: Almeida Garrett, Arvidsson, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bremmer, Camisón Asensio, Cardoso, Cederschiöld, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, De Veyrac, Doorn, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Fourtou, Friedrich, Gahler, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klaß, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, Berger, Bösch, Bowe, Campos, Carlotti, Carrilho, Cercas, Ceyhun, Colom i Naval, Corbett, De Rossa, Désir, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kuckelkorn, Kuhne, Lage, Lalumière, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Moraes, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Scheele, Schulz, Simpson, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wynn, Zorba

UEN: Berlato, Bigliardo, Caullery, Crowley, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Ferrández Lezaun, Mayol i Raynal

Abstention: 30

ELDR: Thors

NI: Borghezio, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Martinez, Stirbois, Turco

PPE-DE: Atkins, Bowis, Bradbourn, Callanan, Chichester, Goodwill, Harbour, Khanbhai, Kirkhope, Nicholson, Parish, Scallon, Stockton, Sturdy, Tannock, Twinn, Van Orden

PSE: Dehousse, Martin Hans-Peter

UEN: Camre

Stevenson report A5-0459/2003
Resolution

For: 341

EDD: Abitbol, Bernié, Butel, Coûteaux, Esclopé, Kuntz, Mathieu, Saint-Josse

ELDR: Gasòliba i Böhm

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Boudjenah, Brie, Caudron, Di Lello Finuoli, Figueiredo, Fraisse, Herzog, Jové Peres, Koulourianos, Manisco, Marset Campos, Modrow, Naïr, Papayannakis, Patakis, Puerta, Scarbonchi, Vachetta, Vinci, Wurtz

NI: Berthu, Beysen, Claeys, Dillen, Garaud, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Martinez, Souchet, Stirbois

PPE-DE: Almeida Garrett, Arvidsson, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bremmer, Camisón Asensio, Cardoso, Cederschiöld, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, De Veyrac, Doorn, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Fourtou, Friedrich, Gahler, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klaß, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stockton, Sudre, Suominen, Tajani, Theato, Trakatellis, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, Berger, Bowe, Campos, Carlotti, Carrilho, Cercas, Ceyhun, Colom i Naval, Corbett, De Keyser, De Rossa, Désir, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kuckelkorn, Kuhne, Lage, Lalumière, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wynn, Zorba, Zrihen

UEN: Berlato, Camre, Caullery, Crowley, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro, Turchi

Verts/ALE: Ferrández Lezaun, Graefe zu Baringdorf, Mayol i Raynal

Against: 101

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

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Flesch, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Virrankoski, Watson

GUE/NGL: Blak, Eriksson, Frahm, Krarup, Meijer, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt

PPE-DE: Bradbourn, Callanan, Chichester, Deva, Dover, Foster, Goodwill, Harbour, Helmer, Inglewood, Nicholson, Pack, Parish, Perry, Scallon, Sturdy, Tannock, Twinn, Van Orden

PSE: van den Berg, Casaca, Kreissl-Dörfler, Wiersma

UEN: Segni

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans Jillian, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, MacCormick, McKenna, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wyn

Abstention: 14

ELDR: Thors

GUE/NGL: Krivine

NI: Bonino, Borghezio, Cappato, Dell'Alba, Della Vedova, Dupuis, Turco

PPE-DE: Atkins, Bowis, Khanbhai

PSE: Bösch, Dehousse

RC — B5-0570/2003 — European Council
Amendment 3

For: 286

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

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Davies, De Clercq, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Thors, Virrankoski, Watson

GUE/NGL: Vachetta

NI: Berthu, Beysen, Bonino, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Hager, Ilgenfritz, Martinez, Souchet, Stirbois, Turco

PPE-DE: Almeida Garrett, Arvidsson, Atkins, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Bremmer, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Coelho, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Foster, Fourtou, Friedrich, Gahler, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander,

Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Dehousse, Marinho, Medina Ortega

UEN: Berlato, Caullery, Crowley, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Lagendijk, Lambert, Lannoye, Lucas, MacCormick, McKenna, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wyn

Against: 166

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Jové Peres, Koulourianos, Krarup, Krivine, Manisco, Marset Campos, Meijer, Modrow, Naïr, Papayannakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carrilho, Casaca, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hoff, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre

Abstention: 7

GUE/NGL: Alyssandrakis, Patakis

NI: Borghezio, Kronberger

PPE-DE: Cocilovo

PSE: Martin Hans-Peter

Verts/ALE: Jonckheer

RC — B5-0570/2003 — European Council
Amendment 5

For: 209

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreasen, Boogerd-Quaak, van den Bos, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Thors, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Caudron, Di Lello Finuoli, Eriksson, Figueiredo, Frahm, Fraisse, Jové Peres, Koulourianos, Manisco, Marset Campos, Meijer, Naïr, Papayannakis, Puerta, Scarbonchi, Schmid Herman, Seppänen, Vachetta, Vinci, Wurtz

NI: Bonino, Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Turco

PPE-DE: Atkins, Callanan, Chichester, Deva, Dover, Ferrer, Ferri, Foster, Goodwill, Harbour, Helmer, Inglewood, Khanbhai, Perry, Sturdy, Van Orden

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Campos, Carlotti, Carrilho, Casaca, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Dührkop Dührkop, Duhamel, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Garot, Ghilardotti, Gill, Gillig, Glante, Goebbels, Guy-Quint, Hänsch, Hazan, Hoff, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kuckelkorn, Lage, Lalumière, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Pittella, Poignant, Poos, Prets, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Schmid Gerhard, Schulz, Simpson, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Volcic, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Bouwman, Cohn-Bendit, Ferrández Lezaun

Against: 229

EDD: Abitbol, Belder, Blokland, Coûteaux, van Dam, Kuntz

GUE/NGL: Brie, Krivine, Modrow, Schröder Ilka

NI: Berthu, Beysen, Borghezio, Ilgenfritz, Souchet

PPE-DE: Almeida Garrett, Arvidsson, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bremmer, Bushill-Matthews, Camisón Asensio, Cardoso, Cederschiöld, Coelho, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, De Veyrac, Doorn, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Fiori, Folias, Fourtou, Friedrich, Gahler, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klamt, Klaß, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stockton, Sudre, Suominen, Tajani, Theato, Trakatellis, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Bullmann, Duin, Gebhardt, Görlach, Gröner, Haug, Kreissl-Dörfler, Kuhne, Leinen, Martin Hans-Peter, Piecyk, Randzio-Plath, Walter

UEN: Berlato, Camre, Caullery, Crowley, Hyland, Marchiani, Muscardini, Mussa, Nobilia, Ó Neachtain, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Ahern, Boumediene-Thiery, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans Jillian, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, MacCormick, McKenna, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wyn

Abstention: 22

EDD: Bernié, Butel, Esclopé, Mathieu, Saint-Josse

ELDR: André-Léonard

GUE/NGL: Alyssandrakis, Bordes, Cauquil, Krarup, Patakis

NI: Claeys, Dillen, Hager, Martinez, Stirbois

PPE-DE: Bradbourn, Cocilovo, Tannock, Twinn

PSE: Désir, Scheele

RC — B5-0548/2003 — Removal of the EU embargo on arms sales to China
Paragraph 3

For: 389

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

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Malmström, Manders, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Thors, Virrankoski, Watson

GUE/NGL: Blak, Di Lello Finuoli, Eriksson, Frahm, Fraisse, Meijer, Schmid Herman, Seppänen

NI: Beysen, Bonino, Borghezio, Cappato, Dell'Alba, Della Vedova, Dupuis, Hager, Ilgenfritz, Kronberger, Turco

PPE-DE: Almeida Garrett, Arvidsson, Atkins, Balfe, Banotti, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Bremmer, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Coelho, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Foster, Fourtou, Friedrich, Gahler, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Koch, Konrad, Kratsa-Tsagaropoulou, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stockton, Sturdy, Sudre, Tajani, Tannock, Theato, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carrilho, Casaca, Cercas, Colom i Naval, Corbett, Corbey, De Rossa, Désir, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, 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, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Thorning-Schmidt, Titley, Torres Marques, Trentin, Valenciano Martínez-Orozco, Van Lancker, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Segni

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, MacCormick, McKenna, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wyn

Against: 27

EDD: Abitbol, Butel, Coûteaux, Esclopé, Mathieu, Saint-Josse

ELDR: Monsonís Domingo

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Boudjenah, Figueiredo, Jové Peres, Koulourianos, Krivine, Marset Campos, Modrow, Papayannakis, Patakis, Schröder Ilka, Vinci, Wurtz

PPE-DE: Bartolozzi, Cocilovo

UEN: Camre

Abstention: 22

EDD: Bernié

GUE/NGL: Brie, Krarup, Manisco, Vachetta

NI: Berthu, Gorostiaga Atxalandabaso, Souchet

PSE: Dehousse, De Keyser, Martin Hans-Peter

UEN: Berlato, Caullery, Crowley, Hyland, Mussa, Nobilia, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro, Turchi

RC — B5-0548/2003 — Removal of the EU embargo on arms sales to China
Resolution

For: 373

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

ELDR: Andreasen, Boogerd-Quaak, van den Bos, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Thors, Virrankoski, Watson

GUE/NGL: Blak, Eriksson, Frahm, Fraisse, Meijer, Seppänen

NI: Beysen, Bonino, Borghezio, Cappato, Dell'Alba, Della Vedova, Dupuis, Hager, Ilgenfritz, Kronberger, Turco

PPE-DE: Almeida Garrett, Arvidsson, Atkins, Balfe, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bradbourn, Bremmer, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Coelho, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferri, Fiori, Folias, Foster, Fourtou, Friedrich, Gahler, 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, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Koch, Konrad, Kratsa-Tsagaropoulou, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Sartori, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stockton, Sturdy, Sudre, Tajani, Tannock, Theato, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bullmann, Campos, Carlotti, Carrilho, Casaca, Cercas, Corbett, Corbey, De Keyser, De Rossa, Désir, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hoff, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Leinen, Linkohr, Lund, McCarthy, McNally, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Rothley, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Valenciano Martínez-Orozco, Van Lancker, Walter, Whitehead, Wiersma, Zorba, Zrihen

UEN: Segni

Verts/ALE: Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, MacCormick, McKenna, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wyn

Against: 32

EDD: Abitbol, Butel, Coûteaux

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bergaz Conesa, Bordes, Boudjenah, Cauquil, Di Lello Finuoli, Figueiredo, Jové Peres, Koulourianos, Krivine, Manisco, Marset Campos, Modrow, Papayannakis, Patakis, Schröder Ilka, Vachetta, Vinci, Wurtz

NI: Claeys, Dillen, Martinez, Stirbois

PPE-DE: Cocilovo

UEN: Crowley, Hyland, Ó Neachtain

Abstention: 29

EDD: Bernié, Esclopé, Mathieu

GUE/NGL: Alavanos, Brie, Krarup

NI: Berthu, Gorostiaga Atxalandabaso, Souchet

PPE-DE: Marques, Santini

PSE: Bowe, Colom i Naval, Dehousse, Roth-Behrendt, Schmid Gerhard, Simpson, Swoboda, Wynn

UEN: Berlato, Camre, Caullery, Muscardini, Mussa, Nobilia, Queiró, Ribeiro e Castro, Thomas-Mauro, Turchi

Graefe zu Baringdorf report A5-0465/2003
Amendment 3, 1st part

For: 84

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

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Eriksson, Frahm, Fraisse, Jové Peres, Koulourianos, Krarup, Krivine, Manisco, Marset Campos, Meijer, Modrow, Papayannakis, Puerta, Schmid Herman, Schröder Ilka, Seppänen, Vachetta, Vinci, Wurtz

NI: Berthu, Borghezio, Claeys, Gorostiaga Atxalandabaso, Souchet

PSE: Bowe, Corbett, Ferreira, Ford, Howitt, Kinnock, McAvan, McCarthy, Martin Hans-Peter, Miller, Moraes, O'Toole, Skinner, Stihler, Titley, Whitehead

UEN: Camre

Verts/ALE: Aaltonen, Boumediene-Thiery, Bouwman, Buitenweg, Cohn-Bendit, Evans Jillian, Ferrández Lezaun, Frassoni, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, MacCormick, McKenna, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wyn

Against: 327

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Thors, Virrankoski, Watson

GUE/NGL: Bordes, Cauquil, Figueiredo

NI: Hager, Ilgenfritz, Kronberger

PPE-DE: Arvidsson, Atkins, Balfe, Banotti, Bartolozzi, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bremmer, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Fiori, Folias, Foster, Fourtou, Friedrich, Gahler, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Koch, Konrad, Kratsa-Tsagaropoulou, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Campos, Carlotti, Carrilho, Casaca, Cercas, Ceyhun, Colom i Naval, Corbey, De Keyser, De Rossa, Désir, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hoff, Honeyball, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Lage, Lalumière, Leinen, Linkohr, Lund, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Murphy, Myller, Napoletano, Napolitano, Paasilinna, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Sornosa Martínez, Souladakis, Sousa Pinto, Stockmann, Swoboda, Thorning-Schmidt, Torres Marques, Trentin, Valenciano Martínez-Orozco, Van Lancker, Walter, Weiler, Wiersma, Wynn, Zorba, Zrihen

UEN: Berlato, Caullery, Crowley, Muscardini, Mussa, Nobilia, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro, Turchi

Verts/ALE: Ahern, Breyer, Celli, Dhaene, Echerer, Graefe zu Baringdorf

Abstention: 8

EDD: Abitbol

GUE/NGL: Alyssandrakis, Patakis

NI: Cappato, Martinez, Stirbois

PSE: Dehousse

UEN: Segni

Graefe zu Baringdorf report A5-0465/2003
Amendment 4, 1st part

For: 76

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

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bergaz Conesa, Blak, Boudjenah, Brie, Caudron, Eriksson, Figueiredo, Frahm, Fraisse, Jové Peres, Koulourianos, Krarup, Krivine, Marset Campos, Meijer, Modrow, Papayannakis, Puerta, Schmid Herman, Schröder Ilka, Seppänen, Vachetta, Vinci, Wurtz

NI: Berthu, Borghezio, Claeys, Dell'Alba, Dillen, Gorostiaga Atxalandabaso, Martinez, Souchet, Stirbois, Turco

PSE: Lund, Marinho

UEN: Camre

Verts/ALE: Aaltonen, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Evans Jillian, Frassoni, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, McKenna, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wyn

Against: 338

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Thors, Virrankoski, Watson

GUE/NGL: Bordes, Cauquil

NI: Hager, Ilgenfritz, Kronberger

PPE-DE: Arvidsson, Atkins, Balfe, Banotti, Bartolozzi, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bremmer, Bushill-Matthews, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Fiori, Folias, Foster, Fourtou, Friedrich, Gahler, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Koch, Konrad, Kratsa-Tsagaropoulou, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, von Wogau, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Campos, Carlotti, Carrilho, Casaca, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Lage, Lalumière, 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, Moraes, Murphy, Myller, Napoletano, Napolitano, O'Toole, Paasilinna, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Thorning-Schmidt, Titley, Torres Marques, Trentin, Valenciano Martínez-Orozco, Van Lancker, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Berlato, Caullery, Crowley, Muscardini, Mussa, Nobilia, Ó Neachtain, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Ahern, Dhaene, Echerer, Graefe zu Baringdorf, MacCormick, Mayol i Raynal

Abstention: 8

GUE/NGL: Alyssandrakis, Patakis

NI: Cappato

PPE-DE: Marques

PSE: Dehousse, Ferreira, Martin Hans-Peter

Verts/ALE: Ferrández Lezaun

Graefe zu Baringdorf report A5-0465/2003
Paragraph 9

For: 222

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

ELDR: van den Bos, Davies, Duff, Lynne, Monsonís Domingo, Watson

GUE/NGL: Alavanos, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Eriksson, Figueiredo, Frahm, Fraisse, Jové Peres, Koulourianos, Krarup, Krivine, Marset Campos, Meijer, Modrow, Papayannakis, Puerta, Schmid Herman, Schröder Ilka, Seppänen, Vachetta, Vinci, Wurtz

NI: Berthu, Borghezio, Claeys, Dillen, Gorostiaga Atxalandabaso, Martinez, Souchet, Stirbois

PPE-DE: Banotti, Bartolozzi, Bodrato, Böge, von Boetticher, Cardoso, Cocilovo, Daul, Fatuzzo, Fourtou, Gemelli, Glase, Goepel, Gomolka, Graça Moura, Hernández Mollar, Hortefeux, Jean-Pierre, Lulling, Maat, Martin Hugues, Morillon, Oostlander, Piscarreta, Posselt, Rack, Radwan, Rübig, Santer, Santini, Schierhuber, Stenzel, Vatanen, de Veyrinas, Vlasto, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berger, Bösch, Bullmann, Campos, Carlotti, Carrilho, Casaca, Cercas, Ceyhun, Corbey, De Keyser, Désir, Dührkop Dührkop, Duin, El Khadraoui, Färm, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, van Hulten, Iivari, Imbeni, Izquierdo Collado, Karamanou, Karlsson, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Lage, Lalumière, Leinen, Linkohr, Lund, Malliori, Mann Erika, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Napoletano, Piecyk, Pittella, Poignant, Prets, Rapkay, Rocard, Rodríguez Ramos, Rothley, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Sornosa Martínez, Souladakis, Sousa Pinto, Stockmann, Thorning-Schmidt, Torres Marques, Trentin, Valenciano Martínez-Orozco, Van Lancker, Walter, Weiler, Wiersma, Wynn, Zorba, Zrihen

UEN: Berlato, Caullery, Muscardini, Mussa, Nobilia, Turchi

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, MacCormick, McKenna, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wyn

Against: 166

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, Busk, Calò, De Clercq, Di Pietro, Flesch, Gasòliba i Böhm, Jensen, Maaten, Malmström, Manders, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Thors, Virrankoski

NI: Hager, Ilgenfritz, Kronberger

PPE-DE: Arvidsson, Bayona de Perogordo, Bébéar, Berend, Bremmer, Bushill-Matthews, Camisón Asensio, Cederschiöld, Coelho, Cornillet, Cushnahan, Deprez, De Sarnez, Descamps, De Veyrac, Doorn, Doyle, Ebner, Elles, Ferber, Fernández Martín, Fiori, Folias, Friedrich, Gahler, Garriga Polledo, Gil-Robles Gil-Delgado, Gouveia, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hermange, Hieronymi, Jarzembowski, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Klamt, Klaß, Koch, Konrad, Kratsa-Tsagaropoulou, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, McCartin, Mann Thomas, Marini, Martens, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Montfort, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pack, Pastorelli, Pérez Álvarez, Pex, Podestà, Poettering, Purvis, Quisthoudt-Rowohl, Ripoll y Martínez de Bedoya, Rovsing, Sacrédeus, Salafranca Sánchez-Neyra, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stockton, Sturdy, Sudre, Suominen, Tajani, Theato, Trakatellis, Varela Suanzes-Carpegna, van Velzen, Wachtmeister, Wenzel-Perillo, von Wogau, Xarchakos, Zacharakis, Zappalà

PSE: Adam, van den Berg, Bowe, Colom i Naval, Corbett, De Rossa, Duhamel, Ettl, Ford, Goebbels, Honeyball, Howitt, Katiforis, Kinnock, McAvan, McCarthy, McNally, Martin David W., Miller, Moraes, Murphy, Myller, Napolitano, O'Toole, Paasilinna, Roth-Behrendt, Skinner, Stihler, Swoboda, Titley, Whitehead

UEN: Crowley, Ó Neachtain, Thomas-Mauro

Abstention: 34

GUE/NGL: Alyssandrakis, Patakis

NI: Cappato, Dell'Alba

PPE-DE: Atkins, Balfe, Beazley, Bowis, Callanan, Chichester, Deva, Dover, Foster, Goodwill, Harbour, Helmer, Inglewood, Khanbhai, Kirkhope, Marques, Mombaur, Nicholson, Parish, Perry, Tannock, Twinn, Van Orden

PSE: Dehousse, Martin Hans-Peter, Poos

UEN: Camre, Queiró, Ribeiro e Castro, Segni

Graefe zu Baringdorf report A5-0465/2003
Recital E

For: 383

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

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Calò, Davies, De Clercq, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Malmström, Manders, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Schmidt, Sterckx, Thors, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Eriksson, Figueiredo, Frahm, Fraisse, Jové Peres, Koulourianos, Krarup, Krivine, Marset Campos, Meijer, Modrow, Papayannakis, Puerta, Schröder Ilka, Seppänen, Vachetta, Vinci, Wurtz

NI: Berthu, Borghezio, Claeys, Dillen, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Martinez, Souchet, Stirbois

PPE-DE: Arvidsson, Atkins, Balfe, Banotti, Bartolozzi, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bowis, Bremmer, Callanan, Camisón Asensio, Cardoso, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Fiori, Folias, Foster, Fourtou, Friedrich, Gahler, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Gouveia, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Inglewood, Jean-Pierre, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Koch, Konrad, Kratsa-Tsagaropoulou, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Montfort, Morillon, Naranjo Escobar, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig,

Sacrédeus, Salafranca Sánchez-Neyra, Santer, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stockton, Sturdy, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Wachtmeister, von Wogau, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carrilho, Casaca, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Iivari, Imbeni, Izquierdo Collado, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Lage, Lalumière, Leinen, Linkohr, Lund, Malliori, Mann Erika, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Myller, Napoletano, Napolitano, Paasilinna, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Schulz, Sornosa Martínez, Souladakis, Sousa Pinto, Stockmann, Swoboda, Thorning-Schmidt, Torres Marques, Trentin, Valenciano Martínez-Orozco, Van Lancker, Walter, Weiler, Wiersma, Wynn, Zorba, Zrihen

UEN: Crowley, Ó Neachtain, Ribeiro e Castro

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, MacCormick, McKenna, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schroedter, Sörensen, Staes, Turmes, Voggenhuber, Wyn

Against: 27

PSE: Adam, Ford, Gill, Honeyball, Howitt, van Hulten, Kinnock, McAvan, McCarthy, McNally, Martin David W., Miller, Moraes, Murphy, O'Toole, Savary, Skinner, Stihler, Titley, Whitehead

UEN: Berlato, Mussa, Nobilia, Queiró, Segni, Thomas-Mauro, Turchi

Abstention: 8

EDD: Abitbol

GUE/NGL: Alyssandrakis, Patakis

NI: Cappato, Dell'Alba

PSE: Martin Hans-Peter

UEN: Camre, Caullery

Graefe zu Baringdorf report A5-0465/2003
Resolution

For: 327

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

ELDR: Andreasen, Boogerd-Quaak, Busk, Calò, Davies, Di Pietro, Duff, Gasòliba i Böhm, Jensen, Lynne, Malmström, Monsonís Domingo, Newton Dunn, Olsson, Paulsen, Riis-Jørgensen, Schmidt, Watson

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Eriksson, Figueiredo, Frahm, Fraisse, Jové Peres, Koulourianos, Krarup, Krivine, Marset Campos, Meijer, Modrow, Puerta, Schmid Herman, Schröder Ilka, Seppänen, Vachetta, Vinci, Wurtz

NI: Berthu, Claeys, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Martinez, Souchet, Stirbois

PPE-DE: Balfe, Banotti, Bartolozzi, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bremmer, Cardoso, Cocilovo, Coelho, Cornillet, Cushnahan, Daul, Deprez, De Sarnez, Descamps, De Veyrac, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fiori, Folias, Fourtou, Friedrich, Gahler, Garriga Polledo, Gemelli, Glase, Goepel, Gomolka, Graça Moura, Grosch, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Jean-Pierre, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Klaß, Koch, Konrad, Kratsa-Tsagaropoulou, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Marini, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Morillon, Nassauer, Niebler, Nisticò, Oomen-Ruijten, Oostlander, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Schierhuber, Schleicher, Schnellhardt, Schröder Jürgen, Schwaiger, Smet, Stenzel, Stockton, Sudre, Suominen, Tajani, Theato, Trakatellis, Vatanen, van Velzen, de Veyrinas, Vlasto, von Wogau, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bullmann, Carlotti, Carrilho, Casaca, Cercas, Ceyhun, Colom i Naval, Corbey, De Keyser, De Rossa, Désir, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Iivari, Imbeni, Izquierdo Collado, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Lage, Lalumière, Leinen, Linkohr, Lund, Malliori, Mann Erika, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Myller, Napoletano, Napolitano, Paasilinna, Poignant, Poos, Prets, Rapkay, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Sornosa Martínez, Souladakis, Sousa Pinto, Stockmann, Swoboda, Thorning-Schmidt, Torres Marques, Trentin, Valenciano Martínez-Orozco, Van Lancker, Walter, Weiler, Wiersma, Zorba, Zrihen

UEN: Berlato, Caullery, Crowley, Mussa, Nobilia, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, MacCormick, McKenna, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schroedter, Sörensen, Turmes, Voggenhuber, Wyn

Against: 52

ELDR: van den Bos, De Clercq, Flesch, Manders, Mulder, Pesälä, Pohjamo, Sanders-ten Holte, Sterckx, Virrankoski

GUE/NGL: Alyssandrakis, Patakis

PPE-DE: Arvidsson, Bayona de Perogordo, Bushill-Matthews, Camisón Asensio, Cederschiöld, Fernández Martín, Gil-Robles Gil-Delgado, Grönfeldt Bergman, Naranjo Escobar, Ojeda Sanz, Oreja Arburúa, Purvis, Ripoll y Martínez de Bedoya, Schmitt, Stenmarck, Varela Suanzes-Carpegna, Wachtmeister

PSE: Adam, Bowe, Corbett, Ford, Gill, Honeyball, Howitt, van Hulten, Kinnock, McAvan, McCarthy, McNally, Martin David W., Miller, Moraes, Murphy, O'Toole, Skinner, Stihler, Titley, Whitehead, Wynn

UEN: Segni

Abstention: 34

EDD: Abitbol

ELDR: André-Léonard, Ries, Thors

NI: Borghezio, Cappato

PPE-DE: Atkins, Beazley, Bowis, Callanan, Chichester, Deva, Dover, Elles, Foster, Goodwill, Harbour, Helmer, Inglewood, Khanbhai, Kirkhope, Klamt, Nicholson, Parish, Perry, Sommer, Sturdy, Tannock, Twinn, Van Orden

Thursday 18 December 2003

PSE: Dehousse, Martin Hans-Peter

UEN: Camre, Muscardini

Aaltonen report A5-0451/2003
Resolution

For: 340

EDD: Abitbol, Andersen, Belder, Blokland, Bonde, van Dam, Esclopé, Sandbæk

ELDR: Andreasen, Boogerd-Quaak, van den Bos, Busk, Calò, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Malmström, Monsonís Domingo, Newton Dunn, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Schmidt, Sterckx, Thors, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bergaz Conesa, Blak, Bordes, Boudjenah, Brie, Caudron, Eriksson, Frahm, Fraisse, Jové Peres, Koulourianos, Krarup, Marset Campos, Meijer, Modrow, Patakis, Puerta, Schmid Herman, Seppänen, Vachetta, Vinci, Wurtz

NI: Berthu, Borghezio, Cappato, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Souchet, Turco

PPE-DE: Balfe, Banotti, Bartolozzi, Bayona de Perogordo, Beazley, Bébéar, Berend, Böge, von Boetticher, Bowis, Bremmer, Callanan, Camisón Asensio, Chichester, Coelho, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, Doorn, Dover, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Folias, Foster, Fourtou, Friedrich, Gahler, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Gomolka, Goodwill, Gouveia, Grossetête, Gutiérrez-Cortines, Harbour, Hatzidakis, Helmer, Inglewood, Jeggle, Karas, Kastler, Keppelhoff-Wiechert, Kirkhope, Klaß, Koch, Konrad, Kratsa-Tsagaropoulou, Langen, Langenhagen, Lechner, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Martens, Martin Hugues, Matikainen-Kallström, Mayer Hans-Peter, Mayer Xaver, Menrad, Mombaur, Montfort, Nassauer, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Poettering, Posselt, Purvis, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Scallon, Schleicher, Schnellhardt, Schröder Jürgen, Schwaiger, Sommer, Stenzel, Stockton, Sturdy, Sudre, Tajani, Tannock, Theato, Trakatellis, Twinn, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vlasto, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Bösch, Bullmann, Carlotti, Carrilho, Casaca, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Rossa, Désir, Dührkop Dührkop, Duhamel, Duin, El Khadraoui, Ettl, Färm, Ferreira, Ford, Fruteau, Gebhardt, Ghilardotti, Gillig, Glante, Görlach, Gröner, Guy-Quint, Haug, Hazan, Hoff, Honeyball, Howitt, van Hulten, Iivari, Imbeni, Izquierdo Collado, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Lage, Lalumière, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miller, Miranda de Lage, Murphy, Napoletano, Napolitano, Paasilinna, Poignant, Prets, Rapkay, Rodríguez Ramos, Rothley, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Thorning-Schmidt, Titley, Torres Marques, Trentin, Valenciano Martínez-Orozco, Van Lancker, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Berlato, Camre, Crowley, Muscardini, Nobilia, Ribeiro e Castro, Turchi

Verts/ALE: Aaltonen, Ahern, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Ferrández Lezaun, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, MacCormick, McKenna, Mayol i Raynal, Onesta, Piétrasanta, Rod, Rühle, Schroedter, Staes, Turmes, Wyn

Abstention: 4

PPE-DE: Arvidsson, Cederschiöld, Stenmarck, Wachtmeister

Thursday 18 December 2003

RC — B5-0547/2003 — Georgia

For: 61

EDD: Belder, Sandbæk

ELDR: Lynne, Mulder

GUE/NGL: Caudron, Koulourianos, Meijer, Puerta

NI: Berthu, Cappato, Dupuis, Gorostiaga Atxalandabaso

PPE-DE: Arvidsson, Balfe, Bowis, Chichester, Cushnahan, Daul, De Sarnez, Elles, Gahler, Gemelli, Gil-Robles Gil-Delgado, Goepel, Gomolka, Grönfeldt Bergman, Grossetête, Hatzidakis, Karas, Keppelhoff-Wiechert, Klaß, Kratsa-Tsagaropoulou, Langen, McCartin, Mayer Hans-Peter, Menrad, Nicholson, Posselt, Sacrédeus, Salafranca Sánchez-Neyra, Schierhuber, Schleicher, Stenmarck, von Wogau, Zimmerling

PSE: Casaca, Ettl, Gillig, Karamanou, Kindermann, Martínez Martínez, Mastorakis, Medina Ortega, Sauquillo Pérez del Arco, Souladakis, Stihler, Valenciano Martínez-Orozco

UEN: Ribeiro e Castro

Verts/ALE: Ferrández Lezaun, Lagendijk, Onesta

Against: 1

PSE: Dehousse

Thursday 18 December 2003

TEXTS ADOPTED

P5_TA(2003)0587

Mobilisation of the flexibility instrument for Iraq

European Parliament resolution on the proposal for a decision of the European Parliament and of the Council on the mobilisation of the flexibility instrument in favour of the rehabilitation and reconstruction of Iraq according to point 24 of the Interinstitutional Agreement of 6 May 1999 (COM(2003) 576 — C5-0455/2003 — 2003/0225(ACI))

The European Parliament,

— having regard to the proposal for a decision of the European Parliament and of the Council presented by the Commission (COM(2003) 576 — C5-0455/2003),

— having regard to the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission on budgetary discipline and improvement of the budgetary procedure ([1]),

— having regard to the outcome of the trialogue of 13 November 2003,

— having regard to the outcome of the conciliation meeting of 24 November 2003 with the Council,

— having regard to the report of the Committee on Budgets (A5-0456/2003),

A. whereas the possibility of EU participation in the reconstruction of Iraq was entirely unforeseeable when the financial perspectives were adopted on 9 May 1999,

B. whereas the Council has not included any amount for the reconstruction of Iraq in its first reading,

C. whereas the pledge made by the Commission on behalf of the European Union at the Ministerial Conference in Madrid to set up the Community's participation for the rehabilitation and reconstruction of Iraq until the end of 2004, was preceded by a prior consultation of the budgetary authority,

D. whereas the Parliament, in its first reading of the draft budget for 2004, has allocated an amount of EUR 30 million for Iraq without reducing the existing policies, while the Council in its second reading, has reduced them to finance the whole amount through redeployment,

1. Stresses that the mobilisation of the flexibility instrument, provided for by point 24 of the Interinstitutional Agreement of 6 May 1999, has been decided for the fourth consecutive year as the needs to face international crises since 2000 could not be financed within the initial ceilings of heading 4 of the financial perspective;

2. Is willing to provide the European Union with the appropriate means to assume its new responsibilities in the world, without affecting its traditional priorities;

([1]) OJ C 172, 18.6.1999, p. 1. Agreement amended by European Parliament and Council Decision 2003/429/EC (OJ L 147, 14.6.2003, p. 25).

3. Approves the attached decision;

4. Instructs its President to forward this resolution, including the annex, to the Council and the Commission.

ANNEX

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on the mobilisation of the flexibility instrument in favour of the rehabilitation and reconstruction of Iraq according to point 24 of the Interinstitutional Agreement of 6 May 1999

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission on budgetary discipline and improvement of the budgetary procedure [1], and in particular point 24 thereof,

Having regard to the proposal from the Commission [2],

Whereas:

(1) Following the European Council of 19 and 20 June 2003 in Thessaloniki, the Commission proposed that the Community share of the European contribution amount to EUR 200 million over the 2003-2004 period, with EUR 40 million mobilised in 2003 and EUR 160 million in 2004,

(2) The amount foreseen for 2004 was not entered in the Preliminary draft Budget for 2004. Accordingly, the Commission has proposed to budget the EUR 160 million under the new dedicated budget line created through the amending letter No 1 to PDB 2004 (article 19 08 07). At the conciliation meeting on 24 November 2003 the European Parliament and the Council accepted this amending letter with an amount of EUR 160 million on the line created for 'Aid for rehabilitation and reconstruction of Iraq' and the mobilisation of the flexibility instrument for an amount of EUR 95 million.

HAVE ADOPTED THIS DECISION:

Article 1

For the general budget of the European Union for the financial year 2004 (hereinafter 'the 2004 budget'), the flexibility instrument shall be used to provide the sum of EUR 95 000 000 in commitment appropriations.

This amount shall be used for the financing of the aid for rehabilitation and reconstruction of Iraq, covered by Heading 4 'External actions' of the financial perspective, under the new article 19 08 07 of the 2004 budget.

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[1] OJ C 172, 18.6.1999, p. 1. Agreement amended by European Parliament and Council Decision 2003/429/EC (OJ L 147, 14.6.2003, p. 25).

[2] Not yet published in OJ.

Article 2

This decision shall be published in the Official Journal of the European Union at the same time as the 2004 budget.

Done at Strasbourg, …

For the European Parliament	For the Council
The President	*The President*
…	…

P5_TA(2003)0588

2004 draft general budget, as amended by the Council (all sections)

European Parliament resolution on the draft general budget of the European Union for the financial year 2004 as modified by the Council (all sections) (11357/2003 — C5-0600/2003 — 2003/2001(BUD) — 2003/2002(BUD)) and Letters of amendment Nos 1/2004 — (14837/2003 — C5-0570/2003), 2/2004 (14838/2003 — C5-0571/2003) and 3/2004 (14839/2003 — C5-0572/2003) to the draft general budget of the European Union for the financial year 2004

The European Parliament,

— having regard to Article 272 of the EC Treaty and Article 177 of the Euratom Treaty,

— having regard to Council Decision 2000/597/EC, Euratom of 29 September 2000 on the system of the European Communities' own resources [1],

— having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities [2],

— having regard to the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission on budgetary discipline and improvement of the budgetary procedure [3], and the adjustment and revision of the Financial Perspective in preparation for enlargement of 19 May 2003,

— having regard to the preliminary draft general budget of the European Community for the financial year 2004 submitted by the Commission on 13 June 2003 (COM(2003) 400),

— having regard to the draft general budget of the European Union for the financial year 2004, which the Council established on 18 July 2003 (C5-0300/2003),

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[1] OJ L 253, 7.10.2000, p. 42.
[2] OJ L 248, 16.9.2002, p. 1.
[3] OJ C 172, 18.6.1999, p. 1. Agreement modified by European Parliament and Council Decision 2003/429/EC (OJ L 147, 14.6.2003, p. 25).

— having regard to its resolution of 23 October 2003 ([1]) on the draft general budget of the European Union for the financial year 2004, Section III — Commission (C5-0300/2003),

— having regard to its resolution of 23 October 2003 ([2]) on the draft general budget of the European Union for the financial year 2004, Section I — European Parliament, Section II — Council, Section IV — Court of Justice, Section V — Court of Auditors, Section VI — European Economic and Social Committee, Section VII — Committee of the Regions, Section VIII(A) — European Ombudsman, Section VIII(B) — European Data Protection Supervisor (C5-0300/2003),

— having regard to its amendments and proposed modifications of 23 October 2003 to the draft general budget,

— having regard to the Council's modifications to the amendments and proposed modifications adopted by Parliament to the draft general budget (11357/2003 — C5-0600/2003),

— having regard to the results of the conciliation of 24 November 2003,

— having regard to European Parliament and Council Decision of 18 December 2003 to mobilise the flexibility instrument provided for in paragraph 24 of the Interinstitutional Agreement (IIA) of 6 May 1999 ([3]),

— having regard to Letters of amendment Nos 1/2004 (14837/2003 — C5-0570/2003), 2/2004 (14838/2003 — C5-0571/2003)) and 3/2004 (14839/2003 — C5-0572/2003) to the draft general budget of the European Union for the financial year 2004,

— having regard to Rule 92 of and Annex IV to its Rules of Procedure,

— having regard to the report of the Committee on Budgets (A5-0473/2003),

A. whereas Letter of Amendment No 1/2004 to the Draft General Budget (DB) proposes, among other things, the creation of a new article under Heading 4 with the provision of supplementary appropriations for the support to the rehabilitation and reconstruction of Iraq, and whereas this part will be covered by the budget vote,

B. whereas Letter of Amendment No 2/2004 to the DB proposes to adjust the estimates for agriculture and for international fisheries agreements in accordance with the provisions of the Interinstitutional Agreement (IIA) of 6 May 1999,

C. whereas Letter of Amendment No 3/2004 proposes to create an appropriate structure to accommodate in the budget the revenue deriving from the 'special levy' on the salaries of Members of the institutions, officials and other servants of the Communities,

D. whereas the Budget for 2004 as adopted by the Parliament for EU-15 amounts to EUR 99 528 million in commitments and EUR 94 618 million in payments, whereas the budget figures agreed for EU-25 account for EUR 111 300 million in commitments and EUR 99 724 million in payments, whereas these levels of payments represent only 0,98 % of estimated GNI for the year 2004, compared to 1,06 % for EU-15 and 1,10 % for EU-25 as established by the Financial Perspective, and leaving a margin of EUR 7 655 million for EU-15 and of EUR 11 829 million for EU-25,

E. whereas the Commission's letter concerning the executability of the amendments adopted to the draft budget 2004 was taken into consideration,

([1]) P5_TA(2003)0449.
([2]) P5_TA(2003)0450.
([3]) P5_TA(2003)…

F. whereas the maximum rate of increase (Article 272(9) of the Treaty) is being respected,

G. whereas the overall amount of payment appropriations has been maintained at the lowest acceptable level, i.e. at 2,3 % over Budget 2003 for EU-25, in accordance with the agreement reached at the conciliation meeting of 24 November 2003,

H. whereas the budgetary authority reached an agreement at the conciliation meeting of 24 November 2003 (as outlined in the attached declaration) on the procedure for the presentation of the amending budget to cater for enlargement and whereas it is imperative that the Preliminary Draft Amending Budget (PDAB) take Parliament's first reading vote on board, in order to allow the budget EU-25 to enter into force on 1 May 2004,

I. whereas it is essential to continue monitoring the implementation of the Budget, for which reason it has decided to maintain the implementation reserves in a number of areas, in accordance with the principle voted in its first reading,

1. Approves those parts of Letter of Amendment No 1/2004 as adopted by the Council on 25 November 2003, which are not covered by the budget vote;

2. Approves Letter of Amendment No 2/2004 as adopted by the Council on 25 November 2003;

3. Approves Letter of Amendment 3/2004 as adopted by Council on 25 November 2003;

Subsidies and co-decided programmes

4. Welcomes the agreements achieved at the conciliation meeting of 24 November 2003 concerning the basic acts for grants and the co-decided programmes, as outlined in the attached declarations;

Implementation

5. Expects the Commission to show more determination for an efficient implementation of the 2004 Budget as agreed by the budgetary authority and respecting the European Parliament's political priorities; considers that the Commission should present proposals for more efficient tools for the surveillance of implementation and on-time identification of areas of concern;

Heading 1: Agriculture

6. Has decided to approve the Letter of Amendment No 2 on agriculture and international fishery; welcomes the fact that the Commission has taken the European Parliament first reading priorities for the agricultural sector into account in its Letter of Amendment, which includes the following:

— EUR 500 000 to allow for further examination of the environmental indicators to be used in the context of the cross-compliance rules, as adopted under the mid-term review of the Common Agricultural Policy (CAP), in close cooperation with the Environment Agency,

— a new budget line with EUR 500 000 to enable the exploration of the possibility of establishing European quality labels, so as to ensure transparency for consumers,

— a new budget line 17 01 04 04 (BA line) for a pilot study on the financing of risks for livestock epidemics. The appropriations of EUR 500 000 are intended to cover further studies and a conference in this domain,

— budget line 05 03 02 01 (Export refunds for beef and veal) will be subdivided to ensure transparency between those appropriations intended for export refunds for meat and those for live exports.

7. Notes that, for subheading 1a, the updated figures correspond to EUR 40 254.3 million for EU-25, leaving a margin of EUR 2 523.7 million below the ceiling of the Financial Perspectives, whereas the margin in the PDB was EUR 1 431.2 million; notes also that, for rural development, several modifications have been included in the Letter of Amendment, leaving the global amount unchanged, which corresponds to the ceiling of subheading 1b (EUR 4 803 million);

8. Welcomes the fact that the Council has accepted the Letter of Amendment No 2 and has decided to restore PDB for all the agricultural budget lines that have not been modified by the Commission in its Letter of Amendment;

9. Notes the Commission's estimation that the level of appropriations entered against line 17 04 02 (Other measures in the veterinary, animal welfare and public-health field) is sufficient to cover the development of marker vaccines; is willing, nevertheless, to make the necessary appropriations available in the course of 2004 by means of a transfer request should the level of appropriations not be sufficient;

10. Welcomes the remarks introduced in Article 11 03 01 of the Letter of Amendment No 2 as regards the breakdown of appropriations for international fisheries agreements in financial contributions (EUR 142 million in commitments and payments) and targeted and other measures (EUR 26,3 million in commitments and 30,8 million in payments);

Heading 2: Structural Actions

11. Remains concerned about the high level of outstanding commitments and their continued accumulation; invites the Commission to present, during the first trimester of 2004, a thorough assessment of the situation of the Structural Funds payments, especially as regards the remaining payments relating to the previous programming period 1994-1999 by fund and by Member State and the effects of the implementation of the n+2 rule; reminds the Commission of its commitment to bring forward an Amending Budget should the level of payments appropriations made available prove to be insufficient during 2004;

Heading 3: Internal Policies

12. Notes that the Council has hardly accepted any of Parliament's amendments, and regrets especially the willingness of the Council to provide only marginal support for EP proposals on pilot projects and preparatory actions despite the fact that the provisions of their financing were jointly agreed in the IIA of 6 May 1999 and the ceilings foreseen by point 37 have been fully respected;

13. Confirms that the management of the Union's external borders remains a priority; has decided, therefore, to enter an amount of EUR 19.8 million in commitments for the ARGO programme, as recommended by the Commission and agreed by the Council;

14. Endorses the solution proposed by the Commission concerning the financing of Info points and as agreed in the Declaration adopted at the conciliation meeting of 24 November 2003 (attached to this resolution) and reiterates its request to the Commission to set up transitional measures ensuring the continuation of EU funding to actions and programmes in the area of Information Policy, particularly in view of the European elections, in respect of the provisions of the Financial Regulation;

15. Welcomes the constructive answers provided by the Commission, some parliamentary committees and by the agencies themselves to its first reading amendments concerning the decentralised agencies; considers that EP control at political and budgetary levels should be reinforced in line with the trend to create more agencies in future and with the significant and increasing impact the agencies will have on heading 3; invites the specialised committees to enhance the coordination of their activities, also in light of the provisions of the Financial Regulation, so that a coherent approach of Parliament can be ensured in this sector;

16. Decides to confirm the staff of the Agencies as decided by the Council: considers that the staff policy of the Agencies should respect the Financial Regulation, the Staff Regulations and the best practice generally followed by the Institutions;

17. Considers that the Commission should indicate before the budgetary procedure 2005 the guidelines concerning the staff policy, notably the rate of vacant posts, the rate of promotions and the level of recruitment and a standard career profile; to this end, Agencies are requested to provide the Commission necessary information, in particular regarding establishment plans;

18. Requests all the agencies to adopt career and promotion policies which are in line with those applied in the Commission or in the other institutions;

Heading 4: External Policies

19. Welcomes the agreement reached on funding for the reconstruction of Iraq, which will fully respect the indicative EU pledge of EUR 200 million —for the period 2003-2004— made at the Madrid Donor's Conference, and which is to be implemented on the basis of the political principles approved by Parliament on 24 September 2003 ([1]); recalls that it is the responsibility of the Union to base its longer-term contributions on the needs of the Iraqi people and on the political and institutional progress made;

20. Notes with satisfaction that its engagement with Iraq has been achieved whilst, at the same time, being able to maintain its existing external policy priorities, such as the global fight against poverty in various geographical regions, the fight against HIV/AIDS, promotion of human rights, consolidation of the rule of law and development of civil rights, but regrets that the Council's intransigence has forced cuts in other well-established policies and/or geographical regions;

21. Notes the documentation provided by the Commission concerning its procedures vis-à-vis non-state actors, including NGOs, and considers that the information received contributes to greater clarity in the allocation of funds in this area but is of the opinion that further analysis should be undertaken; therefore maintains the reserves created in first reading and intends to follow up on the information provided during the course of 2004, particularly with respect to the exceptions to the principle of open tendering which have been notified by the Commission; underlines that the reserves can be lifted as soon as additional answers have been received and analysed by the EP;

([1]) P5_TA(2003)0401.

22. Considers that the agreement on CFSP reached with the Council, concerning the practical implementation of points 39 and 40 of the IIA of 6 May 1999, and the Common Declaration of 25 November 2002, constitutes an important step forward as regards political dialogue in this field and as regards early warning of future CFSP actions; has therefore decided to substantially increase Common Foreign and Security Policy (CFSP) appropriations, particularly so as to launch the new EU Police Mission in FYROM, based on the condition that the new cooperation/consultation provisions between Parliament and Council will be fully respected, and including a qualitatively improved (more policy-oriented and forward-looking) annual CFSP reporting;

23. Has decided to create the budgetary structure (line 22 02 09) for demining activities in Cyprus with a token entry; invites the Commission, however, to take Parliament's first reading vote into account in the context of its PDAB enlargement and propose the corresponding amount;

24. Reaffirms its support for the creation of a Bi-regional Solidarity Found, within the framework of cooperation with Latin America, and, pending the entry into force of the legal basis, calls on the Commission to take the appropriate measures based on amendment 0692 of its the first reading of the draft budget 2004 and on the proposal to amend Regulation (EC) No 2258/96 as modified by the Parliament in its first reading;

Heading 5: Administrative Expenditure

25. Has decided to make the necessary appropriations available on the line for the creation of 247 posts in the Commission's establishment plan; insists, however, that these posts are being authorised on condition that the Commission implements the pilot projects and preparatory actions, as voted by Parliament, in particular by anticipating the internal procedures of a call for interest, by allocating adequate human resources, and finally by fully integrating them in the legislative work programme;

26. Notes with interest President Prodi's statement that problems still persist in the effective functioning of the Commission and that changes are still needed; therefore, has decided to maintain the appropriations for the remaining 25 posts requested by the Commission in reserve until the Commission presents Parliament with an overall assessment not only of the changes made in the context of the reform of the Commission, but more particularly, what remains to be done in order to successfully complete the reform at the latest by 15 February 2004;

27. Considers the adoption of Amending Budget No 8/2003 as part of a global solution concerning the situation in heading 5; has decided to leave sufficient a margin to cover the cost of emerging additional needs, such as the financing of European political parties, the European Data Protection Supervisor and the salary adjustment for staff, among others; notes that amending budgets will be presented in the course of 2004 to the budgetary authority to make funding for these needs available;

28. Notes that enlargement implies the recruitment of a number of officials from the new Member States; recalls that the principle of geographical balance, which is laid down in the Staff Regulations, should be respected for all Member States; invites all institutions, with due regard to their administrative autonomy, to apply that principle when recruiting officials with the required professional qualifications to fill both vacant posts and newly created ones;

29. Reiterates its call on the Commission, made in its resolution of 19 December 2002 on the draft general budget of the European Union for the financial year 2003 ([1]), that it submit as soon as possible a proposal to solve definitively the problem of the creation of a day and residential care centre for disabled children of European officials; observes, in the light of the forthcoming enlargement of the European Union, that the number of children concerned is likely to rise;

Other Sections

30. Notes that heading 5 will be under considerable pressure in 2005 due, among other things, to the effects that the new gross national income estimates will have on the technical adjustment of the Financial Perspective and the resulting reduction of the ceiling; recalls that all the Secretaries General of the institutions presented an estimation of needs in 2005 in the third report on the evolution of heading 5; points out that the estimation provided is no longer compatible with the adjusted ceiling of the Financial Perspective in 2005; urges all institutions, therefore, to fine-tune and scale down their needs when they present their 2005 estimates of expenditure, so that the ceiling of heading 5 is not exceeded, as is also outlined in the attached declaration on heading 5;

31. Requests its Bureau and its Secretary-General, to work out a smooth and swift financial structure for paying the various costs related to Parliament's involvement in the Parliamentary Assembly of the WTO in Parliament's budget, when preparing the budgetary estimates for 2005, and to take appropriate action to this end during the financial year 2004;

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* *

32. Instructs its President to declare that the budget has been finally adopted and arrange for its publication in the Official Journal of the European Union;

33. Instructs its President to forward this resolution to the Council, the Commission the Court of Justice, the Court of Auditors, the European Economic and Social Committee, the Committee of the Regions, the European Ombudsman, the European Data Protection Supervisor and the other institutions and bodies concerned.

([1]) ***P5_TA(2002)0624.***

ANNEX

Joint declaration on administrative expenditure in 2005 and 2006

'The Commission declares that the financing of the adjustment proposed for salaries and of the new posts requested by all Institutions in the PDB 2004 are compatible with the present ceilings and forecasts of administrative expenditure from 2004 to 2006. However, to take into account the most recent data and economic forecasts available, the Commission will determine in December, ahead of the 2005 procedure, technical adjustments to the financial perspective in line with the movements of GNI and prices, as foreseen by the IIA (pt 15).

Mainly due to the depreciation of the Sterling Pound against the Euro in 2003, these adjustments will result in a decrease of the present ceilings other than those for Heading 1 and the Structural Funds.

The European Parliament, the Council and the Commission call on the Secretaries General of all institutions and Directors of non self-financed decentralised bodies to revise accordingly their administrative expenditure plans by end February 2004 in order for the PDB 2005 to comply with this new ceiling.'

Joint declaration on the EU 25 Budget

'The European Parliament and the Council:

Recalling their declaration adopted at the budgetary conciliation meeting of 16 July 2003 on budget procedure 2004;

Invite the Commission to present early 2004 the enlargement PDAB for the budgeting of the amounts for EU-25 on the basis of the agreement reached at the conciliation meeting on 24 November 2003, thus taking into account the following elements:

— the respect of the global increase of 2,3 % for Payment Appropriations for EU-25, as compared to the 2003 budget including AB No 1 to 5;

— as for commitment appropriations, the respect of the decision of the Council 2nd reading in Heading 1, including Amending Letter no 2/2004;

— the amounts for commitment appropriations in Heading 2 and 8 of the PDB, in line with the decisions taken at the Copenhagen European Council of December 2002;

— the amounts added for enlargement in Heading 3 on the relevant lines by the European Parliament at its 1st reading;

— they note that for all the other Headings (4, 5, 6 and 7), the budget as it will be adopted in December will already include the amounts for the enlarged Union.'

Thursday 18 December 2003

Declaration of the European Parliament and the Council

on the programmes adopted under co-decision

'Referring to the joint declaration of 16 July 2003, Parliament and Council, having reached a political agreement on the indicative reference amounts to be included in the basic act of community programmes decided under the co-decision procedure following enlargement, invite the Commission to present without delay the appropriate legislative proposal(s) and confirm that they will make all the efforts to take in due consideration, in the co-decision procedure, the amounts attached to the present declaration, in time for their possible application as from the date of entry into force of the Accession Treaty.

The European Parliament and the Council remind to their respective bodies that the legislative procedures should in any circumstances respect the adjustment and revision of the Financial Perspective in view of enlargement as approved on 9 April 2003, and leave a sufficient margin for future programmes, including the ones not based on co-decision.'

Name of the programme (period covered by the programmes in respect of which the basic acts have been adopted)	**Reference amount**	**Amounts approved**	**Difference**
	EU 15	**EU 25**	**EU 10**
6th framework programme for research and technological development (02-06)	17 500,000	19 235,000	1 735,000
Networks for the interchange of data between administrations (IDA) (02-04)	74,000	75,500	1,500
Labour market (02-06)	55,000	62,300	7,300
Measures aimed at preventing and combating exclusion (02-06)	75,000	85,040	10,040
Restructuring of systems for agricultural surveys	12,850	26,400	13,550
Tapas — (03-07)	5,000	11,650	6,650
LUCAS/MARS (04-07)	7,850	14,750	6,900
Marco Polo programme (03-06)	75,000	100,000	25,000
Financial support for projects of common interest in the trans-European transport network and energy infrastructures (00-06)	4 325,000	4 580,000	255,000
'Intelligent Energy for Europe' Programme (03-06)	200,000	250,000	50,000
Forest protection (03-06)	61,000	65,000	4,000

Name of the programme (period covered by the programmes in respect of which the basic acts have been adopted)	**Reference amount**	**Amounts approved**	**Difference**
	EU 15	**EU 25**	**EU 10**
Community Action Programme for promoting NGOs primarily active in the field of environmental protection (02-06)	32,000	34,300	2,300
LIFE III (financial instrument for the environment (2000 to 2004)) - activities on Community territory (01-04)	640,000	649,900	9,900
Community framework for cooperation to promote to sustainable urban development (01-04)	14,000	14,800	0,800
Community cooperation in the field of marine pollution (00-06)	7,000	12,600	5,600
Action against Illegal and Harmful Content on the Internet (03-04)	13,300	14,100	0,800
Trans-European telecommunications networks (00-06)	275,000	294,880	19,880
Customs 2007 (03-07)	133,000	165,550	32,550
Fiscalis 2007 (Community programme to improve the operation of taxation systems in the internal market (03-07)	44,000	67,250	23,250
Socrates (00-06)	1 850,000	2 060,000	210,000
Framework Programme in support of Culture (00-04)	167,000	170,700	3,700
Media Training (measures to encourage the development of vocational training in the audiovisual industry) (01-05)	50,000	52,000	2,000
European Year of Education through Sport (03-04)	11,500	12,100	0,600
Youth (00-06)	520,000	605,000	85,000
Community activities in favour of consumers (04-07)	72,000	81,800	9,800
Public health (2003 à 2008)	312,000	353,770	41,770
Statistical information policy (03-07)	192,500	220,600	28,100
Networks for intra-Community statistics (Edicom) (01-05)	51,200	53,600	2,400
Modinis (03-05)	21,000	22,440	1,440
TOTAL	26 783,350	29 364,630	2 581,280

Thursday 18 December 2003

FOR INFORMATION: EU 25 REFERENCE AMOUNTS FOR PROGRAMMES ADOPTED OR BEING ADOPTED IN THE FRAMEWORK OF THE CO-DECISION PROCEDURE			
Name of the programme (period covered by the programmes in respect of which the basic acts have been adopted)	Former financial package	New reference amount	Difference
	EU 15	EU 25	EU 10
E-learning (04-06)	33,000	44,000	11,000
Erasmus Mundus (04-08)	180,000	230,000	50,000
Measures for combating violence against children, adolescents and women — Daphne II (04-08) (*)	41,000	50,000	9,000
TOTAL	254,000	324,000	70,000
OVERALL TOTAL	27 037,350	29 688,630	2 651,280
(*) Being adopted, agreement on the amount between Council and EP			

Declaration on the basic acts for grants (ex A-30)

'The European Parliament, the Council and the Commission will continue their cooperation in order to adopt the legal basic acts before the end of 2003 or at the latest at the very beginning of 2004. They will do their utmost efforts to speed up institutional procedures in the second reading of proposals in co-decision and avoid further conciliation, in order to formally adopt the legal basis in March 2004 at the latest. Their agreement on the legislative acts will be based on the respect of the following elements, agreed upon at the conciliation meeting on 24 November 2003:

— the duration of all the programmes will be limited to the period 2004-2006;

— the amounts agreed for this period are those detailed in the annex;

— the list of beneficiaries should be included in the legal base for the programmes concerning civic participation and culture for the years 2004 and 2005, as adopted by the European Parliament at its 1st reading of the draft budget 2004.

The European Parliament and the Council ask the Commission to make all the preliminary steps in order to be able to execute the budget 2004 immediately after the approval of the basic acts. In order to speed up the execution, the amounts voted for the operating grants will be placed on the line and not in reserve. However, the Commission will not make any execution before the approval of the basic acts. Should the approval occur only in 2004, transitional clauses covering the period before this approval will have to be added to the basic acts, allowing, on an exceptional basis, to sign the conventions mentioned in Article 112, paragraph 2 of the Financial Regulation before the 30 June 2004.'

million euro

Period 2004-2006 (except for Equality 2004-2005)	**Agreed amounts**
Youth	13,000
Training and education	77,000
Culture	19,000
Financial interest	11,775
Equality	2,200
Citizenship	72,000
Relex	4,100
Total	**199,075**

Declaration of the European Parliament and the Council on Info-Points and rural Carrefours

'The two Institutions confirm the importance that they attach to the functioning of the Info-Points system and Carrefours and to the solution of the current problems. Within this framework Parliament and the Council approve the intention of the Commission to take a transitional decision in order to maintain for the year 2004 the grants to the Info-Points and the rural Carrefours which are currently benefiting of financial aid of the EU budget. This decision would be accompanied by specific monitoring and control measures. They invite the Commission to seek a final solution in the respect of the financial regulation.'

Thursday 18 December 2003

P5_TA(2003)0589

Future budget requirements for external measures

European Parliament resolution on the future budgetary requirements for external actions (2003/2037(INI))

The European Parliament,

— having regard to Articles 268 and 269 of the EC Treaty,

— having regard to Council Decision 2000/597/EC, Euratom of 29 September 2000 on the system of the European Communities' own resources ([1]),

— having regard to Council Regulation (EC) No 2040/2000 of 26 September 2000 on budgetary discipline ([2]),

— having regard to the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission on budgetary discipline and improvement of the budgetary procedure ([3]),

— having regard to Decision 91/400/ECSC, EEC of the Council and the Commission of 25 February 1991 on the conclusion of the Fourth ACP-EEC Convention ([4]),

— having regard to the Commission communication to the Council and the European Parliament on full integration of cooperation with ACP countries in the EU budget (SEC(2003) 241/2),

— having regard to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 ([5]),

— having regard to its resolution of 20 November 2003 on 'Wider Europe — Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours' ([6]),

— having regard to the report of the Committee on Budgets and the opinion of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy (A5-0434/2003),

A. whereas since 1988 the Union has given itself a multiannual expenditure framework in order to ensure a sufficient level of resources for funding major priorities in the medium term,

B. whereas the financial perspective has undergone 48 revisions since 1988 because of the lack of flexibility to respond to new circumstances,

C. whereas the ceiling for heading 4 (External action) of the financial perspective for the period 2000-2006 has proved insufficient to meet the international crises which have occurred during the period and, consequently, EUR 600 million has already had to be mobilised under the flexibility instrument between 2000 and 2003,

D. whereas in recent years the budgetary authority has also made use of the emergency reserve (heading 6) and decided to widen the scope of this instrument during the budgetary procedure for 2003, in order to supplement Community aid in the face of the various international crises,

([1]) OJ L 253, 7.10.2000, p. 42.
([2]) OJ L 244, 29.9.2000, p. 27.
([3]) OJ C 172, 18.6.1999, p. 1. Agreement amended by European Parliament and Council Decision 2003/429/EC (OJ L 147, 14.6.2003, p. 25).
([4]) OJ L 229, 17.8.1991, p. 1.
([5]) OJ L 317, 15.12.2000, p. 3.
([6]) P5_TA(2003)0520.

E. whereas, in leaving the final decision on the own resources ceiling to the Council, the financial provisions of the draft Treaty establishing the Constitution for Europe make it hard to imagine raising the own resources ceiling in the medium term and, consequently, the magnitude of the current ceiling could remain the reference figure for the next financial framework,

F. whereas over the last few years spending has remained well below the own resources ceiling, at around 1,02 %, thus leaving a significant budgeted margin below the present ceiling,

G. whereas the volume of appropriations currently given over to external actions (headings 4 and 7) represents a little less than 9 % of the Union's total budget,

H. whereas the new external borders of the enlarged Union will mean new neighbourhood relations and — despite the need for political solutions — the significant changes in foreign and security policy in the aftermath of the conflicts of recent years also require additional financial capacities in order to reinforce security, stability and economic development,

I. whereas the new draft treaty provides for the Union to be given a higher profile in terms of external representation by establishing a minister for foreign affairs,

J. whereas the EU general budget provides funding under heading 4 of the financial perspective for development cooperation and other external actions via geographical programmes, sectoral measures and the common foreign and security policy,

K. whereas the funding provided under heading 4 is mostly targeted on development cooperation and humanitarian aid (52 %, not including cooperation with the Mediterranean developing countries),

L. whereas, post-enlargement, heading 7 (Pre-accession strategy), which was reshaped in the context of the adjustment of the financial perspective with a view to enlargement, will cover Union aid to Romania, Bulgaria and Turkey,

M. whereas Parliament has repeatedly called for the European Development Fund (EDF) to be incorporated into the budget in the interests of the principles of budget unity and transparency and with a view to enhancing the effectiveness of Community aid in an international context,

N. whereas the objectives of the European Development Fund must be geared to the alleviation of poverty and to development, reiterates, therefore, Parliament's commitment to the achievement of these goals by means of projects that eradicate poverty,

O. whereas the Commission needs to deepen the ongoing reform process by pursuing the harmonisation and simplification of financial and administrative procedures to further improve speed of delivery, and the new provisions of the Financial Regulation aim to improve implementation of Community policies in the interests of transparency and effectiveness, sound financial management and greater accountability,

P. whereas the Commission is preparing a set of general guidelines with a view to submitting a new financial package for the post-2006 period,

Q. whereas the Commission needs to work towards selectively introducing resource allocation criteria to support the delivery of external action objectives, recognising that different instruments are appropriate in different contexts,

The future financial framework

1. Regards it as the responsibility of Parliament, as one arm of the budgetary authority, to set in train a debate on the enlarged Union's future external-spending requirements, on the one hand, and on laying down the financial framework, on the other;

2. Notes the ongoing discussions and preparations in the Commission about future political priorities for a revised financial framework post-2006; considers that this debate is relevant and should be accompanied by a broad discussion with Parliament and the Council before the Commission puts forward its proposals; believes that the decision should be the prerogative of an incoming Commission once constituted and with its own priorities established, with the final decision being taken by the budgetary authority;

3. Stresses that, because of the European elections, the present Parliament should not take decisions which restrict the scope for decision-making by the Parliament which is elected in June 2004; urges the Commission and the Council to take account of that political event when setting the timetable for interinstitutional negotiations;

4. Restates its opinion of 24 September 2003, expressed on the convening of the Intergovernmental Conference ([1]), that the satisfactory exercise of Parliament's power to approve the multiannual financial framework presupposes the rapid opening of interinstitutional negotiations, following the Intergovernmental Conference, on the structure of this framework and the nature of the constraints on the budgetary procedure;

5. Considers that the future financial framework must enable the European Union to play a role in the world which is commensurate with its ambitions; therefore, calls on the Commission to make a proposal, in relation to the policies likely to be funded under this area of expenditure, to define the financial framework for external actions in line with experience gained and foreseeable future requirements;

6. Points out in this connection that the ceilings for heading 4 of the current financial perspective, which were laid down at the Council's request on the basis of the budget adopted for 1999 and not on the basis of the heading 4 ceiling approved for that year under the previous financial perspective, have not made it possible to provide adequate funding for the Union's requirements in the external domain;

7. Considers that financial needs arising from international crises and/or events which were unforeseen when the budget was drafted and which necessitate the rapid mobilisation of funds must not be met at the expense of planned financial commitments, as this would jeopardise the credibility and effectiveness of the EU's external policy;

([1]) P5_TA(2003)0407.

8. Notes that the flexibility instrument provided for in point 24 of the Interinstitutional Agreement of 6 May 1999 for the purpose of financing clearly identified expenditure which could not be financed within the limits of the ceilings available for one or more other headings, had to be mobilised in 2000, 2001 and 2002 (and a Commission proposal for 2004 exists) in order to cope with unforeseen multiannual international crises, thus straying from its initial objective;

9. Points out that sustained use of the flexibility instrument or any other emergency mechanism is not satisfactory in terms of developing a coherent external policy; considers that flexibility is best secured by ensuring a reasonable margin under the heading; regards it as vital that post-2006 budget planning arrangements make provision for genuine development of the European Union's external policy;

10. Notes that the own resources ceiling is currently set at 1,24 % of Member States' GNI and that on the basis of successive budgets in recent years, in which the amount represented 1,01 % or 1,02 % of GNI, there is an annual potential margin of EUR 16,5 billion; proposes, therefore, that an appropriate proportion of this potential margin be allocated to external measures;

11. Calls on the Commission to look at this possibility and to make proposals for better use of the margin below the own resources ceiling set by the aforementioned Council Decision 2000/597/EC, Euratom;

12. Calls on its committee responsible to make proposals to examine the possibility of introducing budgetary mechanisms designed to increase available margins and to rectify the shortcomings revealed by the systematic use of the flexibility instrument to solve financing problems within this heading, in particular by making use of unused appropriations for urgent external actions, such as the use of unused appropriations for a given year from various headings, where appropriate, in conjunction with a special fund endowed with unused appropriations relating to commitments from the previous year, the entry into force of these arrangements being subject to budgetary authority approval;

13. Invites the relevant bodies to look into the possibility of enhancing the role of the European Investment Bank to ensure that a range of instruments remain available to support external actions, and particularly that technical assistance and loans play an adequate role in cases in which they can be most effectively deployed;

14. Wonders whether it is necessary to maintain three separate headings for external actions and proposes that the structure of the future financial framework be reviewed, enabling resources to be effectively spent and the political profile to be raised; in this context, is willing to consider different options including one which makes a distinction between several levels of external action, such as pre-accession (in extenso) aid, enhanced neighbourhood cooperation defined by the Union's new borders, Common Foreign and Security Policy (CFSP) and geographical, selective or structural assistance for the various other regions of the world;

Political guidelines

15. Points out that the role of the Union in the world will also be gauged by its ability to prevent conflicts and to respond and intervene rapidly in conflict zones; regards it as essential to adjust CFSP resources in the next financial framework, provided that this is clearly linked to a continued 'communautarisation' of the CFSP, including by increasing the role of the other institutions (Parliament and Commission) in priority setting and decision making and giving the budgetary authority prior information; regards the relevant proposals in the draft treaty as a step in the right direction;

16. Restates its support for incorporation of the EDF into the budget, subject to consideration of the aforementioned Commission communication, provided that the contributions are ring-fenced to ensure that resources for the poorest countries are maintained, provided that incorporation into the budget is not achieved at the expense of the cooperation and development policies funded by the general budget, and provided that the financial perspective ceiling, and, if necessary, the own resources ceiling, are brought into line accordingly;

17. Thinks that development cooperation should be concentrated and rationalised by incorporating the EDF into the general budget, by ensuring better coordination and coherence between the geographical and sectoral programmes creating progressive synergies between the various existing instruments, and by ensuring fast and transparent budget implementing procedures so as to rationalise European external action as a whole;

18. Expects the Commission to implement the new provisions of the Financial Regulation in order to enhance Community policy implementation, in particular as regards external actions, and to consider any additional proposals on legislative or management-related aspects which may facilitate the provision of support, in future, for the Union's future external policies;

19. Considers Activity-Based Budgeting to be an additional tool to evaluate the efficiency, impact and effectiveness of external actions and to decide upon priorities and negative priorities in external policy;

20. Reiterates its call on the Commission to make an appraisal of the quantitative and qualitative advances resulting from reform of the external service; expects the Commission to step up its efforts to make up for the delay which has occurred;

21. Confirms that it regards the fostering of a 'culture of prevention' as a key element in the European Union's measures in the field of external relations, and calls on the Commission to incorporate it consistently, and develop it further, in its planning in the fields both of the European Security and Defence Policy (ESDP) and of external policy in general; notes, in this connection, various resolutions adopted by Parliament as well as the programme for the prevention of violent conflicts adopted by the Göteborg European Council on 15 and 16 June 2001;

22. Reiterates that administrative procedures and requirements must be simplified, especially for small projects that offer high value for money, in order to achieve a more output-oriented policy;

23. Is of the opinion that the future financial framework ought to make a distinction between types of external action which have different characteristics and for which the financial requirements have to be considered separately: pre-accession aid, neighbourhood cooperation defined by the Union's new borders, development cooperation, humanitarian aid and poverty eradication, including relations with ACP countries, CFSP and reserves;

24. Points out that Parliament has for many years repeatedly called for the EDF to be incorporated into the budget and deplores the fact that no consensus has been reached to date; welcomes the new initiative by the Commission, which presents incorporation of the EDF into the European Union as a factor which enhances effectiveness and raises the political profile of Community aid in an international context;

25. Is of the opinion that the EU external strategy should not be solely judged on the scale of its contributions, but should also be judged on the effectiveness of its contributions;

26. Reaffirms the need for the European Union to make its external action more visible, more coherent and more credible in the eyes of both the world and its own citizens, in line with the political commitment it has given to play an important role in the field of external policy; to that end, enjoins the European Union to equip itself with multipurpose instruments and flexible, high-speed mechanisms, while making sure that they are transparent and agreed to in advance, and politically followed up, by the European Parliament;

27. Takes the view that European Union external action will need to expand and calls therefore for its resources and capabilities to be strengthened as regards logistics, human resources, intelligence and defence assets in the context of ESDP, as is advocated in the strategy presented by the High Representative for the CFSP and the draft European Constitution; reiterates that its resources and capabilities must be strengthened in order to enhance its credibility as a world player;

28. Stresses the varied nature of threats — environmental, technological, military and terrorist — and points out that a comprehensive view must be taken of the Union's external action; points out that, in addition to the implementation of customary programmes, action should be taken to promote macro-economic assistance designed to prevent conflicts of all types, peacekeeping measures, and civilian or military crisis management measures, in particular through rapid deployment of an intervention force; particularly stresses the need for a sufficient funding allocation for aspects relating to political cooperation, combating poverty and promoting democracy and human rights, in close partnership with UN agency, NGO and civil society actions on the ground;

29. Calls for the Commission's deconcentration efforts to be continued, while calling on the budgetary authority to provide adequate resources for efficient and rational realisation of the objectives laid down;

30. Takes the view that the creation of a European Union minister for foreign affairs goes hand in hand with an increased funding allocation for the CFSP, and with better implementation and enhanced 'communautarisation' thereof;

31. Calls for the next financial perspective to aim to enhance coherence between Union actions and Member States' actions, including in budgetary terms, so as to prevent any duplication of effort;

32. Calls on the budgetary authority to make provision for the need for an adequate response to international crisis situations, it being understood that in such situations the European Union's credibility as a world player is reflected directly in its effective response capability;

33. Recommends that funding be transferred from budget heading 7 to heading 4, while pointing out that policies towards new neighbouring countries in a wider Europe must be given special attention and a specific funding allocation;

34. Calls for thought to be given to internally reorganising the budget heading given over to external action, while maintaining the budgetary commitments under each item to ensure continuity and the greatest possible transparency in implementing those commitments; to that end, proposes a thematic breakdown of appropriations reflecting overarching priorities and policy objectives, coupled with a geographical structure enabling those appropriations to be mobilised on a flexible basis for a given area in the light of needs, to be sure, but also in accordance with objective and invariable criteria, including recipient countries' take-up capacity as well as compliance with a number of binding obligations such as the populations' unfettered access to basic necessities;

35. Calls, in particular, for Africa and those countries with higher poverty indices and underdevelopment rates to be given renewed attention and to benefit from enhanced synergies between humanitarian policies, development programmes and political cooperation; wonders whether the present apportionment of competences between the external relations and development fields is relevant and proposes that it be reviewed;

36. Calls for the Commission, when urgent budget transfers are adopted, to take account of the European Parliament's and the relevant committees' timetable in order to make the best possible use of the existing conciliation and early notification mechanism;

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37. Instructs its President to forward this resolution to the Council, the ACP-EU Council and the Commission.

P5_TA(2003)0590

Transitional points system for HGVs in Austria in 2004 ***III

European Parliament legislative resolution on the joint text approved by the Conciliation Committee for a European Parliament and Council regulation establishing a transitional points system applicable to heavy goods vehicles travelling through Austria for 2004 within the framework of a sustainable transport policy (PE-CONS 3689/1/2003 — C5-0562/2003 — 2001/0310(COD))

(Codecision procedure: third reading)

The European Parliament,

— having regard to the joint text approved by the Conciliation Committee and the relevant Parliament, Council and Commission statement (PE-CONS 3689/1/2003 — C5-0562/2003),

— having regard to its position at first reading [1] on the Commission proposal to Parliament and the Council (COM(2001) 807) [2],

— having regard to its position at second reading [3] on the Council common position [4],

— having regard to the Commission's opinion on Parliament's amendments to the common position (COM(2003) 531 — C5-0415/2003) [5],

— having regard to Article 251(5) of the EC Treaty,

— having regard to Rule 83 of its Rules of Procedure,

— having regard to the report of its delegation to the Conciliation Committee (A5-0475/2003),

1. Approves the joint text and draws attention to the Parliament, Council and Commission statement thereon;

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, together with the Parliament, Council and Commission statement thereon, in the Official Journal of the European Union;

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

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[1] Texts Adopted, 12.2.2003, P5_TA(2003)0048.
[2] OJ C 103 E, 30.4.2002, p. 230.
[3] Texts Adopted, 3.7.2003, P5_TA(2003)0328.
[4] OJ C 214 E, 9.9.2003, p. 1.
[5] Not yet published in OJ.

P5_TA(2003)0591

Compensation and assistance to air passengers ***III

European Parliament legislative resolution on the joint text approved by the Conciliation Committee for a European Parliament and Council regulation establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 (PE-CONS 3676/2003 — C5-0518/2003 — 2001/0305(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 3676/2003 — C5-0518/2003),

— having regard to its position at first reading [1] on the Commission proposal to Parliament and the Council (COM(2001) 784) [2],

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[1] *Texts Adopted*, 24.10.2002, P5_TA(2002)0514.
[2] OJ C 103 E, 30.4.2002, p. 225.

— having regard to the amended proposal (COM(2002) 717) [1],

— having regard to its position at second reading [2] on the Council common position [3],

— having regard to the Commission's opinion on Parliament's amendments to the common position (COM(2003) 496 — C5-0396/2003) [4],

— 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 (A5-0464/2003),

1. Approves the joint text and draws attention to the Commission statement thereon;

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, together with the statement by the Commission thereon, in the Official Journal of the European Union;

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

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[1] OJ C 71 E, 25.3.2003, p. 188.
[2] *Texts Adopted*, 3.7.2003, P5_TA(2003)0329.
[3] OJ C 125 E, 27.5.2003, p. 63.
[4] Not yet published in OJ.

P5_TA(2003)0592

Cogeneration ***II

European Parliament legislative resolution on the Council common position adopting a European Parliament and Council directive on the promotion of cogeneration based on a useful heat demand in the internal energy market and amending Directive 92/42/EEC (10345/2/2003 — C5-0444/2003 — 2002/0185(COD))

(Codecision procedure: second reading)

The European Parliament,

— having regard to the Council common position (10345/2/2003 — C5-0444/2003) [1],

— having regard to its position at first reading [2] on the Commission proposal to Parliament and the Council (COM(2002) 415) [3],

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[1] Not yet published in OJ.
[2] *Texts adopted*, 13.5.2003, P5_TA(2003)0202.
[3] OJ C 291 E, 26.11.2002, p. 182.

— having regard the Commission's amended proposal (COM(2003) 416) ([1]),

— having regard to Article 251(2) of the EC Treaty,

— having regard to Rule 80 of its Rules of Procedure,

— having regard to the recommendation for second reading of the Committee on Industry, External Trade, Research and Energy (A5-0457/2003),

1. Amends the common position as follows;

2. Instructs its President to forward its position to the Council and the Commission.

P5_TC2-COD(2002)0185

Position of the European Parliament adopted at second reading on 18 December 2003 with a view to the adoption of European Parliament and Council Directive 2004/…/EC on the promotion of cogeneration based on a useful heat demand in the internal energy market and amending Directive 92/42/EEC

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 ([1]),

Having regard to the Opinion of the European Economic and Social Committee ([2]),

Having regard to the Opinion of the Committee of the Regions ([3]),

Acting in accordance with the procedure laid down in Article 251 of the Treaty ([4]),

Whereas:

(1) The potential for use of cogeneration as a measure to save energy is underused in the Community at present. Promotion of high-efficiency cogeneration based on a useful heat demand is a Community priority given the potential benefits of cogeneration with regard to saving primary energy, avoiding network losses and reducing emissions, in particular of greenhouse gases. In addition, efficient use of energy by cogeneration can also contribute positively to the security of energy supply and to the competitive situation of the European Union and its Member States. It is therefore necessary to take measures to ensure that the potential is better exploited within the framework of the internal energy market.

([1]) OJ C 291 E, 26.11.2002, p. 182.
([2]) OJ C 95, 23.4.2003, p. 12.
([3]) OJ C 244, 10.10.2003, p. 1.
([4]) Opinion of the European Parliament of 13 May 2003 (not yet published in the Official Journal), Council Common Position of 8 September 2003 (not yet published in the Official Journal) and Position of the European Parliament of 18 December 2003.

(2) Directive 2003/54/EC of the European Parliament and of the Council of 26 June 2003 [1] establishes common rules for the generation, transmission, distribution and supply of electricity within the internal market in electricity. In this context, the development of cogeneration contributes to enhancing competition, also with regard to new market actors.

(3) The Green Paper entitled 'Towards a European strategy for the security of energy supply' points out that the European Union is extremely dependent on its external energy supplies currently accounting for 50 % of requirements and projected to rise to 70 % by 2030 if current trends persists. Import dependency and rising import ratios heighten the risk of interruption to or difficulties in supply. However, security of supply should not be conceived as merely a question of reducing import dependency and boosting domestic production. Security of supply calls for a wide range of policy initiatives aimed at, inter alia, diversification of sources and technologies and improved international relations. The Green Paper emphasised furthermore that security of energy supply is essential for a future sustainable development. The Green Paper concludes that the adoption of new measures to reduce energy demand is essential both in terms of reducing the import dependence and in order to limit greenhouse gas emissions. In its Resolution of 15 November 2001 on the Green Paper [2], the European Parliament called for incentives to encourage a shift towards efficient energy production plants, including combined heat and power.

(4) The Commission's Communication 'A Sustainable Europe for a better world — A European Union Strategy for Sustainable Development' presented at the Gothenburg European Council on 15 and 16 June 2001 identified climate change as one of the principal barriers to sustainable development and emphasised the need for increased use of clean energy and clear action to reduce energy demand.

(5) The increased use of cogeneration geared towards making primary energy savings could constitute an important part of the package of measures needed to comply with the Kyoto Protocol to the United Nations Framework Convention on Climate Change, and of any policy package to meet further commitments. The Commission in its Communication on the implementation of the first phase of the European Climate Change Programme identified promotion of cogeneration as one of the measures needed to reduce the greenhouse gas emissions from the energy sector and announced its intention to present a proposal for a Directive on the promotion of cogeneration in 2002.

(6) In its Resolution of 25 September 2002 on the Commission communication on the implementation of the first phase of the European Climate Change Programme [3], the European Parliament welcomes the idea of submitting a proposal to strengthen Community measures to promote the use of combined heat and power (CHP) and calls for prompt adoption of a Directive on the promotion of CHP.

(7) The importance of cogeneration was also recognised by the Council Resolution of 18 December 1997 [4] and by the European Parliament Resolution of 15 May 1998 [5] on a Community strategy to promote combined heat and power.

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[1] OJ L 176, 15.7.2003, p. 37.
[2] OJ C 140 E, 13.6.2002, p. 543.
[3] OJ C 273 E, 14.11.2003, p. 172.
[4] OJ C 4, 8.1.1998, p. 1.
[5] OJ C 167, 1.6.1998, p. 308.

(8) The Council in its Conclusions of 30 May 2000 and of 5 December 2000 endorsed the Commission's Action Plan on energy efficiency and identified promotion of cogeneration as one of the short-term priority areas. The European Parliament in its Resolution of 14 March 2001 on the Action Plan on energy efficiency ([1]) called on the Commission to submit proposals establishing common rules for the promotion of cogeneration, where this makes environmental sense.

(9) Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control ([2]), Directive 2001/80/EC of the European Parliament and of the Council of 23 October 2001 on the limitation of emissions of certain pollutants into the air from large combustion plants ([3]) and Directive 2000/76/EC of the European Parliament and of the Council of 4 December 2000 on the incineration of waste ([4]) highlight the need to evaluate the potential for cogeneration in new installations.

(10) Directive 2002/91/EC of the European Parliament and of the Council of 16 December 2002 on the energy performance of buildings ([5]) requires the Member States to ensure that for new buildings with a total useful floor area of over 1000 m^2, the technical, environmental and economic feasibility of alternative systems, such as cogeneration of heat and power, is considered and taken into account before construction starts.

(11) High efficiency cogeneration is in this Directive defined by the energy savings obtained by combined production instead of separate production of heat and electricity. Energy savings of more than 10 % qualify for the term 'high efficiency cogeneration'. To maximise the energy savings and to avoid energy savings being lost, the greatest attention must be paid to the functioning conditions of cogeneration units.

(12) In the context of the evaluation of primary energy savings, it is important to take into account the situation of Member States in which the most of electricity consumption is covered by imports.

(13) It is important for transparency to adopt a harmonised basic definition of cogeneration. Where cogeneration installations are equipped to generate separate electricity or heat production, such production should not be specified as cogeneration for issuing a guarantee of origin and for statistical purposes.

(14) To ensure that support for cogeneration in the context of this Directive is based on the useful heat demand and primary energy savings, it is necessary to set up criteria to determine and assess the energy efficiency of the cogeneration production identified under the basic definition.

([1]) OJ C 343, 5.12.2001, p. 190.
([2]) OJ L 257, 10.10.1996, p. 26.
([3]) OJ L 309, 27.11.2001, p. 1.
([4]) OJ L 332, 28.12.2000, p. 91.
([5]) OJ L 1, 4.1.2003, p. 65.

(15) The general objective of this Directive should be to establish a harmonised method for calculation of electricity from cogeneration and necessary guidelines for its implementation, taking into account methodologies such as those currently under development by European standardisation organisations. This method should be adjustable to take account of technical progress. Application of the calculations in Annexes II and III to micro cogeneration units could, in accordance with the principle of proportionality, be based on values resulting from a type testing process certified by a competent, independent body.

(16) The definitions of cogeneration and of high-efficiency cogeneration used in this Directive do not prejudge the use of different definitions in national legislation, for purposes other than those set out in this Directive. It is appropriate to borrow in addition the relevant definitions contained in Directive 2003/54/EC and in Directive 2001/77/EC of the European Parliament and of the Council of 27 September 2001 on the promotion of electricity produced from renewable energy sources in the internal electricity market. ([1])

(17) Measuring the useful heat output at the point of production of the cogeneration plant underlines the need to ensure that advantages of the cogenerated useful heat are not lost in high heat losses from distribution networks.

(18) The power to heat ratio is a technical characteristic that needs to be defined in order to calculate the amount of electricity from cogeneration.

(19) For the purpose of this Directive, the definition of 'cogeneration units' may also include equipment in which only electrical energy or only thermal energy can be generated, such as auxiliary firing and after burning units. The output from such equipment should not be considered as cogeneration for issuing a guarantee of origin and for statistical purposes.

(20) The definition of 'small scale cogeneration' comprises inter alia micro-cogeneration and distributed cogeneration units such as cogeneration units supplying isolated areas or limited residential, commercial or industrial demands.

(21) To increase transparency for the consumer's choice between electricity from cogeneration and electricity produced on the basis of other techniques, it is necessary to ensure that, on the basis of harmonised efficiency reference values, the origin of high efficiency cogeneration can be guaranteed. Schemes for the guarantee of origin do not by themselves imply a right to benefit from national support mechanisms.

(22) It is important that all forms of electricity produced from high efficiency cogeneration can be covered by guarantees of origin. It is important to distinguish guarantees of origin clearly from exchangeable certificates.

(23) To ensure increased market penetration of cogeneration in the medium term, it is appropriate to require all Member States to adopt and publish a report analysing the national potential for high-efficiency cogeneration and to include a separate analysis of barriers to cogeneration in the report, and of measures taken to ensure the reliability of the guarantee system.

([1]) OJ L 283, 27.10.2001, p. 33.

(24) Public support should be consistent with the provisions of the Community guidelines on State aid for environmental protection ([1]), including as regards the non cumulation of aid. These guidelines currently allow certain types of public support if it can be shown that the support measures are beneficial in terms of protection of the environment because the conversion efficiency is particularly high, because the measures will allow energy consumption to be reduced or because the production process will be less damaging to the environment. Such support will in some cases be necessary to further exploit the potential for cogeneration, in particular to take account of the need to internalise external costs.

(25) Public support schemes for promoting cogeneration should focus mainly on support for cogeneration based on economically justifiable demand for heat and cooling.

(26) Member States operate different mechanisms of support for cogeneration at the national level, including investment aid, tax exemptions or reductions, green certificates and direct price support schemes. One important means to achieve the aim of this Directive is to guarantee the proper functioning of these mechanisms, until a harmonised Community framework is put into operation, in order to maintain investor confidence. The Commission intends to monitor the situation and report on experiences gained with the application of national support schemes.

(27) For the transmission and distribution of electricity from high efficiency cogeneration, the provisions of Article 7(1), (2) and (5) of Directive 2001/77/EC as well as relevant provisions of Directive 2003/54/EC should apply. Until the cogeneration producer is an eligible customer under national legislation within the meaning of Article 21(1) of Directive 2003/54/EC, tariffs related to the purchase of additional electricity sometimes needed by cogeneration producers should be set according to objective, transparent and non-discriminatory criteria. Especially for small scale and micro cogeneration units access to the grid system of electricity produced from high efficiency cogeneration may be facilitated subject to notification to the Commission.

(28) In general, cogeneration units up to 400kW falling within the definitions of Council Directive 92/42/EEC of 21 May 1992 on efficiency requirements for new hot-water boilers fired with liquid or gaseous fuels ([2]) are unlikely to meet the minimum efficiency requirements therein and should therefore be excluded from that Directive.

(29) The specific structure of the cogeneration sector, which includes many small and medium-sized producers, should be taken into account, especially when reviewing the administrative procedures for obtaining permission to construct cogeneration capacity.

(30) Within the purpose of this Directive to create a framework for promoting cogeneration it is important to emphasise the need for a stabile economical and administrative environment for investments in new cogeneration installations. Member States should be encouraged to address this need by designing support schemes with a duration period of at least 4 years and by avoiding frequent changes in administrative procedures etc. Member States should furthermore be encouraged to ensure that public support schemes respect the phase-out principle.

([1]) OJ C 37, 3.2.2001, p. 3.
([2]) OJ L 167, 22.6.1992, p. 17. Directive as last amended by Directive 93/68/EEC (OJ L 220, 30.8.1993, p. 1).

(31) The overall efficiency and sustainability of cogeneration is dependent on many factors, such as technology used, fuel types, load curves, the size of the unit, and also on the properties of the heat. For practical reasons and based on the fact, that the use of the heat output for different purposes requires different temperature levels of the heat, and that these and other differences influence efficiencies of the cogeneration, cogeneration could be divided into classes such as: 'industrial cogeneration', 'heating cogeneration' and 'agricultural cogeneration'.

(32) In accordance with the principles of subsidiarity and proportionality as set out in Article 5 of the Treaty, general principles providing a framework for the promotion of cogeneration in the internal energy market should be set at Community level, but the detailed implementation should be left to Member States, thus allowing each Member State to choose the regime, which corresponds best to its particular situation. This Directive confines itself to the minimum required in order to achieve those objectives and does not go beyond what is necessary for that purpose.

(33) The measures necessary for the implementation of this Directive should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission [1],

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Purpose

The purpose of this Directive is to increase energy efficiency and improve security of supply by creating a framework for promotion and development of high efficiency cogeneration of heat and power based on useful heat demand and primary energy savings in the internal energy market, taking into account the specific national circumstances especially concerning climatic and economic conditions.

Article 2

Scope

This Directive shall apply to cogeneration as defined in Article 3 and cogeneration technologies listed in Annex I.

Article 3

Definitions

For the purpose of this Directive, the following definitions shall apply:

a) 'cogeneration' shall mean the simultaneous generation in one process of thermal energy and electrical and/or mechanical energy;

b) 'useful heat' shall mean heat produced in a cogeneration process to satisfy an economically justifiable demand for heat or cooling;

[1] OJ L 184, 17.7.1999, p. 23.

c) 'economically justifiable demand' shall mean the demand that does not exceed the needs for heat or cooling and which would otherwise be satisfied at market conditions by energy generation processes other than cogeneration;

d) 'electricity from cogeneration' shall mean electricity generated in a process linked to the production of useful heat and calculated in accordance with the methodology laid down in Annex II;

e) 'back-up electricity' shall mean the electricity supplied through the electricity grid whenever the cogeneration process is disrupted, including maintenance periods, or out of order;

f) 'top-up electricity' shall mean the electricity supplied through the electricity grid in cases where the electricity demand is greater than the electrical output of the cogeneration process;

g) 'overall efficiency' shall mean the annual sum of electricity and mechanical energy production and useful heat output divided by the fuel input used for heat produced in a cogeneration process and gross electricity and mechanical energy production;

h) 'efficiency' shall mean efficiency calculated on the basis of 'net calorific values' of fuels (also referred to as 'lower calorific values');

i) 'high efficiency cogeneration' shall mean cogeneration meeting the criteria of Annex III;

j) 'efficiency reference value for separate production' shall mean efficiency of the alternative separate productions of heat and electricity that the cogeneration process is intended to substitute;

k) 'power to heat ratio' shall mean the ratio between electricity from cogeneration and useful heat when operating in full cogeneration mode using operational data of the specific unit;

l) 'cogeneration unit' shall mean a unit that can operate in cogeneration mode;

m) 'micro cogeneration unit' shall mean a cogeneration unit with a maximum capacity below 50kW$_e$;

n) 'small scale cogeneration' shall mean cogeneration units with an installed capacity below 1MW$_e$;

o) 'cogeneration production' shall mean the sum of electricity and mechanical energy and useful heat from cogeneration.

In addition, the relevant definitions in Directive 2003/54/EC, and in Directive 2001/77/EC shall apply.

Article 4

Efficiency criteria of cogeneration

1. For the purpose of determining the efficiency of cogeneration in accordance with Annex III, the Commission shall, in accordance with the procedure referred to in Article 14(2), not later than … (*), establish harmonised efficiency reference values for separate production of electricity and heat. These harmonised efficiency reference values shall consist of a matrix of values differentiated by relevant factors, including year of construction and types of fuel, and must be based on a well-documented analysis taking inter alia into account data from operational use under realistic conditions, cross-border exchange of electricity, fuel mix and climate conditions as well as applied cogeneration technologies in accordance with the principles in Annex III.

2. The Commission shall, in accordance with the procedure referred to in Article 14(2), review the harmonised efficiency reference values for separate production of electricity and heat referred to in paragraph 1, for the first time on … (**), and every four years thereafter, to take account of technological developments and changes in the distribution of energy sources.

3. Member States implementing this Directive before the establishment by the Commission of harmonised efficiency reference values for separate production of electricity and heat referred to in paragraph 1, should, until the date referred to in paragraph 1, adopt their national efficiency reference values for separate production of heat and electricity to be used for the calculation of primary energy savings from cogeneration in accordance with the methodology set out in Annex III.

Article 5

Guarantee of origin of electricity from high efficiency cogeneration

1. On the basis of the harmonised efficiency reference values referred to in Article 4(1), Member States shall, not later than six months after adoption of these values**,** ensure that the origin of electricity produced from high efficiency cogeneration can be guaranteed according to objective, transparent and non-discriminatory criteria laid down by each Member State. They shall ensure that this guarantee of origin of the electricity enable producers to demonstrate that the electricity they sell is produced from high efficiency cogeneration and is issued to this effect in response to a request from the producer.

2. Member States may designate one or more competent bodies, independent of generation and distribution activities, to supervise the issue of the guarantee of origin referred to in paragraph 1.

3. Member States or the competent bodies shall put in place appropriate mechanisms to ensure that the guarantee of origin are both accurate and reliable and they shall outline in the report referred to in Article 10(1) the measures taken to ensure the reliability of the guarantee system.

4. Schemes for the guarantee of origin do not by themselves imply a right to benefit from national support mechanisms.

(*) Two years after entry into force of this Directive.
(**) Seven years after entry into force of this Directive.

5. A guarantee of origin shall:

— specify the lower calorific value of the fuel source from which the electricity was produced, specify the use of the heat generated together with the electricity and finally specify the dates and places of production,

— specify the quantity of electricity from high efficiency cogeneration in accordance with Annex II that the guarantee represents,

— specify the primary energy savings calculated in accordance with Annex III based on harmonised efficiency reference values established by the Commission as referred to in Article 4(1).

Member States may include additional information on the guarantee of origin.

6. Such guarantees of origin, issued according to paragraph 1, should be mutually recognised by the Member States, exclusively as proof of the elements referred in paragraph 5. Any refusal to recognise a guarantee of origin as such proof, in particular for reasons relating to the prevention of fraud, must be based on objective, transparent and non-discriminatory criteria.

In the event of refusal to recognise a guarantee of origin, the Commission may compel the refusing party to recognise it, particularly with regard to objective, transparent and non-discriminatory criteria on which such recognition is based.

Article 6

National potentials for high-efficiency cogeneration

1. Member States shall establish an analysis of the national potential for the application of high-efficiency cogeneration, including high-efficiency micro cogeneration.

2. The analysis shall:

— be based on well-documented scientific data and comply with the criteria listed in Annex IV,

— identify all potential for useful heating and cooling demands, suitable for application of high-efficiency cogeneration, as well as the availability of fuels and other energy resources to be utilised in cogeneration,

— include a separate analysis of barriers, which may prevent the realisation of the national potential for high-efficiency cogeneration. In particular, this analysis shall consider barriers relating to the prices and costs of and access to fuels, barriers in relation to grid system issues, barriers in relation to administrative procedures, and barriers relating to the lack of internalisation of the external costs in energy prices.

3. Member States shall for the first time not later than … (*) and thereafter every four years, following a request by the Commission at least six months before the due date, evaluate progress towards increasing the share of high-efficiency cogeneration.

(*) Three years after the entry into force of this Directive.

Article 7

Support schemes

1. Member States shall ensure that support for cogeneration — existing and future units — is based on the useful heat demand and primary energy savings, in the light of opportunities available for reducing energy demand through other economically feasible or environmental advantageous measures like other energy efficiency measures.

2. Without prejudice to Articles 87 and 88 of the Treaty, the Commission shall evaluate the application of support mechanisms used in Member States according to which a producer of cogeneration receives, on the basis of regulations issued by public authorities, direct or indirect support, which could have the effect of restricting trade.

The Commission shall consider whether those mechanisms contribute to the pursuit of the objectives set out in Articles 6 and 174(1) of the Treaty.

3. The Commission shall in the report referred to in Article 11 present a well-documented analysis on experience gained with the application and coexistence of the different support mechanisms referred to in paragraph 2 of this Article. The report shall assess the success, including cost-effectiveness, of the support systems in promoting the use of high-efficiency cogeneration in conformity with the national potentials referred to in Article 6. The report shall further review to what extent the support schemes have contributed to the creation of stable conditions for investments in cogeneration.

Article 8

Electricity grid system and tariff issues

1. For the purpose of ensuring the transmission and distribution of electricity produced from high efficiency cogeneration the provisions of Article 7(1), (2) and (5) of Directive 2001/77/EC as well as the relevant provisions of Directive 2003/54/EC shall apply.

2. Until the cogeneration producer is an eligible customer under national legislation within the meaning of Article 21(1) of Directive 2003/54/EC, Member States should take the necessary measures to ensure that the tariffs for the purchase of electricity to back-up or top-up electricity generation are set on the basis of published tariffs and terms and conditions.

3. Subject to notification to the Commission, Member States may particularly facilitate access to the grid system of electricity produced from high efficiency cogeneration from small scale and micro cogeneration units.

Article 9

Administrative procedures

1. Member States or the competent bodies appointed by the Member States shall evaluate the existing legislative and regulatory framework with regard to authorisation procedures or the other procedures laid down in Article 6 of Directive 2003/54/EC, which are applicable to high efficiency cogeneration units.

Such evaluation shall be made with a view to:

a) encouraging the design of cogeneration units to match economically justifiable demands for useful heat output and avoiding production of more heat than useful heat;

b) reducing the regulatory and non-regulatory barriers to an increase in cogeneration;

c) streamlining and expediting procedures at the appropriate administrative level; and

d) ensuring that the rules are objective, transparent and non-discriminatory, and take fully into account the particularities of the various cogeneration technologies.

2. Member States shall — where this is appropriate in the context of national legislation — provide an indication of the stage reached specifically in:

a) coordination between the different administrative bodies as regards deadlines, reception and treatment of applications for authorisations;

b) the drawing up of possible guidelines for the activities referred to in paragraph 1, and the feasibility of a fast-track planning procedure for cogeneration producers; and

c) the designation of authorities to act as mediators in disputes between authorities responsible for issuing authorisations and applicants for authorisations.

Article 10

Member States' reporting

1. Member States shall, not later than … (*), publish a report with the results of the analysis and evaluations carried out in accordance with Articles 5(3), 6(1), 9(1) and 9(2).

2. Member States shall not later than … (**) and thereafter every four years, following a request by the Commission at least six months before the due date, publish a report with the result of the evaluation referred to in Article 6(3).

3. Member States shall submit to the Commission, for the first time before the end of December 2004 covering data for the year 2003, and thereafter on an annual basis, statistics on national electricity and heat production from cogeneration, in accordance with the methodology shown in Annex II.

They shall also submit annual statistics on cogeneration capacities and fuels used for cogeneration. Member States may also submit statistics on primary energy savings achieved by application of cogeneration, in accordance with the methodology shown in Annex III.

Article 11

Commission reporting

1. On the basis of the reports submitted pursuant to Article 10, the Commission shall review the application of this Directive and submit to the European Parliament and to the Council not later than … (***) and thereafter every four years, a progress report on the implementation of this Directive. In particular, the report shall:

(*) Two years after the entry into force of this Directive.
(**) Three years after the entry into force of this Directive.
(***) Four years after the entry into force of this Directive.

(a) consider progress towards realising national potentials for high-efficiency cogeneration referred to in Article 6;

(b) assess the extent to which rules and procedures defining the framework conditions for cogeneration in the internal energy market are set on the basis of objective, transparent and non-discriminatory criteria taking due account of the benefits of cogeneration;

(c) examine the experiences gained with the application and coexistence of different support mechanisms for cogeneration;

(d) review efficiency reference values for separate production on the basis of the current technologies.

If appropriate, the Commission shall submit with the report further proposals to the European Parliament and the Council.

2. When evaluating the progress referred to in paragraph 1(a), the Commission shall consider to what extent the national potentials for high efficiency cogeneration, referred to in Article 6, have been or are foreseen to be realised taking into account Member State measures, conditions, including climate conditions, and impacts of the internal energy market and implications of other Community initiatives such as Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC [1].

If appropriate, the Commission shall submit further proposals to the European Parliament and Council, notably aiming at the establishment of an action plan for the development of high efficiency cogeneration in the Community.

3. When evaluating the scope for further harmonisation of calculation methods as referred to in Article 4(1), the Commission shall consider the impact of the coexistence of calculations as referred to in Article 12, Annex II and Annex III, on the internal energy market also taking into account the experiences gained from national support mechanisms.

If appropriate, the Commission shall submit further proposals to the European Parliament and Council aiming at further harmonisation of the calculation methods.

Article 12

Alternative calculations

1. Until the end of 2010 and subject to prior approval by the Commission, Member States may use other methods than the one provided for in Annex II(b) to subtract possible electricity production not produced in a cogeneration process from the reported figures. However, for the purposes referred to in Article 5(1) and in Article 10(3), the quantity of electricity from cogeneration shall be determined in accordance with Annex II.

[1] OJ L 275, 25.10.2003, p. 32.

2. Member States may calculate primary energy savings from a production of heat and electricity and mechanical energy according to Annex III(c), without using Annex II to exclude the non-cogenerated heat and electricity parts of the same process. Such a production can be regarded as high efficiency cogeneration provided it fulfils the efficiency criteria in Annex III(a) and, for cogeneration units with an electrical capacity larger than 25 MW, the overall efficiency is above 70 %. However, specification of the quantity of electricity from cogeneration produced in such a production, for issuing a guarantee of origin and for statistical purposes, shall be determined in accordance with Annex II.

3. Until the end of 2010, Member States may, using an alternative methodology, define a cogeneration as high efficiency cogeneration without verifying that the cogeneration production fulfils the criteria in Annex III(a), if it is proved on national level that the cogeneration production identified by such an alternative calculation methodology on average fulfils the criteria in Annex III(a). If a guarantee of origin is issued for such production then the efficiency of the cogeneration production specified on the guarantee shall not exceed the threshold values of the criteria in Annex III(a) unless calculations in accordance with Annex III prove otherwise. However, specification of the quantity of electricity from cogeneration produced in such a production, for issuing a guarantee of origin and for statistical purposes, shall be determined in accordance with Annex II.

Article 13

Review

1. The threshold values used for calculation of electricity from cogeneration referred to in Annex II(a) shall be adapted to technical progress in accordance with the procedure referred to in Article 14(2).

2. The threshold values used for calculation of efficiency of cogeneration production and primary energy savings referred to in Annex III(a) shall be adapted to technical progress in accordance with the procedure referred to in Article 14(2).

3. The guidelines for determining the power to heat ratio referred to in Annex II(d) shall be adapted to technical progress in accordance with the procedure referred to in Article 14(2).

Article 14

Committee procedure

1. The Commission shall be assisted by a Committee.

2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. The Committee shall adopt its rules of procedure.

Article 15

Transposition

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than … (*). They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. The Member States shall lay down the methods of making such reference.

Article 16

Amendment to Directive 92/42/EEC

The following indent shall be added to Article 3(1) of Directive 92/42/EEC:

'— cogeneration units as defined in Directive 2004/…/EC of the European Parliament and of the Council of … on the promotion of cogeneration based on useful heat demand in the internal energy market (*).

(*) OJ L … (Publications Office: References of this Directive).'

Article 17

Entry into force

This Directive shall enter into force on the day of its publication in the Official Journal of the European Union.

Article 18

Addressees

This Directive is addressed to the Member States.

Done at

For the European Parliament
The President

For the Council
The President

(*) Two years after the entry into force of this Directive.

ANNEX I

Cogeneration technologies covered by this Directive

(a) Combined cycle gas turbine with heat recovery

(b) Steam backpressure turbine

(c) Steam condensing extraction turbine

(d) Gas turbine with heat recovery

(e) Internal combustion engine

(f) Microturbines

(g) Stirling engines

(h) Fuel cells

(i) Steam engines

(j) Organic Rankine cycles

(k) Any other type of technology or combination thereof falling under the definition laid down in Article 3(a)

ANNEX II

Calculation of electricity from cogeneration

Values used for calculation of electricity from cogeneration shall be determined on the basis of the expected or actual operation of the unit under normal conditions of use. For micro cogeneration units the calculation may be based on certified values.

(a) Electricity production from cogeneration shall be considered equal to total annual electricity production of the unit measured at the outlet of the main generators;

i) in cogeneration units of type (b), (d), (e), (f), (g) and (h) referred to in Annex I, with an annual overall efficiency set by Member States at a level of at least 75 %, and

ii) in cogeneration units of type (a) and (c) referred to in Annex I with an annual overall efficiency set by Member States at a level of at least 80 %.

(b) In cogeneration units with an annual overall efficiency below the value referred to in paragraph (a)(i) (cogeneration units of type (b), (d), (e), (f), (g), and (h) referred to in Annex I) or with an annual overall efficiency below the value referred to in paragraph (a)(ii) (cogeneration units of type (a) and (c) referred to in Annex I) cogeneration is calculated according to the following formula:

$E_{CHP} = H_{chp} \cdot C$

where

E_{CHP} is the amount of electricity from cogeneration

C is the power to heat ratio

H_{chp} is the amount of useful heat from cogeneration (calculated for this purpose as total heat production minus any heat produced in separate boilers or by live steam extraction from the steam generator before the turbine).

The calculation of electricity from cogeneration must be based on the actual power to heat ratio. If the actual power to heat ratio of a cogeneration unit is not known, the following default values may be used, notably for statistical purposes, for units of type (a), (b), (c), (d), and (e) referred to in Annex I provided that the calculated cogeneration electricity is less or equal to total electricity production of the unit:

Type of the unit	Default power to heat ratio, C
Combined cycle gas turbine with heat recovery	0,95
Steam backpressure turbine	0,45
Steam condensing extraction turbine	0,45
Gas turbine with heat recovery	0,55
Internal combustion engine	0,75

If Member States introduce default values for power to heat ratios for units of type (f), (g), (h), (i), (j) and (k) referred to in Annex I, such default values shall be published and shall be notified to the Commission.

(c) If a share of the energy content of the fuel input to the cogeneration process is recovered in chemicals and recycled this share can be subtracted from the fuel input before calculating the overall efficiency used in paragraph (a) and (b).

(d) Member States may determine the power to heat ratio as the ratio between electricity and useful heat when operating in cogeneration mode at a lower capacity using operational data of the specific unit.

(e) The Commission shall, in accordance with the procedure referred to in Article 14(2), establish detailed guidelines for the implementation and application of Annex II, including the determination of the power to heat ratio.

(f) Member States may use other reporting periods than one year for the purpose of the calculations according to paragraphs (a) and (b).

ANNEX III

Methodology for determining the efficiency of the cogeneration process

Values used for calculation of efficiency of cogeneration and primary energy savings shall be determined on the basis of the expected or actual operation of the unit under normal conditions of use.

(a) High-efficiency cogeneration

For the purpose of this Directive high-efficiency cogeneration shall fulfil the following criteria:

— cogeneration production from cogeneration units shall provide primary energy savings calculated according to point (b) of at least 10 % compared with the references for separate production of heat and electricity,

— production from small scale and micro cogeneration units providing primary energy savings may qualify as high-efficiency cogeneration.

(b) Calculation of primary energy savings

The amount of primary energy savings provided by cogeneration production defined in accordance with Annex II shall be calculated on the basis of the following formula:

$$PES = \left(1 - \frac{1}{\frac{CHP\ H\eta}{HH\eta} + \frac{CHP\ E\eta}{EE\eta}} \right) \times 100\%$$

$$\frac{Ref\ H\eta}{HH\eta} \qquad \frac{Ref\ E\eta}{E\eta}$$

Where:

PES is primary energy savings

CHP Hη is the heat efficiency of the cogeneration production defined as annual useful heat output divided by the fuel input used to produce the sum of useful heat output and electricity from cogeneration.

Ref Hη is the efficiency reference value for separate heat production

CHP Eη is the electrical efficiency of the cogeneration production defined as annual electricity from cogeneration divided by the fuel input used to produce the sum of useful heat output and electricity from cogeneration. Where a cogeneration unit generates mechanical energy, the annual electricity from cogeneration may be increased by an additional element representing the amount of electricity which is equivalent to that of mechanical energy.

This additional element will not create a right to issue guarantees of origin in accordance with Article 5.

(c) Ref Eη is the efficiency reference value for separate electricity production.

Calculations of energy savings using alternative calculation according to Article 12(2)

If primary energy savings for a process are calculated in accordance with Article 12(2) the primary energy savings shall be calculated using the formula in paragraph b) of this Annex replacing:

'CHP Hη' with 'Hη' and

'CHP Eη' with 'Eη',

where:

Hη shall mean the heat efficiency of the process, defined as the annual heat output divided by the fuel input used to produce the sum of heat output and electricity output.

Eη shall mean the electricity efficiency of the process, defined as the annual electricity output divided by the fuel input used to produce the sum of heat output and electricity output. Where a cogeneration unit generates mechanical energy, the annual electricity from cogeneration may be increased by an additional element representing the amount of electricity which is equivalent to that of mechanical energy. This additional element will not create a right to issue guarantees of origin in accordance with Article 5.

(d) Member States may use other reporting periods than one year for the purpose of the calculations according to paragraph (b) and (c) of this Annex.

(e) For micro cogeneration units the calculation of primary energy savings may be based on certified data.

(f) Efficiency reference values for separate production of heat and electricity

The principles for defining the efficiency reference values for separate production of heat and electricity referred to in Article 4(1) and in the formula set out in paragraph b) of this Annex shall establish the operating efficiency of the separate heat and electricity production that cogeneration is intended to substitute.

The efficiency reference values shall be calculated according to the following principles:

(1) For cogeneration units as defined in Article 3, the comparison with separate electricity production shall be based on the principle that the same fuel categories are compared.

(2) Each cogeneration unit shall be compared with the best available and economically justifiable technology for separate production of heat and electricity on the market in the year of construction of the cogeneration unit.

(3) The efficiency reference values for cogeneration units older than 10 years of age shall be fixed on the reference values of units of 10 years of age.

(4) The efficiency reference values for separate electricity production and heat production shall reflect the climatic differences between Member States.

ANNEX IV

Criteria for analysis of national potentials for high-efficiency cogeneration

(a) The analysis of national potentials referred to in Article 6 shall consider:

— The type of fuels that are likely to be used to realise the cogeneration potentials, including specific considerations on the potential for increasing the use of renewable energy sources in the national heat markets via cogeneration.

— The type of cogeneration technologies as listed in Annex I that are likely to be used to realise the national potential.

— The type of separate production of heat and electricity or, where feasible, mechanical energy that high-efficiency cogeneration is likely to substitute.

— A division of the potential into modernisation of existing capacity and construction of new capacity.

(b) The analysis shall include appropriate mechanisms to assess the cost effectiveness — in terms of primary energy savings — of increasing the share of high-efficiency cogeneration in the national energy mix. The analysis of cost effectiveness shall also take into account national commitments accepted in the context of the climate change commitments accepted by the Community pursuant to the Kyoto Protocol to the United Nations Framework Convention on Climate Change.

(c) The analysis of the national cogeneration potential shall specify the potentials in relation to the timeframes 2010, 2015 and 2020 and include, where feasible, appropriate cost estimates for each of the timeframes.

P5_TA(2003)0593

Meeting of heads of state and/or government on the IGC

European Parliament resolution on the outcome of the Intergovernmental Conference

The European Parliament,

— having regard to the draft Treaty of 18 July 2003 establishing a Constitution for Europe drawn up by the European Convention,

Thursday 18 December 2003

— having regard to the Italian Presidency proposals (CIG 60/03),

— having regard to Rule 37(4) of the Rules of Procedure,

A. recalling the general acknowledgement of the need for a deepening of European integration in the process of the enlargement of the Union,

B. reaffirming its view that the Constitution must be signed in time for the public to be able to engage in a relevant political debate in the context of the election campaign for the European Parliament,

1. Deeply deplores the failure of the European Council to reach an overall agreement on the draft constitutional treaty;

2. Notes once again the failure of the Intergovernmental Conference method and points to the effectiveness and efficiency of the European Convention; deplores the evident lack of focus at the IGC on the common European interest;

3. Insists that the draft Treaty establishing a Constitution for Europe, as it resulted from the Convention, must remain the basis for the final and overall IGC agreement without new points being opened;

4. Warns that failure to resolve the issue of the enlarged Union's capability to act could result in a 'variable-speed Europe', in a return to the intergovernmental method or even in the fragmentation of the Union;

5. Invites the Italian presidency to publish a detailed list of the agreements it claims were reached at the Brussels meeting of the IGC on 12 and 13 December 2003;

6. Calls on the forthcoming Irish Presidency to reconvene the IGC at the level of the Foreign Ministers in January 2004 in order to agree a procedure for making progress and to consolidate all the texts approved so far at the IGC;

7. Calls on the Irish Presidency to set a date — before 1 May 2004 — for an IGC meeting at the level of the Heads of State or Government in order to decide on the remaining issues;

8. Requests the Irish Presidency, when it appears before the European Parliament in Strasbourg in January 2004, to present its plan of action for the successful completion of the IGC;

9. Instructs its President to forward this resolution to the IGC, the Council, the Commission and the parliaments of the Member States and the accession and candidate countries.

Thursday 18 December 2003

P5_TA(2003)0594

Electronic road toll systems ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council directive on the widespread introduction and interoperability of electronic road toll systems in the Community (COM(2003) 132 — C5-0190/2003 — 2003/0081(COD))

(Codecision procedure: first reading)

The European Parliament,

— having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 132) ([1]),

— having regard to Articles 251(2) and 71(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0190/2003),

— 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 opinion of the Committee on Industry, External Trade, Research and Energy (A5-0435/2003),

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 the Commission.

([1]) Not yet published in OJ.

P5_TC1-COD(2003)0081

Position of the European Parliament adopted at first reading on 18 December 2003 with a view to the adoption of European Parliament and Council Directive *2004/…/EC* on *the interoperability* of electronic road toll systems in the Community

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 71(1) thereof,

Having regard to the proposal from the Commission ([1]),

Having regard to the opinion of the European Economic and Social Committee ([1]),

Having regard to the opinion of the Committee of the Regions ([1]),

([1]) OJ C …

Acting in accordance with the procedure laid down in Article 251 of the Treaty [1],

Whereas:

(1) By its resolution of 17 June 1997 on the development of telematics in road transport, in particular with respect to electronic fee collection (EFC) [2], the Council called on the Commission and Member States to develop a strategy for the convergence of EFC systems in order to achieve an appropriate level of interoperability at a European level, The communication to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions on interoperable electronic fee collection systems in Europe [3] presented the first stage of this strategy.

(2) The majority of European States which have installed electronic toll systems to finance road infrastructure costs or electronic systems to collect road use fees (jointly referred to hereinafter as 'electronic toll systems') use short-range microwave technology and frequencies close to 5,8 GHz, but these systems are currently ***not completely*** mutually ***compatible***. The work on microwave technology undertaken by the European Committee for Standardisation (CEN) resulted in January 2003 in the preparation of technical standards making for the compatibility of 5,8 GHz microwave electronic toll systems, following the adoption of pre-standards in ***1997. However***, these technical ***pre-standards do not cover all the Dedicated Short-Range Communications (DSRC) 5,8 GHz systems in operation in the Union and*** encompass ***two variants*** which are not totally compatible. They are based on the Open Systems Interconnection (OSI) model defined by the International Standardisation Organisation for communication between computer systems.

(3) This Directive does not affect the Member States' freedom to lay down rules governing road infrastructure charging.

(4) Manufacturers and infrastructure managers have nonetheless agreed, within the Member States of the European Union, to develop interoperable products based on the pre-standards adopted in 1997, favouring the option of high-speed transmission between roadside units and on-board ***equipment. The equipment that will need to be made available to users will accordingly need to be capable of communicating with all the systems specified in Article 2(1).***

(5) It is essential that this standardisation work be completed as quickly as possible to establish technical standards ensuring the compatibility of electronic toll systems based on microwave technology. Other standardisation work concerning a combination of satellite and mobile communications technology for electronic toll systems should also be completed rapidly in order to avoid further fragmentation of the market.

(6) It is necessary to provide for the widespread deployment of electronic toll systems in the Member States and neighbouring countries, and the need is arising to have interoperable systems suited to the future development of road-charging policy at Community level ***and technological developments***.

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[1] *Position of the European Parliament of 18 December 2003.*
[2] OJ C 194, 25.6.1997, p. 5.
[3] COM(1998) 795.

(7) ***In introducing new toll systems, sufficient equipment must be made available to avoid discrimination between the undertakings concerned.***

(8) ***In particular, owing to their great flexibility and versatility,*** application of the new satellite positioning (GNSS) and mobile communications (GSM/GPRS) technologies to electronic toll systems ***may*** serve to meet the requirements of the new road-charging policies planned at Community and Member State level. These technologies enable the number of kilometres covered per category of road to be counted without requiring costly investment in infrastructure ***equipment. They*** also open the door to ***additional*** new safety and information services for travellers, such as the automatic alarm triggered by a vehicle involved in an accident and indicating its position, and real-time information on traffic conditions, traffic levels and journey times. With regard to satellite positioning, the Galileo project launched by the European Union in 2002 will, as of 2008, provide information of higher quality than that provided by the current GPS system and which is optimal for road telematic services. The EGNOS precursor system will already be operational in 2004 providing similar results. However, these innovative systems could raise problems concerning the reliability of checks and with regard to fraud prevention. ***However, owing to the overwhelming advantages referred to above, the application of satellite positioning and mobile communications technologies is to be recommended as a matter of principle in introducing new toll systems.***

(9) The proliferation of technologies already in use or planned for electronic toll systems in the coming years (mainly 5,8 GHz microwave, satellite positioning and mobile communications) and the proliferation of specifications imposed by the Member States and neighbouring countries for their electronic toll systems may compromise both the smooth operation of the internal market and transport policy objectives. Such a situation is liable to lead in future to the proliferation of ***incompatible electronic*** boxes in the driving cabs of heavy goods vehicles, and to drivers making mistakes when using them or committing involuntary fraud. ***Such a proliferation is unacceptable to users and to manufacturers of heavy goods vehicles for cost, safety and legal reasons.***

(10) Artificial barriers to the ***operation of the internal market*** need to be removed, while still allowing the Member States and the Union to implement a variety of road-charging policies for all types of vehicles at local, national or international level. The equipment installed in vehicles must allow such road-charging policies to be implemented in accordance with the principles of non-discrimination between the citizens of all European Union countries. The interoperability of electronic toll systems at Community level therefore needs to be ensured as soon as possible.

(11) Drivers are legitimately concerned to see improved quality of service on the road infrastructure, particular in terms of safety, as well as a substantial reduction in the length of queues at toll stations, especially on busy days and at certain particularly congested points in the road network. The definition of the European electronic toll service needs to address that concern. ***Provision should, moreover, be made to ensure that the technologies and components provided for can also be combined with other vehicle components, in particular the electronic tachograph and emergency call capabilities. Intermodal systems should not be excluded at a later stage.***

(12) The option of accessing other, future applications in addition to toll collection should be ensured by fitting an appropriate interface.

(13) A European electronic toll service will provide interoperability at technical and contractual level, covering a single contract between the clients and the operators offering the service, complying with a contractual set of rules allowing all operators and/or issuers to provide the service, giving access to the whole network as well as a set of technical standards and requirements allowing the industry to provide the necessary equipment for the provision of the service.

(14) Electronic toll systems contribute significantly to reducing the risk of accidents, and thus increasing traveller safety, at toll gates, to reducing the number of cash transactions and to reducing congestion at toll gates, especially at busy times. They also preclude the negative environmental impact of installing new toll gates or expanding existing toll stations.

(15) The introduction of electronic toll systems will entail the processing of personal data. Such processing needs to be carried out in accordance with European rules, as set out inter alia in Directive 95/46/EC [1] and Directive 2002/58/EC [2]. The right to protection of personal data is explicitly recognised by Article 8 of the Charter of Fundamental Rights of the European Union.

(16) Given that the objectives of the proposed action, including the interoperability of toll systems in the internal market and the introduction of a European electronic toll service covering the entire Community road network on which tolls are charged, cannot be achieved sufficiently by the Member States and may therefore be better achieved, by reason of their European dimension, at Community level, the Community may take measures, in accordance with the principle of subsidiarity established in Article 5 of the Treaty. This Directive does not go beyond what is necessary in order to achieve these objectives, and is therefore in accordance with the principle of proportionality as set out in the said Article.

(17) To set up the European electronic toll system it will first be necessary to establish a body of principles to be laid down by the Committee provided for in Article 5.

(18) Automatic debiting of toll charges to bank accounts or credit/debit card accounts which are domiciled anywhere in the EU (and beyond) requires a fully operational EU payments area with non-discriminatory service charges.

(19) It is vital that any common electronic tolling system which is adopted for the EU meets the following fundamental criteria, namely that it is amenable to ready incorporation of future technological and systems improvements and developments without costly redundancy of older models and methods, that its costs of adoption by commercial and private road users are insignificant compared with the benefits to those road users as well as to society as a whole, and that its implementation in any Member State is non-discriminatory in all respects between domestic road users and road users from other Member States.

(20) The measures necessary for the implementation of this Directive 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 [3].

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[1] *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 (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).*

[2] *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).*

[3] OJ L 184, 17.7.1999, p. 23.

(21) The inclusion of concerned parties (toll-service operators, infrastructure managers, electronics and motor industries, users) in Commission consultations on technical and contractual aspects of creating the European electronic toll service should be guaranteed.

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Objective and scope

1. This Directive prescribes the conditions necessary to ensure ***the interoperability*** of electronic road toll systems in the Community. It applies to the electronic collection of all types of road fees, on all parts of the Community road network, urban and interurban, motorways, major and minor roads, and various structures such as tunnels, bridges or ferries.

2. ***This Directive does not apply to:***

a) ***road toll systems for which no electronic means of toll collection exists;***

b) ***electronic road toll systems which do not need this installation of equipment on board vehicles;***

c) ***small, strictly local road toll systems for which the costs of compliance with the requirements of this Directive would be disproportionate to the benefits.***

3. To achieve the objective set in the first paragraph, a European electronic toll service shall be created. This service must ensure the interoperability, for users, of the electronic toll systems that have already been introduced ***in*** the Member States and of those to be introduced in future throughout the Union's territory.

Article 2

Technological solutions

1. All new electronic toll systems brought into service on or after ***1 January 2007*** and intended for use by all categories of heavy goods vehicles and/or buses and coaches shall, for carrying out electronic toll transactions, ***be interoperable with each other and*** use one or more of the following technologies:

(a) satellite positioning;

(b) mobile communications using the GSM-GPRS standard (reference GSM TS 03.60/23.060);

(c) 5,8 GHz microwave technology.

2. The systems referred to in paragraph 1(a) to (c) shall be interoperable and may, as regards the country of origin of systems or the conditions under which the systems are operated, be supported solely on the basis of their interoperability (free competition).

3. A European electronic toll service shall be set up pursuant to Article 3 on ***1 January 2007***. As of this date, operators must make available to interested users on-board equipment which is suitable for use with all electronic toll systems in service in the Union and in all types of vehicle, in accordance with the timetable set out in *Article 3(4)*, and which is interoperable and capable of communicating with all the systems operating in the territory of the Union ***and is available in sufficient quantities to meet the demand of all interested users***.

4. ***Without prejudice to paragraph 1, on-board equipment may also be suitable for other technologies, on condition that this does not lead to an additional burden for users or create discrimination between them. Where relevant, on-board equipment may also be linked to the vehicle's electronic tachograph.***

5. Interoperability work on existing toll technologies undertaken in connection with the European electronic toll service must ensure the compatibility and interfacing of the systems referred to in paragraph 1 and of their equipment with each other.

6. ***It is recommended that new electronic toll systems brought into service use the satellite positioning and mobile communications technologies referred to in paragraph 1. In respect of the possible migration to systems using such technologies by systems using other technologies, the Commission, in liaison with the Committee referred to in Article 5, shall draw up a report by 31 December 2009 at the latest. This report shall include a study of the use of each of the technologies referred to in paragraph 1, as well as a cost-benefit analysis. If appropriate, the Commission shall accompany the report with a proposal to the European Parliament and the Council for a migration strategy.***

7. Member States shall take the necessary measures to increase the use of electronic toll systems. They shall ***endeavour to ensure that, by 1 January 2007 at the latest***, at least 50% ***of traffic flow*** in each toll station ***can use*** are equipped with electronic toll systems. ***Lanes used for electronic toll collection may also be used for toll collection by other means, with due regard to safety.***

8. Member States shall ensure that processing of personal data necessary for the operation of the European electronic toll service is carried out in accordance with the European rules protecting the freedoms and fundamental rights of individuals, including Directive 95/46/EC and Directive 2002/58/EC.

Article 3

Setting-up of a European electronic toll service

1. *A European* electronic toll *service shall* be set up which encompasses all road infrastructure in the Community on which tolls or usage fees are collected ***electronically***. ***This electronic toll service will be defined by a contractual set of rules allowing all operators and/or issuers to provide the service, a set of technical standards and requirements and a single subscription contract between the clients and the operators offering the service. This*** contract. shall give access to the service on the whole of this network and subscriptions shall be available from the ***operator*** of any part of the network.

2. The European electronic toll service shall be independent of ***the fundamental decisions taken by Member States to levy tolls on particular types of vehicles and of*** the level of charges and the purpose for which such charges are levied. It shall concern only the method of collecting tolls or fees. The ***system*** shall ***allow for interoperability of the contracts*** irrespective of the place of registration of the vehicle, the nationality of the subscriber, the nationality of the ***issuer*** who issued the subscription, and the zone or point on the road network in respect of which the toll is due.

3. ***The system shall allow an intermodal toll service to develop without creating disadvantages for more sustainable modes of transport.***

4. All ***EFC contract issuers in the Union*** must ***offer to*** their customers ***a contract that complies with*** the European ***electronic toll*** service *in accordance with* the following timetable:

a) for all vehicles exceeding 3.5 tonnes and vehicles carrying more than nine passengers (driver + 8), ***at the latest two years after the decisions on the European electronic toll service***,

b) for all other types of vehicle, ***at the latest five years after the decisions on the definition of the European electronic toll service***.

Article 4

Features of the European electronic toll service

1. The European electronic toll service shall encompass the following:

a) functional and technical specifications of the service, the quality of the service and its level of deployment at toll stations with a view to limiting queues, slow-moving traffic and incidents of all kinds resulting from toll collection;

b) launching and following up technical harmonisation activities with the European standardisation bodies

c) any technical additions to the standards or pre-standards used and which ensure interoperability; procedures for taking account of technological developments, in particular the development of mobile communications, with the aim of updating the list of technologies on which the European electronic toll service is based;

d) specifications for integrating equipment into vehicles;

e) procedures for approving, at European level, on-board equipment, roadside equipment and the way equipment is incorporated into vehicles, particularly from the point of view of road ***safety;***

f) ***transactional*** models;

g) a memorandum of understanding between the managers of the road network concerned enabling the service to be implemented on the European road network, and a single contract for customers;

h) handling of special cases, such as occasional users and any type of malfunction;

i) validation of the chosen technical solutions vis-à-vis the European rules protecting the freedoms and fundamental rights of individuals, including their privacy. In particular, conformity will have to be ensured with Directive *95/46/EC* and Directive 2002/58/EC;

j) ***assessment of the possibility of harmonising the rules of enforcement relating to electronic road tolls.***

2. The European electronic toll *service* shall employ the technical solutions referred to in Article 2 ***and shall rely on a public availability of specifications needed for their realisation***.

3. Technical decisions relating to the definition of the European electronic toll service shall be taken by the Commission in accordance with the procedure stipulated in Article 5(2).

4. The Commission shall, in accordance with the procedure laid down by Directive 98/34/EC [1], ask the European standardisation bodies, and in particular the European Committee for Standardisation, to make every necessary effort rapidly to adopt standards applicable to electronic toll systems, particularly with regard to microwave technology, and systems using satellite positioning and mobile communications technology.

5. Equipment for the European electronic toll service must comply in particular with the requirements of Directives 1999/5/EC [2] (R&TTE) and *89/336/EEC* [3](EMC).

6. The decisions relating to the definition of the European electronic toll service shall be taken by the Commission in accordance with the procedure referred to in Article 5, at the latest by 1 January 2007. Such decisions shall only be taken if all the conditions, evaluated on the basis of appropriate studies, are in place to enable interoperability to work from all points of view, including the technical, legal and commercial points of view.

Article 5

Committee

The Commission shall be assisted by an Electronic Toll Committee composed of representatives of the Member States ***and of NGOs responsible for privacy protection, safety and environmental questions*** and chaired by the representative of the Commission.

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 *referred to* in Article 5(6) of Decision 1999/468/EC is hereby set at three *months*.

The Committee shall adopt its rules of procedure.

Article 6

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than ***30 June 2005.*** They shall forthwith inform the Commission thereof.

When Member States adopt those *measures*, they shall contain a reference to this Directive or be accompanied by *such reference* on the occasion of their official publication. *The methods of making such reference shall be laid down by* Member *States*.

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[1] *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 (OJ L 204, 21.7.1998, p. 37). Directive as last amended by the Act of Accession of 2003 (OJ L 236, 23.9.2003, p. 68).*

[2] *Directive 1999/5/EC of the European Parliament and of the Council of 9 March 1999 on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity (OJ L 91, 7.4.1999, p. 10). Directive as amended by Regulation (EC) No 1882/2003.*

[3] *Council Directive 89/336/EEC of 3 May 1989 on the approximation of the laws of the Member States relating to electromagnetic compatibility (OJ L 139, 23.5.1989, p. 19). Directive as last amended by Directive 93/68/EEC (OJ L 220, 30.8.1993, p. 1).*

Article 7

This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

Article 8

This Directive is addressed to the Member States.

Done at …

For the European Parliament
The President

For the Council
The President

P5_TA(2003)0595

Decentralised cooperation (2004-2006) ***I

European Parliament legislative resolution on the proposal for a regulation of the European Parliament and of the Council extending and amending Council Regulation (EC) No 1659/98 on decentralised cooperation (COM(2003) 413 — C5-0319/2003 — 2003/0156(COD))

(Codecision procedure: first reading)

The European Parliament,

— having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 413) ([1]),

— having regard to Articles 251(2) and 179(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0319/2003),

— having regard to Rule 67 of its Rules of Procedure,

— having regard to the report of the Committee on Development and Cooperation and the opinion of the Committee on Budgets (A5-0431/2003),

([1]) Not yet published in OJ.

1. Approves the Commission proposal as amended;

2. Considers that the financial statement of the Commission proposal is compatible with the ceiling of heading 4 of the Financial Perspective without restricting other policies;

3. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;

4. Instructs its President to forward its position to the Council and Commission.

P5_TC1-COD(2003)0156

Position of the European Parliament adopted at first reading on 18 December 2003 with a view to the adoption of Regulation (EC) No …/2004 of the European Parliament and of the Council extending and amending Council Regulation (EC) No 1659/98 on decentralised cooperation

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 179(1) thereof,

Having regard to the proposal from the Commission ([1]),

Acting in accordance with the procedure laid down in Article 251 of the Treaty ([2]),

Whereas:

(1) Council Regulation (EC) No 1659/98 of 17 July *1998* ([3]) *was* applicable until 31 December *2001*.

(2) *The Regulation* was amended and extended *until 31 December 2003* by Regulation (EC) No 955/2002 of the European Parliament and of the Council *of 13 May 2002* ([4]).

(3) An evaluation completed in 2003 has led to the conclusion that the Budget Line should be more focused.

(4) The decentralised *cooperation* instrument has a specific added value *in terms of* supporting operations in specific situations and difficult partnerships where traditional instruments cannot be used or are not *relevant, and of* supporting the diversification of decentralised actors as potential partners in the development process.

(5) Regulation (EC) *No* 1659/98 should be amended and extended until 31 December 2006 following the completion of the evaluation and the adoption of the Commission Communication on the Participation of Non-State Actors in EC Development *Policy* ([5]). The financial framework and reference period indicated in Article 4(1) should be adjusted.

(6) Regulation (EC) No 1659/98 should be amended accordingly,

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([1]) OJ C …
([2]) *Position of the European Parliament of 18 December 2003.*
([3]) OJ L 213, 30.7.1998, p. 6.
([4]) OJ L 148, 6.6.2002, p. 1.
([5]) *COM(2002) 598.*

HAVE ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1659/98 is hereby amended as follows:

1. Article 1 shall be replaced by the following:

'*Article 1*

The Community shall support operations and initiatives undertaken by decentralised *cooperation* agents of the Community and the developing countries centred on poverty reduction and sustainable development in particular in situations of difficult partnerships where other instruments cannot be used. Such operations and initiatives shall promote:

— a more participatory approach to development, responsive to the needs and initiatives of the populations in the developing countries,

— a contribution to the diversification and reinforcement of civil society and grassroots democracy in the countries concerned.

In supporting such operations and initiatives, priority shall be given to decentralised cooperation agents of the developing countries. All developing countries shall be eligible for operations to promote decentralised *cooperation*.'

2. *Article 2 shall be amended as follows*:

a) *the second indent shall be replaced by the following:*

inf~~o~~rmation and the mobilisation of decentralised *cooperation* agents and participation in international fora to enhance dialogue on policy formulation,'

b) ***the following indent shall be inserted after the third indent:***

'— ***strengthening the networks of social organisations and movements campaigning for sustainable development, human rights, in particular social rights, and democratisation,***'

3. Article 3 shall be replaced by the following:

'*Article 3*

The cooperation partners eligible for financial support under this Regulation shall be decentralised cooperation agents in the Community or the developing countries, such as: local (including municipal) authorities, non-governmental organisations, ***organisations of indigenous peoples,*** local traders' associations and local citizens' groups, cooperatives, trade unions, economic and social actors organisations, ***local organisations (including networks) which are active in the area of regional decentralised cooperation and integration,*** consumer organisations, women's and youth organisations, teaching, ***cultural,*** research ***and scientific organisations,*** universities**,** churches ***and religious associations or communities,*** media, and any non-governmental associations ***and independent foundations*** likely to contribute to development.

The activities of the agents associated with the objectives of this Regulation shall be transparent and comply with the principles of sound financial management and accountability.'

Thursday 18 December 2003

4. Article 4 *shall be amended as follows*:

a) *paragraph 1* shall be replaced by the following:

'*Community* financing of the operations referred to in Article 1 shall cover a period of three *years. The* financial framework for the implementation of this programme for the period 2004 to 2006 shall be EUR 18 million.

The annual appropriations shall be authorised by the budgetary authority within the limits of the financial perspective.'

b) ***paragraph 2 shall be deleted;***

5. *Article 7 shall be amended as follows*:

a) *in paragraph 2* ECU shall be replaced by *EUR;*

b) *the* following *indent* shall be added to *paragraph 3*:

'— *particular* needs of countries where official cooperation is unable to contribute significantly to the objectives defined in Article 1.'

6. Article 8(1) shall be replaced by the following:

'***1. The Commission shall be assisted by the Committee set up under Article 8 of Council Regulation (EC) No 1658/98 of 17 July 1998 on co-financing operations with European non-governmental development organisations (NGOs) in fields of interest to the developing countries*** [1] ***(hereinafter referred to as "the Committee").***

[1] ***OJ L 213, 30.7.1998, p. 1.***'

7. Article 10 shall be amended as follows:

a) ***the first paragraph shall be replaced by the following:***

'***As part of the annual report to the European Parliament and the Council on the implementation of development policy, the Commission shall present a summary of the operations financed, the impacts and results of such operations and an independent evaluation of the implementation of this Regulation during the year, as well as details of the decentralised cooperation actors with whom contracts have been concluded.***'

b) *in the third paragraph* ECU shall be replaced by ***EUR;***

8. ***In*** *Article 13 the second paragraph* shall be replaced by the following:

'It shall apply until 31 December 2006.'

Article 2

This Regulation shall enter into force on the third 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 …,

For the European Parliament
The President

For the Council
The President

P5_TA(2003)0596

Gender equality in development cooperation ***I

European Parliament legislative resolution the proposal for a European Parliament and Council regulation on promoting gender equality in development cooperation (COM(2003) 465 — C5-0367/2003 — 2003/0176(COD))

(Codecision procedure: first reading)

The European Parliament,

— having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 465), ([1]),

— having regard to Articles 251(2) and 179 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0367/2003),

— 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 opinions of the Committee on Budgets and the Committee on Development and Cooperation (A5-0447/2003),

1. Approves the Commission proposal as amended;

([1]) Not yet published in OJ.

2. Considers that the financial statement of the Commission proposal**,** as amended, is compatible with the ceiling for heading 4 of the financial perspective, possibly through redeployment of policies;

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 the Commission.

P5_TC1-COD(2003)0176

Position of the European Parliament adopted at first reading on 18 December 2003 with a view to the adoption of European Parliament and Council Regulation (EC) No …/*2004* on promoting gender equality in development cooperation

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 179 thereof,

Having regard to the proposal from the Commission ([1]),

Acting in accordance with the procedure laid down in Article 251 of the Treaty ([2]),

Whereas:

(1) The UN Millennium Development Goals ([3]) call for gender equality and empowerment of women, setting clear targets in the field of education that have to be achieved no later than 2015.

(2) Two thirds of children out of school are girls; enrolment rates for girls are still lower than those for boys and drop-out rates for girls are higher.

(3) Article 3(2) of the *Treaty* stipulates that in all the activities referred to in Article 3, including a policy in the sphere of development cooperation, the Community shall aim to eliminate inequalities, and to promote equality, between men and women.

(4) A disproportionate majority of the world's poor are women. Therefore, the promotion of gender equality is important *to achieve* the overarching goal of poverty reduction by 2015.

(5) Gender equality of women and men of all ages is recognised as important to effective and efficient work against poverty. To achieve the goal of gender equality through the gender mainstreaming strategy, there is a need to combine it with specific measures in favour of women of all ages.

([1]) OJ C …, p. …
([2]) *Position of the European Parliament of 18 December 2003.*
([3]) http://www.un.org/millenniumgoals/

(6) Women's contribution to development is achieved in the face of numerous obstacles *which limit* the outcome of their work and *reduce* the benefits for themselves and to society as a whole. The importance of women's economic, social, and environmental roles across the life course in developing countries has led to increasing international recognition that their full participation without discrimination is indispensable for sustainable and effective development.

(7) The Community and its Member States were signatories to the Declaration and Platform for Action of the 1995 Fourth World Conference on Women in Beijing, which stressed the need for action against world-wide obstacles to gender equality and established gender mainstreaming as a strategy to promote gender equality.

(8) The United Nations Convention on the Elimination of all forms of Discrimination against Women considers discrimination against women as an obstacle to development, and the parties to the Convention agree to eliminate this discrimination using all appropriate means.

(9) *Council* Regulation (EC) No 2836/98 *of 22 December 1998* on the integration of gender issues in development cooperation [1] aims to support the mainstreaming of gender analysis in all *areas* of development cooperation policies and to support and facilitate the *inclusion* of actions addressing major gender disparities. It ensures that gender equality is promoted in national plans designed to implement major elements of the Beijing Platform for Action. The Regulation is due to expire on 31 December 2003.

(10) The Declaration by the Council and the Commission on the European Community's development policy, adopted *at* the Development Council *of* 10 November 2000, states that gender equality is a cross-cutting issue.

(11) The Commission's Communication to the Council and the European Parliament on the Programme of Action for the mainstreaming of gender equality in Community Development Cooperation of 21 June 2001 (PoA) (COM(2001) 295 final), sets the implementation framework for mainstreaming gender equality in EC development cooperation. The PoA was endorsed by the Council in its Conclusions of 8 November 2001.

(12) *In its resolution of 25 April 2002 on the PoA*, the European Parliament stressed its commitment to gender mainstreaming as the approach to furthering the goal of gender equality and improving the position of women in developing countries.

(13) This Regulation *lays* down a financial framework constituting the prime reference, within the meaning of point 33 of the Inter-institutional Agreement between the European Parliament, the Council and the Commission of 6 May 1999 on budgetary discipline and improvement of the budgetary procedure [2], for the budgetary authority during the annual budgetary procedure. ***In general, EC development-related funding should also contribute towards gender equality as a cross-cutting issue.***

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[1] OJ L 354, 30.12.1998, p. 5. *Amended by Regulation (EC) No 1882/2003 (OJ L 284, 31.10.2003, p. 1.)*

[2] OJ C 172, 18.6.1999, p. 1.

(14) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ([1]).

(15) In accordance with the principles of subsidiarity and proportionality set out in Article 5 of the *Treaty*, the objective of the proposed action, namely to promote gender equality in development cooperation, cannot be attained by the Member States acting alone. By reason of the scale and effects of the proposed action, *it can therefore* be better achieved by the Community. This Regulation confines itself to the minimum required to achieve that objective and does not go beyond what is necessary for that purpose.

HAVE ADOPTED THIS REGULATION:

Chapter I

Scope

Article 1

1. The purpose of this Regulation is to implement measures to promote gender equality in Community development cooperation policies, strategies and interventions.

To this end, the Community shall provide financial assistance and appropriate expertise aimed at promoting gender equality into all its development cooperation policies and interventions in developing countries.

2. The Community support shall be aimed at complementing and reinforcing the policies and capacities of developing countries as well as the assistance provided through other instruments of development cooperation.

Article 2

For the purposes of this Regulation:

a) 'gender mainstreaming' concerns planning, (re)organisation, improvement, and evaluation of policy processes, so that a gender equality perspective is incorporated in all development policies, strategies and interventions, at all levels and at all stages by the actors normally involved therein;

b) 'specific measures' *concerns measures* to prevent or compensate for disadvantages linked to sex *and which* may be maintained or introduced with a view to ensuring equality in practice between men and women; such measures should, in the first instance, aim at improving the situation of women in the field covered by this Regulation.

([1]) OJ L 184, 17.7.1999, p. 23.

Article 3

The objectives to be pursued by this Regulation, in accordance with the goal of promoting gender equality and empower women as specified by the United Nations Millennium Development Goals, ***the United Nations Convention on the Elimination of All Forms of Discrimination Against Women, the Beijing Declaration and Platform for Action adopted at the Fourth World Conference on Women, the Outcome of the Special Session of the General Assembly 'Women 2000: gender equality, development and peace for the 21st Century',*** are the following:

a) to support the mainstreaming of gender in all areas of development cooperation, combined with specific measures in favour of women ***of all ages***, with the goal *of promoting* gender equality as an important contribution to poverty reduction;

b) to support endogenous public and private capacities in developing countries which can take the responsibility and initiative for promoting gender equality.

Article 4

1. Activities in the field of promoting gender equality eligible for financing include, in particular:

a) supporting specific measures related to access to, and *monitoring* of, resources and services for women, ***in particular,*** in ***the*** areas of education ***and training, health, economic and social activities,*** employment ***and infrastructures,*** and ***to participation in*** political decision-making ***processes***;

b) ***promoting the collection, dissemination,*** analysis and improvement of statistics disaggregated by sex and age, development and dissemination of methodologies, guidelines, ***ex-ante and ex-post*** gender impact assessments, thematic studies, ***qualitative and quantitative*** indicators, and other operational instruments;

c) supporting awareness raising and advocacy work ***and the establishment of stakeholders' networks in the field of gender equality***;

d) supporting activities aiming at strengthening institutional and operational capacities of key ***stakeholders in partner countries*** in the development process, such as the provision of gender *specialists*, training and technical assistance.

2. The instruments to be financed in the course of the activities referred to in *paragraph 1* may take the form of:

a) methodological and organisational studies on gender mainstreaming relevant to all age-groups;

b) technical assistance including gender impact assessment, ***education***, training***, the information society*** or other services;

c) supplies, audits, evaluation and monitoring missions.

3. Community financing may cover:

a) investment projects, with the exception of the purchase of real estate, and;

b) operating expenditure of a beneficiary body including recurring administrative and maintenance costs ***that should not exceed the cost foreseen for administrative expenditure***.

Operating grants shall be awarded on a gradually decreasing basis.

Article 5

In the selection and implementation of activities referred to in Article 4(1), particular attention shall be paid to:

a) the potential of interventions and programmes to act as a catalyst and a multiplier in order to support the strategy of gender mainstreaming on a large scale in Community interventions;

b) ***strengthening*** strategic ***partnerships*** and ***initiating*** transnational cooperation which reinforces***, in particular,*** regional cooperation in the area of gender equality;

c) the pursuit of cost-effectiveness and sustainable impact in the design and planning of interventions;

d) the clear definition and monitoring of objectives and indicators;

e) *the* efforts made to promote synergies with policies and programmes targeting reproductive and sexual health and rights and poverty diseases, ***in particular HIV/AIDS programmes, measures to combat violence,*** girl-child issues, ***the*** education ***and training of women of all ages***, ageing people, ***the*** environment***, human rights, conflict prevention, democratisation and the participation of women in the political, economic and social decision-making process;***

f) ***gender mainstreaming in the six priority areas of EC development policy;***

g) ***the importance of paying special attention to the education of girls, and to the fact that the situation of unequal opportunities for girls could start to be redressed by recruiting and training local female teachers.***

Chapter II

Implementation of aid

Article 6

1. Financial support pursuant to this Regulation shall take the form of grants or contracts.

2. A grant may finance the entire costs of an action only if it is shown that this is essential for it to be carried out, with the exception of actions resulting from the implementation of financing agreements with third countries or actions managed by international organisations. In other cases, a financial contribution from the beneficiaries defined in Article 7 shall be sought. In specifying the amount of the contribution requested, regard shall be given to the capacity of the partners concerned and the nature of the operation in question.

3. Contracts with beneficiaries may cover the financing of their operating expenditure, in accordance with the provisions of Article 4, paragraph 3, point b of this Regulation.

4. The provision of financial assistance under this Regulation may entail co-financing with other donors, in particular with Member States, the United Nations, and international or regional development banks or financial institutions.

Article 7

1. The partners eligible for financial assistance under this Regulation include:

a) administrative authorities and agencies at national, regional and local government ***levels***;

b) ***local*** communities, NGOs, ***particularly those operating in the field of gender equality, women's organisations,*** community-based organisations, trade unions, and other not-for-profit natural and legal persons;

c) ***the local private sector;***

d) regional organisations;

e) international organisations, such as the United Nations and its agencies, funds and programmes, as well as development banks, financial institutions, global initiatives, international public/private partnerships;

f) research and development studies institutes and universities.

2. Without prejudice to paragraph 1(e), Community financial assistance in the form of grants shall be available to partners whose head office is located in a Member State or in a third country that is a beneficiary or potential beneficiary of Community assistance under this Regulation, provided that this office is the actual centre directing business operations. In exceptional cases, this office may be located in another third country. Priority will be given to endogenous structures that can play a role in developing local capacities with respect to gender.

Article 8

1. Where operations are the subject of financing agreements between the Community and the recipient country, such agreements shall stipulate that the payment of taxes, duties or any other charges is not to be covered by the Community.

2. All financing agreements, grant agreements or contracts concluded pursuant to this Regulation shall provide for the Commission and the Court of Auditors to conduct on-the-spot checks in accordance with the usual procedures laid down by the Commission under the rules in force, in particular those of the Financial Regulation applicable to the general budget of the European Communities.

3. The necessary measures shall be taken to emphasise the Community character of the aid provided pursuant to this Regulation.

Article 9

1. Participation in invitations to tender and the award of procurement contracts shall be open on equal terms to all natural and legal persons of the Member States, assimilated countries, and in all developing countries. It shall be open to other third countries on the condition of reciprocity. It may be extended, under exceptional and duly justified circumstances, to other third countries.

2. Supplies shall originate in the Member States, the beneficiary country or other developing countries. In the cases mentioned in Article 9(1), supplies may originate in other third countries.

Article 10

1. In order to secure the objectives of consistency and complementarity referred to in the Treaty and to ensure maximum effectiveness of these operations as a whole, the Commission may take all necessary coordination measures, including in particular:

a) the establishment of a system for the systematic exchange and analysis of information on the operations financed and those which the Community and the Member States propose to finance;

b) the on-the-spot coordination of the implementation of operations through regular meetings and exchanges of information between the representatives of the Commission and the Member States in the recipient country, local authorities and other decentralised bodies.

2. The Commission ***should raise the question of gender as a standing item on the agenda during*** meetings between representatives of the Commission, Member States and partner countries in order to increase awareness of gender issues in emerging areas of development cooperation.

3. The Commission shall draw on the experiences of Members States, other donors and partner countries in the field of gender mainstreaming and women's empowerment.

4. The Commission, *in* liaison with the Member States, may take any initiative necessary for ensuring proper coordination with the other donors concerned, in particular those forming part of the United Nations system.

Chapter III

Financial provisions and relevant decision-making procedures

Article 11

1. The financial framework for the implementation of this Regulation for the period 2004 to 2006 is hereby set at ***EUR 11 million***.

2. The annual appropriations shall be authorised by the budgetary authority within the limits of the financial perspective.

Article 12

1. The Commission shall be responsible for drafting strategic programming guidelines, defining the Community's cooperation in terms of measurable objectives, priorities, deadlines for specific areas of action, assumptions and expected outcomes. Programming shall be multi-annual and indicative.

2. An annual exchange of views shall take place once a year on the basis of a presentation by the representative of the Commission of the general guidelines for the operations to be carried out, in the framework of a joint meeting of the Committees referred to in Article 14(1).

Article 13

1. The Commission shall be responsible for appraising, deciding on and administering operations covered by this Regulation according to the budgetary and other procedures in force, and in particular those laid down in the Financial Regulation applicable to the general budget of the European Communities.

2. The work programme shall be adopted under the procedure laid down in Article 14.

Article 14

1. The Commission shall be assisted by the geographically determined Committee competent for development.

2. Where reference is made to this paragraph, the management procedure laid down in Article 4 of Decision 1999/468/EC shall apply, *having regard to the provisions of* Articles 7 and Article 8 thereof.

The period provided for in Article 4, paragraph 3, of Decision 1999/468/EC shall be 45 days.

Chapter IV

Reports

Article 15

1. After each budget year, the Commission shall submit in its annual report on EC development policy to the European Parliament and to the Council, information on the operations financed in the course of that year and the Commission's conclusions on the implementation of this Regulation over the previous budget year.

The summary shall, in particular, provide information about the strengths, weaknesses and outcomes of operations, those with whom contracts have been concluded as well as the results of any independent evaluations of specific operations.

2. One year before the expiry of this Regulation, the Commission shall submit an independent appraisal report on the implementation of this Regulation to the European Parliament and the Council with a view to establishing whether its objectives have been achieved and providing guidelines for improving the effectiveness of future operations. On the basis of this appraisal report, the Commission may make proposals for the future of this Regulation and, if necessary, proposals for its amendment.

Article 16

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 until 31 December 2006.

Done at …,

For the European Parliament
The President

For the Council
The President

P5_TA(2003)0597

EC-Côte d'Ivoire fisheries agreement *

European Parliament legislative resolution on the proposal for a Council regulation on conclusion of an Agreement in the form of an exchange of letters extending to the period 1 July 2003 to 30 June 2004 the validity of the Protocol setting fishing opportunities and a financial contribution as provided for in the Agreement between the European Economic Community and the Republic of Côte d'Ivoire on fishing off the coast of Côte d'Ivoire (COM(2003) 556 — C5-0458/2003 — 2003/0219(CNS))

(Consultation procedure)

The European Parliament,

— having regard to the Commission proposal to the Council (COM(2003) 556) [1],

— having regard to Articles 37, 300(2) and the first paragraph of 300(3) of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0458/2003),

[1] Not yet published in OJ.

— having regard to Rule 67 and Rule 97(7) of its Rules of Procedure,

— having regard to the report of the Committee on Fisheries and the opinion of the Committee on Budgets (A5-0459/2003),

1. Approves the proposal for a Council regulation as amended and approves conclusion of the agreement;

2. Instructs its President to forward its position to the Council and Commission, and the governments and parliaments of the Member States and Côte d'Ivoire.

TEXT PROPOSED BY THE COMMISSION	AMENDMENTS BY PARLIAMENT
	Amendment 1
	Recital 2 a (new)
	(2a) It is important that the European Parliament and the Council be kept informed of how the Agreement is being managed. The Commission should, consequently, draw up a report on the state of stocks and the use of fishing opportunities in the three years in which the previous protocol and the extension granted hereby are in force.
	Amendment 2
	Article 3 a (new)
	Article 3a
	Before concluding a fresh fisheries agreement with Côte d'Ivoire, the Commission shall submit to the European Parliament and the Council a report assessing fish stocks and a report on the application of the previous protocol and the conditions under which it was implemented, with particular reference to the specific measures.
	Amendment 3
	Article 3 b (new)
	Article 3b
	On the basis of these reports and following consultation of the European Parliament, the Council shall grant the Commission a negotiating mandate for possible new agreements.

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European Council

European Parliament resolution on the outcome of the European Council meeting held in Brussels on 12-13 December 2003

The European Parliament,

A. having regard to the Presidency conclusions of the European Council meeting held in Brussels on 12-13 December 2003,

Economic Growth

1. Welcomes the Council's endorsement of the European Action for Growth, but underlines that boosting investments alone, even in key projects, can solve neither the immediate nor the long-term problems of the European economy; highlights the need for a stronger emphasis on implementation and results if the Lisbon targets are to be reached; urges that the structural reforms that are necessary to restore European competitiveness, generate growth and create employment be pursued;

2. Regrets, however, that the 'quick-start-programme' has been set up without consultation of the European Parliament and without putting in place clear financing arrangements; notes, moreover, that the implementation of the European Action for Growth should respect the framework provided by the Stability and Growth Pact and the Financial Perspectives, and acknowledges the prudent role recommended to the EIB;

3. Welcomes the emphasis put on the prominent role given to private resources to finance qualifying projects; calls for an evaluation of public-private partnerships as regards consequences for 'ownership' and the 'hidden' long-term financial position of public budgets;

4. Underlines that the priorities for development of the TENs must be strategically planned in accordance with the common interest, and that the added value of individual projects must be ensured via comprehensive impact assessments, concentrated on projects aiming at decoupling transport growth from economic growth and resource use; underlines the need for priority to be given to rail and sustainable waterway infrastructure projects, in line with the modal shift vision of the Commission's White Paper — European transport policy for 2010: time to decide (COM(2001) 370), and calls for TEN-T priority projects to be limited to transborder, intermodal and sustainable projects; focuses furthermore on the necessity of a strategic environmental impact assessment on the TEN-T initiative, including its impact on CO_2 emissions; reminds the Council, in this regard, that the decision on the TENs is subject to full codecision with Parliament, and regrets the lack of consultation of Parliament so far in determining priorities;

5. Does not see adequately reflected in the Growth Initiative the fact that investment in human capital, including for secondary education and lifelong learning, is probably the most important single factor if Europe is to be able to cope with the challenges of the innovation-based global economy; insists therefore on extending the criteria for the identification of possible investment projects, notably by means of ambitious investment activities for improvement of employment, education and lifelong learning, as well as for the development of clean, environmentally friendly technologies, while recognising the importance of good public services;

6. Takes the view that a mid-term evaluation of the European Action for Growth should be provided to both the European Council and the European Parliament by 2006, and not by the end of 2007, to enable them to draw conclusions as regards the new Financial Perspective 2007-2011 and the new funding period of the EU structural funds; calls for Parliament to be fully involved in the mid-term evaluation of the Action for Growth and invites the EIB to report to Parliament on its preparatory work as soon as possible;

7. Welcomes the Employment Task Force report; reiterates that raising the quality of jobs and skill levels helps to boost the efficiency and productivity of the economy and to integrate people more firmly into the labour market; underlines that similar recommendations have been made on many occasions, for example by the Employment Guidelines, and that the focus must now be on implementation;

8. Is deeply concerned at the substantial lack of follow-up on the Lisbon strategy at the level of the Member States; reiterates its calls for their performances to be monitored, in particular in employment and social affairs; stresses the importance of fully respecting the new Employment Guidelines adopted earlier this year in the overall strategy of speeding up the implementation of the Lisbon agenda; insists on the need to involve national parliaments, social partners and all relevant actors at national and local level in order genuinely to transpose the European strategy into national policies;

9. Welcomes the European Council's twin emphasis on competitiveness and employment, and its decision to put improving Member States' performance in employment creation high on their next agenda, but insists that in the European social model the concept of competitiveness is not limited to reducing costs but it also includes qualitative issues with a long-term impact, such as social and environmental concerns; continues to call for impact assessments to be carried out on all new European legislation;

10. Highlights the importance of better dissemination of innovation, more R&D, making work pay, developing a positive employment policy for active ageing, putting in place preventive unemployment policies, investing in training and lifelong learning, introducing family-friendly employment policies and providing more affordable and accessible childcare;

11. Welcomes the joint message of the European social partners to the Tripartite Social Summit on 11 December 2003; points out that social dialogue is a key element of the modernisation of the labour market;

12. Calls on the Commission to take full account of the report and recommendations of the Employment Task Force when it is drafting the Joint Employment Report for presentation to the 2004 Spring Council, and to follow up the experience of the European Year of People with Disabilities 2003 by making the labour market more accessible to people with disabilities across the enlarged Europe; calls on the Commission to take action and to monitor closely transposition of the two EU directives to combat all forms of discrimination;

13. Notes with interest the forthcoming report on de-industrialisation to be presented by the Commission in the first half of 2004; expects this report to yield proposals on all the effects of restructuring and relocations; calls for better conditions to be created for information, consultation and participation of the workforce and, in particular, for action to be taken to revise the European Works Council Directive;

14. Notes that the European Council has deemed it necessary to pursue further ways of ensuring that the EU abides by its commitments on climate change; believes that this is vital, in view of the lacklustre conclusions of the United Nations Conference on climate change, which ended in Milan on 12 December 2003; expects other parties — notably the United States and Russia — to take fresh decisions enabling the Kyoto Protocol finally to come into force;

Freedom, Security and Justice

15. Takes note of the willingness of the European Council to expedite the establishment of a European Agency for the Management of Operational Cooperation at the external borders, and recalls its preference for an operational Community structure, in order to improve cooperation on protecting external borders, particularly in anticipation of the 2004 enlargement; agrees with the measures aimed at easing control procedures at the borders in so far as this does not lead to a lessening of security, and asks the Council to adopt this proposal with the full involvement of Parliament;

16. Regrets, given the fact that only three Member States (Denmark, Spain and Portugal) have transposed Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States [1], that the European Council failed to insist that the remaining Member States respect the deadline of 31 December 2003; calls once again on the Council to adopt a framework decision on common standards governing procedural law;

17. Deplores the failure of EU leaders and the Council Presidency to discuss the rights of the Guantánamo detainees to a fair trail; insists that the European Council and the new Irish Presidency undertake raising this matter at every opportunity with the US Administration;

18. Welcomes the Commission's intention and the European Council's willingness to present the final evaluation of the implementation of the Tampere objectives, and recalls that following the Treaty of Nice the next stage in the establishment of an area of freedom, security and justice provides for application of the codecision procedure to most of the measures relating to asylum and immigration; in consequence, calls urgently on the JHA Council to remove the political obstacles mentioned in the European Council conclusions; Calls in particular for directives on asylum to comply fully with the Geneva Convention and the protocol thereto;

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[1] OJ L 190, 18.7.2002, p. 1.

19. Calls on the Council, in particular, in the context of the return action programme and speedy negotiation of readmission agreements, to counterbalance all the measures already taken on combating illegal immigration with an active policy of integration and promotion of the rights of third-country nationals legally residing on the EU territory;

20. Welcomes the willingness of the Council to ensure implementation of the measures provided for in the programme to counteract illegal immigration by sea, particularly in the light of the human tragedies that have occurred recently off Europe's Mediterranean shores, and asks to be involved on an equal footing with the Commission and Members States in implementing these measures;

21. Reserves its opinion with regard to the integration of biometric identifiers in visas and residence permits as there are numerous unresolved data protection concerns, including central storage and secondary use, notably in the development of the Visa Information System and the possible synergies with the Schengen Information System, which should involve consultation of the European Parliament;

22. Welcomes the willingness of the Council to strengthen the powers of Europol and recalls that communitising it would be the best way to increase its efficiency;

23. Agrees with the importance given by the Council to the fight against drug trafficking, which should undermine the financing of the illegal activities of traffickers and criminal or terrorist organisations;

24. Is concerned at the rise in xenophobia, racism and anti-Semitism; notes the Council's resolve to combat racially motivated acts of violence; calls for a fresh measures at national and Community level to combat all forms of intolerance;

25. Supports the decision to build upon the existing European Monitoring Centre on Racism and Xenophobia and to extend its mandate to become a Human Rights Agency, and asks the Commission to check how the management structure might be adapted to the new tasks and what profile might be expected from the future management;

Enlargement

New Member States

26. Joins with the European Council in looking forward to welcoming the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia as full members of the Union on 1 May 2004; endorses the European Council's exhortation to the new Member States to intensify and complete their final preparations for membership in the run-up to accession; calls on the existing and new Member States to ensure that the process of ratification of the Accession Treaty is completed in due time;

Bulgaria and Romania

27. Urges Bulgaria and Romania to complete their preparations for membership, and in particular to bring their administrative and judicial capacity up to the required level, so that they are ready to conclude negotiations in 2004 on the basis of each country's own merits, sign the Accession Treaty in 2005 and join the Union in January 2007;

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Turkey

28. Supports the European Council in urging Turkey to make further sustained efforts to reform, particularly as regards the exercise of fundamental freedoms, the further alignment of civil-military relations with European practice, and macro-economic imbalances; agrees that a settlement of the Cyprus problem would greatly facilitate Turkey's membership aspirations;

Cyprus

29. Notes with interest the outcome of the Turkish Cypriot 'elections' of 14 December 2003 and hopes that this result is indicative of support for a comprehensive settlement of the Cyprus problem and for accession to the EU;

30. Urges all parties concerned, and in particular Turkey and the Turkish Cypriot leadership, to demonstrate their commitment to meeting the United Nations Secretary-General's criteria for the resumption of negotiations on the basis of his proposals as a matter of urgency so that talks can be resumed;

31. Reiterates it hopes to see a reunited Cyprus join the Union on 1 May 2004; draws attention in this context to the importance of the expression by Turkey of the political will to find a solution to the issue of Cyprus;

External Relations, CFSP, ESDP

External Relations

Western Balkans

32. Shares the conclusions of the European Council in this area and stresses the need for a renewed effort to be made by the countries concerned in order to ensure a positive climate in economic, political and democratic fields for establishing stronger relations with the EU in the framework of the Stabilisation and Association Process;

33. Welcomes the preparations for the participation of the Western Balkan countries in Community programmes and urges the speeding-up of this process; regards the forthcoming regulation for individual European Partnerships as a further opportunity for the countries concerned to get closer and integrate in EU structures;

Euro-Mediterranean Partnership

34. Welcomes the willingness shown to give the Euro-Mediterranean partnership such strategic importance, taking account above all of the new situation created after the establishment of an enlarged Union, in which our Mediterranean neighbours will be expected to play a decisive role as regards Europe's frontiers, and welcomes the results achieved at the Sixth Euro-Mediterranean Conference in Naples, as well as the sectoral Euro-Mediterranean conferences;

35. Welcomes the establishment of the FEMIP (Facility for Euro-Mediterranean Investment and Partnership) and hopes that it will prove helpful in increasing investment flows in the region;

36. Welcomes the decision to establish a Euro-Mediterranean Culture Foundation and hopes that concrete decisions will be taken as soon as possible to make this plan a reality;

Iraq

37. Considers the capture of the former leader of Iraq, Saddam Hussein, to be a turning point in the process of establishing peace, stability and democracy in Iraq; reaffirms its opinion that such a process could be brought to fruition under the aegis of the United Nations, in accordance with Security Council Resolution 1511, and with the transfer of sovereignty to the Iraqi people as soon as possible;

38. Invites the Council and the Member States to call on the United Nations Security Council to ensure that Saddam Hussein is tried in accordance with international rules and the Geneva Conventions, while fully implementing Resolution 1511 with respect to the sovereignty of the Iraqi people;

Terrorism

39. Expresses its agreement with the European Council's wholehearted condemnation of terrorist attacks, and reaffirms its conviction that defeating terrorism means acting in the framework of the international community, complying with international law and providing a common response to this global threat;

Middle East

40. Considers that the commitment of the European Council to pursuing the objective of two states, Israel and a viable and democratic Palestinian state, requires stronger political will on the part of the European Union, and asks for an urgent resumption of the Quartet Initiative; asks the Council and the Commission to take necessary initiatives in this respect;

41. Welcomes the Geneva initiative, coming from within Israeli and Palestinian societies, with the aim of promoting a climate of confidence and lasting peace, confirming the desire to attain peaceful coexistence; considers that initiative as a valuable contribution by civil society to the Road Map;

42. Reaffirms the Council's position urging the Palestinian Authority to concretely demonstrate its determination to combat terrorism and extremist violence and urging the Israeli Government to dismantle settlements built after March 2001;

43. Supports the interfaith dialogue and initiatives by civil society, opposes any form of extremism, intolerance and xenophobia, and condemns all acts of anti-Semitism and incitement to racial or religious hatred;

44. Welcomes the statements on this issue by the Euromed Conference held in Naples and the holding of a donors' meeting (Ad Hoc Liaison Committee) in Rome, which it hopes will produce concrete and urgent initiatives;

Arab World

45. Welcomes the report on the Arab World issued by the High Representative for the CFSP and the Commission and regards this approach as a positive contribution to peace and security in the whole region and a step towards a renewed partnership with concerned countries in the framework of the Barcelona Process and the New Neighbours Initiative;

Transatlantic relations

46. Shares fully the conviction expressed by the Council that the transatlantic partnership is irreplaceable; welcomes the European Council's declaration on transatlantic relations, and in particular its insistence on effective multilateralism, and on the need for the EU and its partners to defend a common international agenda; calls on the Council and the Commission, therefore, in preparation for the next EU-USA and EU-Canada summits, to put forward proposals for deeper transatlantic cooperation on the development of a common agenda, including a common approach to achieving more effective multilateralism in world affairs;

Russia

47. Welcomes the decision to invite the Council and the Commission to draw up an assessment report on all aspects of the Union's relationship with Russia; points out, nevertheless, that the shortcomings of Russian democracy with regard, in particular, to the general elections of 7 December 2003, the ongoing ruthless conflict in Chechnya and the delays in ratifying the Kyoto Protocol contribute to weakening a possible strategic partnership;

Latin America and the Caribbean

48. Welcomes the signing of the political dialogue and cooperation agreements with the Andean Community and Central America; calls once again for the negotiations with Mercosur to be concluded rapidly and accordingly welcomes the timetable agreed at ministerial level on 12 November 2003, since these developments will make a significant contribution to strengthening bi-regional relations;

49. Regrets that the European Council did not discuss the situation in Cuba, particularly in the light of the Cuban authorities' refusal to grant Oswaldo Paya Sardinas, the 2002 Sakharov Prize laureate, a visa to visit Europe to explain his position on the current situation in Cuba;

Africa

50. Reaffirms the importance of the partnership with Africa and welcomes the strengthening of the EU-Africa dialogue as indicated by the positive and constructive outcome of the EU-Africa Ministerial Troika held in Rome on 10 November 2003;

CFSP/ESDP

51. Welcomes the adoption by the European Council of the European Security Strategy, presented by the High Representative for the CFSP; reaffirms its support to the other decisions taken in this field, as stated in the Presidency document on European defence, and hopes that the goals of this policy will be fulfilled despite the present failure to reach agreement on the Constitutional Treaty;

Other Decisions

52. Welcomes the European Council's decision to determine the seats of the new European Union agencies, which will enable the new bodies to operate effectively;

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53. Instructs its President to forward this resolution to the European Council, the Council and the Commission.

P5_TA(2003)0599

Removal of the EU embargo on arms sales to China

European Parliament resolution on arms sales to China

The European Parliament,

— having regard to the Declaration on China made by the European Council in Madrid on 26 June 1989 following the brutal repression that took place in China at that time, introducing an embargo on trade in arms with China, the scope of which has been left for national interpretation,

— having regard to the conclusions of the European Summit of 12-13 December 2003,

— having regard to the conclusions of the 6th Summit meeting between China and the European Union held in Beijing on 30 October 2003,

— having regard to the recent release of both EU and China policy papers on EU-China relations, which pave the way for the development of relations in the years to come,

— having regard to the EU Code on Arms Exports, with reference to countries or regions where serious tensions persist,

— having regard to Rule 37(4) of the Rules of Procedure,

A. whereas in its resolution of 23 October 2003 [1] on the annual report from the Council to the European Parliament on the main aspects and basic choices of CFSP, it insisted on a peaceful resolution of the Taiwan issue through dialogue across the Taiwan Straits and called on China to withdraw missiles in the coastal provinces adjacent to the Taiwan Straits,

B. whereas policy towards China must necessarily take the following three key factors into account: the development of human rights and the rule of law, China's role in world politics and the EU's economic interests,

C. whereas China and the EU attach great importance to a multilateral approach, non-proliferation, arms control and disarmament,

D. whereas the human rights situation in the People's Republic of China has improved over the years but remains unsatisfactory, as the crackdown on fundamental freedoms continues as well as torture, ill-treatment, mistreatment of HIV-AIDS sufferers, arbitrary detention, the high number of death sentences each year, and the lack of respect and protection of minority rights,

E. whereas from the outset little tangible progress has been made with regard to the EU-China human rights dialogue,

F. taking note of a proposal by some EU countries to lift the ban on arms sales to China,

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[1] P5_TA(2003)0460.

1. Strongly believes that China needs to prove it has made significant progress on human rights before the EU can consider lifting the ban;

2. Believes it is the wrong time, in view of Chinese threats against Taiwan, to open the way to a lifting of the European arms embargo;

3. Calls on the Council and the Member States, including the acceding and applicant countries, to maintain the EU embargo on trade in arms with the People's Republic of China and not to weaken the existing national limitations on such arms sales;

4. Instructs its President to forward this resolution to the Council, the governments of the Member States, including of the acceding and applicant countries, and the Government of the People's Republic of China.

P5_TA(2003)0600

Cooexistence of GM crops with conventional and organic crops

European Parliament resolution on coexistence between genetically modified crops and conventional and organic crops (2003/2098(INI))

The European Parliament,

— having regard to Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC ([1]),

— having regard to Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed ([2]),

— having regard to Regulation (EC) No 1830/2003 of the European Parliament and of the Council of 22 September 2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC ([3]),

— having regard to Commission Recommendation 2003/556/EC of 23 July 2003 on guidelines for the development of national strategies and best practices to ensure the coexistence of genetically modified crops with conventional and organic farming ([4]),

— having regard to Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety ([5]),

— having regard to the draft Commission directive amending Council Directives 66/401/EEC, 66/402/EEC, 2002/54/EC, 2002/55/EC, 2002/56/EC and 2002/57/EC as regards additional conditions and requirements concerning the adventitious or technically unavoidable presence of genetically modified seeds in seed lots of non-genetically modified varieties and the details of the information required for labelling in the case of seeds of genetically modified varieties, September 2003 version ([6]),

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([1]) OJ L 106, 17.4.2001, p. 1.
([2]) OJ L 268, 18.10.2003, p. 1.
([3]) OJ L 268, 18.10.2003, p. 24.
([4]) OJ L 189, 29.7.2003, p. 36.
([5]) OJ L 31, 1.2.2002, p. 1.
([6]) SANCO/1542/2 July 2002.

— having regard to Council Regulation (EEC) No 2092/91 of 24 June 1991 on organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs ([1]),

— having regard to the proposal for a directive of the European Parliament and of the Council on environmental liability with regard to the prevention and remedying of environmental damage ([2]),

— having regard to Rule 163 of its Rules of Procedure,

— having regard to the report of the Committee on Agriculture and Rural Development and the opinion of the Committee on the Environment, Public Health and Consumer Policy (A5-0465/2003),

A. whereas coexistence between genetically modified varieties on the one hand and non-genetically modified conventional and organic varieties on the other hand provides the basis for freedom of choice for both consumers and farmers and is at the same time the precondition for risk management in dealing with GMOs, which is prescribed in the Community,

B. whereas the extensive cultivation of GMOs will make it impossible, or at least extremely difficult, to exclude the outcrossing of genetically modified varieties with non-genetically modified useful plants,

C. whereas there is a great deal of uncertainty among large sections of the population and many farmers regarding the use of GMOs in food production,

D. whereas the current state of scientific knowledge regarding the outcrossing and spread of GMOs as a result of their extensive use is still limited and is insufficient for a precise estimate of the consequences,

E. convinced that the introduction of GMOs in agriculture must not bring with it any additional costs for farmers who do not use these technologies and who wish to grow and market non-genetically modified products,

F. whereas seed production takes place under particular conditions which must guarantee the highest possible degree of purity, and the limit value for the labelling of GMO-impurities in seed should be set at the technically measurable and reliable detection threshold, with account being taken of scientific assessments regarding practical applicability; whereas it will otherwise be impossible for agricultural production to ensure compliance with the current labelling threshold of 0,9% for food,

G. whereas, if genetically modified organisms were found to be present in their seed, farmers would no longer be able to claim that the presence of GMOs in their products is adventitious and technically unavoidable and, under the current legislation, they would then be obliged to label them and suffer potential losses of income,

1. Points out that information on the presence of GMOs in seed does not merely serve to inform farmers and consumers but is a precondition for the proper implementation of Directive 2001/18/EC (particularly as regards monitoring and placing on the market, the registration of cultivation, the expiry and withdrawal of authorisation and emergency measures) and the regulations on the authorisation, labelling and traceability of GMOs;

([1]) OJ L 198, 22.7.1991, p. 1.
([2]) OJ C 151 E, 25.6.2002, p. 132.

2. Calls on the Commission to stipulate the labelling of GMOs in seed at the technically measurable and reliable detection threshold on the basis of Article 21(2) of Directive 2001/18/EC, and to take account of scientific assessments regarding practical applicability;

3. Calls for uniform and binding rules to be established without delay at Community level on the coexistence of genetically modified crops on the one hand and non-genetically modified conventional crops on the other hand; calls for Parliament to be included in this process under the codecision procedure;

4. Calls on the Member States, in implementing Article 26a of Directive 2001/18/EC, swiftly to adopt legislative measures swiftly to safeguard the coexistence of genetically modified, conventional and organic crops; considers that it makes no sense at all that this requirement is not even mentioned in the Commission Recommendation;

5. Calls on the Commission, in view of contradictory scientific opinions on the costs of coexistence, to submit to the European Parliament and the Council a report on the economic impact of the requisite coexistence measures, taking account of the different cultivation conditions and plant species;

6. Welcomes the fact, bearing in mind the 'polluter pays' principle, that the Commission Recommendation states that 'during the phase of introduction of a new production type in a region, operators (farmers) who introduce the new production type should bear the responsibility of implementing the farm management measures necessary to limit gene flow';

7. Calls on the Commission to submit a proposal on Community-wide civil liability and insurance in respect of possible financial damage in connection with coexistence;

8. Calls on the Commission and the Member States to include workable and legally enforceable civil liability provisions for sufficient insurance cover on the part of the applicant as a component of the authorisation procedure for placing GMOs on the market, so that claims by persons affected can be dealt with adequately and quickly in the event of damage;

9. Calls on the Commission and Member States not to proceed with the approval of the release of any further genetically modified varieties of plant until such time as binding rules on coexistence, backed up by a system of liability based firmly on the 'polluter pays' principle, have been agreed and implemented;

10. Asks the Commission to establish a legally binding definition of the concepts 'adventitious' and 'technically unavoidable';

11. Calls on the Commission to draw up a public register of national strategies and best practices relating to the coexistence of genetically modified, conventional and organic crops, which are pursued in the Member States and third countries and have cross-border impact in the Union, and to make periodic reports to Parliament on that subject;

12. Points out that particular attention should be paid to the cross-border coexistence of genetically modified crops and conventional and organic crops (between Member States and with third countries); calls on the Commission to study all aspects of cross-border coexistence, and calls on the Member States to adopt measures concerning the interaction and coexistence of genetically modified crops at a cross-border level, following consultations;

13. Takes the view that the voluntary or regionally restricted renunciation of GMO cultivation in certain areas and under certain cultivation conditions may be the most effective and least costly measure to ensure coexistence and that it must be available to the Member States when implementing Article 26a of Directive 2001/18/EC, on condition that all the players involved agree, with the aim of guaranteeing full freedom of choice;

14. Takes the view that Community coexistence rules must allow Member States the right to prohibit completely the cultivation of GMOs in geographically restricted areas so as to safeguard coexistence;

15. Instructs its President to forward this resolution to the Commission and the Council and to the governments and parliaments of the Member States.

P5_TA(2003)0601

Discrimination against MS patients

European Parliament resolution on Petition 842/2001 concerning the effects of discriminatory treatment afforded to persons with multiple sclerosis within the European Union (2003/2173(INI))

The European Parliament,

— having regard to Petition 842/2001 by Ms Louise McVay,

— having regard to Rule 175(1) of its Rules of Procedure,

— having regard to the report of the Committee on Petitions and the opinion of the Committee on Employment and Social Affairs (A5-0451/2003),

A. whereas the Charter of Fundamental Rights of the European Union declares that human dignity is inviolable and that it must be respected and protected,

B. whereas Article 26 of the same Charter states that ' The Union recognises and respects the right of persons with disabilities to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community',

C. bearing in mind that Article 35 of the Charter places medical treatment under the responsibility of national laws and practices, although the Union must ensure a high level of human health protection in the definition and implementation of its policies and activities,

D. whereas the first subparagraph of Article 152(1) of the EC Treaty confirms that 'a high level of human health protection shall be ensured in the definition and implementation of all Community policies and activities', thus requiring the integration of health concerns in Community decision-making whenever this might be called for,

E. whereas the second subparagraph of Article 152(1) provides: 'Community action, which shall complement national policies, shall be directed towards improving public health, preventing human illness and diseases, and obviating sources of danger to human health'; whereas, pursuant to Article 152(3), 'the Community and the Member States shall foster cooperation with third countries and the competent international organisations in the sphere of public health',

F. whereas concerns have been raised about possible connections between multiple sclerosis and exposition to toxic chemicals; whereas such concerns emphasise the importance of the precautionary approach, notably in the reform of the European Union's chemicals policy, and the need to defend this principle in multilateral and bilateral contexts,

G. considering that persons with multiple sclerosis, and many other chronic long-term illnesses, are subject to varying levels of medical and therapeutic care depending on their place of residence and that insufficient priority has been accorded by Member States of the Union, as well as by the institutions of the European Union, to remedying this state of affairs,

H. whereas in recent years considerable progress has been achieved, through scientific and medical research into multiple sclerosis, with the provision of drug treatments which reduce the disability of MS patients, as well as the provision of medicines for symptom relief,

I. whereas the causes of multiple sclerosis remain largely unknown, although it is believed to result from a combination of genetic, environmental and immunological factors; whereas, therefore, research into the causes ought to encompass and seek to inter-relate such different potential elements,

J. whereas, unfortunately, access to such medicines remains unequal within Member States of the European Union for budgetary reasons or because insufficient attention is paid to the problem by health authorities, and the effects of this situation are aggravated due to the need to administer effective medication at the earliest stage possible following diagnosis to ensure the best results,

K. whereas, according to the European Multiple Sclerosis Platform, within the European Union there are currently some 400 000 persons who have been diagnosed with multiple sclerosis, and MS is the most common cause of disability affecting young adults, of which two out of three are women,

L. bearing in mind the need, beyond drug therapy, to develop effective and properly resourced services in care for multiple sclerosis patients which address their complex and lifelong requirements,

M. recognising that the European Union has acted to ensure better employment prospects for disabled persons generally through Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation ([1]), but that the full and effective implementation of that Directive will take a long time unless national and local authorities act with greater resolve to encourage employers to fulfil their responsibilities towards such vulnerable persons,

N. whereas there is a demand for a more comprehensive directive on the rights of the disabled and a draft of such a directive has been prepared by representatives of disabled persons and lawyers and promoted by the Disability Intergroup of the European Parliament; whereas adequate implementation of measures already adopted on the basis of Article 13 of the EC Treaty remains an equally important priority,

O. bearing in mind the Public Health Action Programme of the European Union (2003 to 2008) and the encouragement this provides for health service professionals and public bodies to devise more coherent health strategies for dealing with diseases such as multiple sclerosis on a Europe-wide basis,

P. whereas it is essential to enhance the financial resources available for research into multiple sclerosis within the European Union and to improve the complementarity of research projects given the combination of factors that are said to trigger the disease,

Q. whereas closer international cooperation is vital in order to secure more targeted funding in the field of genetics, research and studies into auto-immune diseases, and, thus, in order to make efficient progress in the development of the understanding of multiple sclerosis, as well as in the development of therapies and treatments,

R. affirming that the restriction of access to effective therapies and disease-modifying drugs not only has a disastrous effect on an individual's ability to work and on his or her family life, freedom of movement and integration into society in general, but is also a denial of basic rights,

S. considering that people with multiple sclerosis are frequently disappointed with the level of understanding and expertise of health care professionals who deal with their problems, and that a more positive approach is often required towards them which also concentrates on what they can achieve as individuals rather than focusing exclusively on their problems,

T. whereas, given the large numbers of relatively young people who have to live with MS, there are in most EU countries very few nursing homes or day-care facilities which cater for their needs, as they are frequently obliged to share accommodation with elderly or geriatric patients, which is neither convenient nor socially suitable for either group,

([1]) OJ L 303, 2.12.2000, p. 16.

U. considering that the securing of best practice for equal access to therapies and treatments and better services for people with multiple sclerosis should become a principal objective to be attained by all health authorities in the European Union, and that each Member State should encourage its partners in this course of action through co-ordinated programmes designed in conjunction with the World Health Organisation,

V. recognising and paying tribute to the crucial role played by national multiple sclerosis societies and the European Multiple Sclerosis Platform in securing real improvements for persons with MS, through their commitment to finding solutions to the many problems faced by individuals, and through their constant efforts to influence policy-makers and practitioners in a way which is conducive to finding remedies,

W. noting in particular their role in the provision and dissemination of useful and essential information for persons with multiple sclerosis, which in turn may provide comfort, support and real solidarity for many persons who otherwise might find themselves even more isolated from issues and debates which concern them directly,

1. Calls upon the Commission to specifically itemise a discussion to address the issues raised in this resolution on multiple sclerosis at a forthcoming meeting of Ministers of Health of the European Union with a view to developing a 'Code of Best Practice' to be followed in all Member States;

2. Urges the Commission to develop closer international scientific collaboration, in the context of the Sixth and Seventh Framework Programmes, in order to accelerate the development of even more effective treatment of multiple sclerosis in all its forms;

3. Considers that the precautionary principle should be applied in decisions affecting public health, notably in the use and disposal of toxic chemicals;

4. Notes that, nevertheless, the root causes of MS, which affects more than 400 000 EU citizens, are still unknown and that the Sixth Research Framework Programme has not lived up to the commitment to 'mainstream' disability issues — the level of EU research relevant to disability and conditions such as MS has in fact decreased; insists that this be prioritised in the Seventh Research Framework Programme;

5. Believes that such research should involve service users in order to ensure that efforts are properly directed towards the needs of persons affected by multiple sclerosis and similar diseases;

6. Recalls the concept of the 'reasonable accommodation' for disabled persons in Directive 2000/78/EC and urges Member States to implement the terms of that directive in full;

7. Calls for an urgent Europe-wide epidemiological study to be conducted and financed by the European Union, in cooperation with the WHO, in order to collect relevant data which could contribute to research into the causes of multiple sclerosis, which remain to this day unknown;

8. Welcomes, in this context, the current comparative evaluation being undertaken into the management of certain European multiple sclerosis centres in order to assess quality and verify the implementation of good practices, which will lead to the development of positive 'benchmarks' and the identification of integrated care pathways and rehabilitation activities;

9. Urges Member States and the Commission to recognise and endorse the view that the cost-effectiveness of drug therapies used for patients with multiple sclerosis and other long-term chronic diseases should be measured not only through clinical trials but also through an assessment of improvement in the quality of life afforded by new treatment, which could have positive implications for savings in other sectors of social or welfare budgets;

10. Believes that persons with multiple sclerosis and similar diseases should be actively encouraged and invited to participate in the development of programmes, alongside medical practitioners and other professional advisers;

11. Calls upon the Commission and the health authorities in the Member States to support and promote user-led self-management courses for people with MS and other long-term conditions in order to enable them to be in a better position to access appropriate therapies and manage as far as possible their own health condition;

12. Urges the Member States to promote the development of specialised clinics and nursing homes designed to respond to the needs of younger persons with multiple sclerosis and similar diseases who require institutional care because of their particular situation, and to recognise the importance of such matters in the current organisation of hospital or nursing facilities;

13. Points out that a specific characteristic of MS is that symptoms vary widely in intensity, which, as a result of criteria not adapted to MS, has resulted in patients being excluded from necessary support; urges Member States to take this into account in the provision of health care and social services to persons suffering from MS;

14. Supports a right to independent living for people with MS and other disabilities, which involves the provision of timely and appropriate health and social care, in order to respect personal dignity and autonomy;

15. Believes that greater incentives should be available to encourage the professional training of neurologists, specialist nursing staff and other health-care practitioners to enable them to specialise in developing and administering the most effective treatment and therapies for persons with multiple sclerosis and similar diseases; and believes that such efforts should ensure a wider positive impact on these patients throughout the European Union;

16. Encourages much closer international cooperation, — indeed this is vital to capture more targeted funding, notably through contacts with other countries where advanced research is conducted, in the field of genetics, and other causal factors of multiple sclerosis as well as related studies into other auto-immune diseases;

17. Calls upon the Commission, in cooperation with the Member States, to devise and implement framework legislation which privileges job-retention for persons with multiple sclerosis and similar diseases, many of whom are currently coerced into giving up work against their will, even though studies have shown the positive mental effects of continued work which can reduce the progression of the disease;

18. Recommends that enhanced measures be taken to promote the employment of disabled people which must:

— raise awareness, amongst employers and co-workers, about the reality of disabilities and conditions such as MS and their impact;

— respect the individual nature of conditions such as MS;

— be evaluated so as to feed into exchanges of ideas and experiences, particularly at EU level, which should help to develop and spread successful models for the benefit of all;

19. Requests that local and national authorities develop the built environment in such a way as to facilitate to a far greater degree access to buildings and transport for people with MS and similar illnesses, using uniform access standards;

20. Underlines that access by people with MS and other disabilities cannot be achieved solely by removing environmental/physical barriers, but involves breaking down all obstacles which inhibit equal access to goods and services;

21. Requests the Commission to submit a proposal for a comprehensive directive on the rights of the disabled using the proposals promoted by Parliament's Disability Intergroup as a basis;

22. Instructs its President to forward this resolution to the Council, the Commission, the World Health Organisation and the petitioner.

P5_TA(2003)0602

Georgia

European Parliament resolution on Georgia

The European Parliament,

— having regard to its previous resolutions on Georgia and the southern Caucasus,

— having regard to the partnership and cooperation agreement between the European Union and Georgia,

— having regard to its resolution of 20 November 2003 ([1]) on the Wider Europe-New Neighbourhood Policy,

— having regard to the parliamentary elections of 2 November 2003 in Georgia,

([1]) P5_TA(2003)0520.

— having regard to the resignation of President Edvard Shevardnadze on 23 November 2003,

— having regard to the annulment of the elections by the Georgian Supreme Court,

— having regard to Rule 50(5) of its Rules of Procedure,

A. pointing out that the general elections of 2 November 2003 were marked by widespread irregularities whereby gross manipulations and frauds compounded technical and administrative problems,

B. stressing that the OSCE, the Council of Europe and Parliament's ad hoc delegation stated that the elections fell short of international standards,

C. whereas a new presidential election is expected for 4 January 2004, and the scheduling of parliamentary elections is not yet decided,

D. whereas the people of Georgia have brought about peaceful change in the presidency of their nation, and welcoming the remarkable maturity shown by the Georgian people through the peaceful 'revolution of the roses',

E. whereas the people of Georgia have shown their attachment to democratic change and their abhorrence of distrust, corruption and lack of transparency in the previous government,

F. having regard to the role played by Russia, notably its Foreign Minister Mr Ivanov, in the resolution of the recent political crisis,

G. whereas a peaceful and prosperous Georgia is vital to the stability of the region in particular and to Europe in general, human rights, pluralism and parliamentary democracy being cornerstones of that stability,

H. whereas Georgia's situation remains extremely delicate owing to the disastrous state of its finances, the severe problems of the economy, the fragility of the institutions, widespread corruption, the internal instability generated by the separatist developments in Abkhazia and South Ossetia and the non-recognition of the central government in Ajaria, and the extremely tense external context created by the war in Chechnya and the unresolved conflict in Nagorno-Karabakh,

I. deeply concerned for the viability of the economy and at the extent of Georgia's foreign debt, which amounts to USD 1.8 bn,

J. whereas at the recent OSCE ministerial summit the EU reaffirmed the need to reach an early agreement between the parties on the duration and modalities of the functioning of the Russian military bases within the territory of Georgia,

K. whereas Georgia has stressed on many occasions its European vocation, showing a deep interest in getting closer to the EU with a view to making an application for membership in the long term,

1. Congratulates the people of Georgia on the political change that they have recently set in motion; congratulates the new authorities, and calls on them to create the conditions for a full return to democracy and the setting-up of credible and reliable institutions;

2. Demands determined leadership by the European Union in promoting peace, stability and economic development in Georgia, as well as in Azerbaijan and Armenia;

3. Insists that the Special Representative of the European Union for the southern Caucasus should be provided with sufficient resources to enable the EU's policy objectives in the region to be implemented, one of which is ensuring the integrity and sovereignty of Georgia; urges Member States involved in conflict resolution in the region to actively cooperate with him;

4. Stresses that the forthcoming elections in Georgia must be free, fair and transparent, and must include the peoples of the regions of Abkhazia and South Ossetia;

5. Calls on the Council and Commission to find ways and means of supporting the new Georgian authorities by providing the necessary political, financial and technical assistance to stabilise the situation, define a strategy for reforms and prepare for the general elections; welcomes in this respect the grant agreed by the Presidency-in-Office for the organisation of the presidential elections scheduled for 4 January 2004;

6. Requests the Russian authorities to fulfil transparently their undertaking, given at the 1999 OSCE summit in Istanbul, to close their military bases immediately and withdraw forthwith from Georgia;

7. Insists that the Georgian authorities ensure the effective rule of law over the entire territory of Georgia, including engagement in the fight against terrorism;

8. Calls on the Council and Commission to step up the TACIS democracy programmes for Georgia with regard, in particular, to the consolidation of democratic institutions, the development and strengthening of civil society, and support for independent media;

9. Invites the Council and Commission to propose to the UN and the OSCE, as well as to the central authorities in Georgia and to the regional authorities in Abkhazia and South Ossetia, the despatch of a mission for the maintenance of peace in those regions and as a measure to relaunch the process for resolving differences between those regions and the central authorities;

10. Urges the Council and Commission to include the question of the three peace processes in the southern Caucasus in the development of the EU-Russia partnership, so as to create the necessary momentum to overcome the present deadlock; deplores the meeting held in Moscow between the leaders of the three breakaway regions of Georgia, and calls on the Russian authorities to play a constructive role aimed at defusing tension in Tbilisi, facilitating dialogue and supporting Georgia's integrity and sovereignty;

11. Regrets, in this regard, the recent decision of the Russian Federation to introduce a facilitated visa regime for Ajaria, without consulting the Georgian authorities, as well as the recent arrangements to speed up the process of provision of Russian citizenship to the citizens of Abkhazia and Ajaria;

12. In view of the economic collapse of Georgia, expresses its grave concern for the health and wellbeing of the people of Georgia ahead of winter, and calls on the Commission to submit proposals for emergency aid for heating, additional electrical power supplies and supplies of food and medicine;

13. Instructs its President to forward this resolution to the Council, the Commission, the acting President of Georgia, the UN Secretary-General, the OSCE, the Parliamentary Assembly of the Council of Europe and the Government of the Russian Federation.

P5_TA(2003)0603

Philippines: end of the moratorium on the death penalty

European Parliament resolution on the death sentence in the Philippines

The European Parliament,

— having regard to its previous resolutions calling for the abolition of the death penalty and for a moratorium on executions in the meantime,

— having regard to the EU guidelines on the death penalty adopted by the Council on 6 June 1998,

— having regard to the Commission Communication of 8 May 2001 on the European Union's role in promoting human rights and democratisation in third countries (COM(2001) 252), which identifies the abolition of the death penalty as one of the thematic priorities for assistance under the European Initiative for Democracy and Human Rights,

— having regard to Rule 50(5) of the Rules of Procedure,

A. whereas former Philippines President Estrada implemented a moratorium on the death penalty in March 2000,

B. whereas current President Arroyo has announced the lifting of this moratorium as of 1 January 2004,

C. whereas about a thousand prisoners are currently being held under sentence of death in the Philippines,

D. whereas President Arroyo's decision to lift the moratorium follows a number of high-profile abductions for ransom in the Philippines,

E. whereas the rise in the number of unscrupulous kidnappings with ransom demands (of which 150 have been reported to the police since the beginning of the year, with some ending in the death of the victims) represents a real problem not only for the victims but also for the economy of the country, discouraging as it is to potential investors,

F. whereas, according to Amnesty International's latest information, 112 countries have abolished the death penalty in law or practice and 83 other countries retain and apply the death penalty,

G. whereas the application of the death penalty has nowhere had the effect of reducing the crime rate,

1. Reiterates its call for the universal abolition of the death penalty, and in the meantime for the establishment of a moratorium on executions;

2. Considers it regrettable that President Arroyo has changed her position on the death sentence;

3. Views with profound regret the fact that the death penalty continues to be applied in 83 countries, and in this context calls on the President of the Philippines to reverse her decision to end the existing moratorium as of 1 January 2004;

4. Calls on the government of the Philippines in any event to enforce the law prohibiting the sentencing of child offenders to death and to review as a matter of urgency actual cases involving minors, with a view to ensuring that the age of any suspect accused of a crime is clearly established prior to sentencing;

5. Calls on the Commission and the Council to make full use of the items in the EU budget for the promotion of democracy and human rights, treating as a matter of priority and urgency any Community initiative aimed at achieving a moratorium on, and repeal of, the death penalty and giving practical support to all non-governmental organisations acting to this end;

6. Calls on the Council and the Commission to consider the abolition of the death penalty and a universal moratorium on executions as an essential element in relations between the EU and third countries, raising this issue when concluding or renewing agreements with third countries;

7. Instructs its President to forward this resolution to the Council, the Commission, the UN Secretary-General, the Chairman of the UN Commission on Human Rights, the Government and President of the Philippines and the Philippines Parliament.

P5_TA(2003)0604

Moldova

European Parliament resolution on Moldova

The European Parliament,

— having regard to its previous resolutions on Moldova and its resolution of 20 November 2003 on 'Wider Europe — Neighbourhood: a New Framework for Relations with our Eastern and Southern Neighbours' ([1]),

— having regard to the Partnership and Cooperation Agreement between Moldova and the EU which was signed on 28 November 1994 and entered into force on 1 July 1998,

— having regard to the Memorandum of 8 May 1997 signed between Moldova and Transnistria,

([1]) P5_TA(2003)0520.

— having regard to Resolution No 1280 of the Council of Europe of 24 April 2002,

— having regard to the conclusions of the European Council of 16 and 17 October 2003,

— having regard to the statement of the chairman-in-office of the OSCE at the closing plenary of the 11th meeting of the OSCE ministerial council in 2003,

— having regard to the aid provided by the European Union to Moldova in the framework of TACIS,

— having regard to the Final Statement and Recommendations of the last meeting of the EU-Moldova Parliamentary Cooperation Committee on 11 June 2003,

— having regard to Rule 50(5) of the Rules of Procedure,

A. whereas, due to weak administration and a lack of effective democratic control over the administration, the economy of Moldova suffers from a high degree of corruption, nearly 80 % of the market is informal, so that there is no tax revenue, there are no border controls on the eastern border and the social system is inefficient, making the country one of the poorest in Europe,

B. aware of the difficulties the people of Moldova have been facing since independence and during the process of economic and social reform,

C. whereas Transnistria declared independence in 1992, after an armed conflict involving Russian troops, thereby destabilising the whole Moldovan Republic,

D. whereas there is a serious level of criminal activity, a deeply rooted unofficial economy and no respect for fundamental rights and human rights, especially in Transnistria,

E. whereas the Moldovan Government has offered to work together with Transnistria in a joint constitutional commission, involving the Council of Europe and the EU as observers, in order to draw up a new constitution for a reunited Moldova before February 2004,

F. whereas the meeting between Ukraine, Russia and the OSCE on 24 and 25 September 2003 in Zagreb did not succeed in giving fresh impetus to the constitutional process, a process that should not be linked to the withdrawal of Russian arms and troops from Transnistria,

G. whereas Russia decided to put forward a second peace plan itself on 17 November 2003, proposing a demilitarised federation in which Transnistria would have a special status, a plan that was in the end rejected by the Moldovan Government,

H. whereas the withdrawal of Russian arms and troops provided for in the commitments given at the OSCE Istanbul Summit in 1999 and confirmed at the 10th OSCE Ministerial Council in Porto in 2002 has been delayed again, thereby giving the Transnistrian authorities the opportunity to maintain the status quo,

I. whereas most of the ministers taking part in the 11th OSCE Ministerial Council wished to provide an OSCE mandate for a multinational peace consolidation mission and unarmed observers and urged the parties to redouble their efforts to overcome their differences,

Thursday 18 December 2003

1. Calls on the Moldovan Government to respect democratic principles, fundamental rights and human rights, including minority language rights, and intensify the process of economic and social reform, including the further development and implementation of anti-corruption measures; considers that this includes the legitimate right of civil society and the opposition parties to fully exercise and comply with their constitutional rights and obligations;

2. Considers that the Moldovan Government has not been able to stabilise the economy and establish greater democracy and is convinced that a rapid solution of the Transnistrian conflict would contribute considerably to the stabilisation of Moldova's economy and also strengthen democracy;

3. Calls, furthermore, on both government and opposition to build upon their common position with regard to promoting Moldova's European aspirations;

4. Welcomes the fact that Moldovan civil society is playing a role in the demilitarisation, decriminalisation and democratisation of the whole Moldovan Republic;

5. Urges the Moldovan Government to combat trafficking in human beings for sexual exploitation, especially women and children, through effective law enforcement and to provide the necessary assistance to the victims in order to reintegrate them into society;

6. Supports the sovereignty and territorial integrity of Moldova as the basis for any peaceful solution of the conflict;

7. Welcomes the establishment of a joint constitutional commission, but is disappointed that the commission has not made any substantial progress;

8. Considers that the peace plan presented by Russia in order to legitimise the present situation is an obstacle to the further development of democracy in Moldova and does not contribute to the stabilisation of the whole region and awaits with interest a possible peace plan from the Moldovan Government;

9. Deplores the fact that the Russian Government does not intend to withdraw its arms and troops before the end of 2003 despite its repeated commitments;

10. Welcomes the visa ban imposed by the EU on members of the Transnistrian regime;

11. Calls for the release of all political prisoners, especially in Transnistria;

12. Welcomes the position of most of the ministers taking part in the 11th OSCE Ministerial Council in favour of providing an OSCE mandate for a multinational peace consolidation mission and unarmed observers, and would like the EU to join this mission and likewise provide observers;

13. Urges the Governments of Romania, Ukraine and Russia to refrain from any unilateral interference in Moldova's internal affairs and to work together with the OSCE — the leading force in the democratisation process in Moldova — the EU and the Council of Europe in order to foster the stable and peaceful development of all countries in the region;

14. Instructs its President to forward this resolution to the Council, the Commission, the Government and Parliament of Moldova, the Government of Romania, the Government of Ukraine, the Government of Russia, the Secretary-General of the OSCE and the Secretary-General of the Council of Europe.

Thursday 18 December 2003

P5_TA(2003)0605

Ban on cat and dog fur

Declaration of the European Parliament on a ban of the trade in cat and dog fur

The European Parliament,

— having regard to Rule 51 of the Rules of Procedure,

A. whereas there is strong evidence that over two million cats and dogs are killed each year in Asia solely for their fur and skins and much of this is being directed to EU countries,

B. whereas intentional fraudulent labelling or dyeing of these items leaves consumers and legitimate retailers the victims of massive consumer fraud,

C. whereas forensic evidence indicates that these items have been found on sale in France, Italy, Germany, Spain, Austria, The Netherlands, Belgium and Denmark,

D. whereas nine EU Ministers of Agriculture have called for an EU-wide ban,

E. whereas EU authorities have stated that a balanced ban would not trigger a WTO problem,

F. whereas porous borders make it impossible for individual countries to prevent this consumer fraud,

G. whereas, waiting for the Commission to harmonise the legislation of individual Member States at some point in the distant future would mean EU citizens would continue to be victims of this fraud,

1. Requests the Commission immediately to draft a regulation under internal market powers to ban the import, export, sale and production of cat and dog furs and skins, so as to restore the confidence of EU consumers and retailers and to end this trade;

2. Instructs its President to forward this declaration to the Commission.

ANNEX

Signatories

Aaltonen, Adam, Ahern, Alavanos, Alyssandrakis, Andersen, Andersson, André-Léonard, Andreasen, Andrews, Andria, Arvidsson, Atkins, Attwooll, Auroi, Averoff, Avilés Perea, Ayuso González, Bakopoulos, Balfe, Baltas, Banotti, Bastos, Beazley, van den Berg, Bergaz Conesa, Berger, Bertinotti, Bigliardo, Blak, Böge, Bösch, Bonde, Boogerd-Quaak, Booth, Bordes, van den Bos, Boumediene-Thiery, Bourlanges, Bouwman, Bowis, Bradbourn, Bremmer, Breyer, Brie, Brok, Brunetta, Buitenweg, Bushill-Matthews, Busk, Callanan, Camre, Cappato, Cardoso, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Caudron, Cauquil, Celli, Cerdeira Morterero, Ceyhun, Chichester, Claeys, Clegg, Coelho, Collins, Corbett, Corbey, Cornillet, Corrie, Cossutta, Costa R., Coûteaux, Crowley, Cushnahan, van Dam, Darras, Davies, De Clercq, De Keyser, Dell'Alba, Deprez, Descamps, Désir, Deva, Dhaene, Di Lello Finuoli, Dillen, Dimitrakopoulos, Di Pietro, Doorn, Dover, Doyle, Dührkop Dührkop, Duff, Dybkjær, Ebner, Echerer, El Khadraoui, Elles, Eriksson, Ettl, Evans Jillian, Evans Jonathan, Evans R., Färm, Ferber, Ferrandez Lezaun, Ferri, Figueiredo, Fiori, Fitzsimons, Flebiger, Flemming, Flesch, Folias, Ford, Foster, Frahm, Frassoni, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, de Gaulle, Gawronski, Gemelli, Ghilardotti, Gill, Gil-Robles Gil-Delgado, Gobbo, Goepel, Görlach, Gollnisch, Goodwill, Gouveia, Graefe zu Baringdorf, Gröner, Grönfeldt Bergman, Grossetête, Hager, Hannan, Harbour, Haug, Heaton-Harris, Hedkvist Petersen, Helmer, Honeyball, Howitt, Hudghton, Hughes, Huhne, Hume, Hyland, Imbeni, Inglewood, Isler Béguin, Jackson, Jensen, Jonckheer, Karlsson, Kastler, Katiforis, Kauppi, Keßler, Khanbhai, Kinnock, Kirkhope, Klamt, Konrad, Korhola, Koukiadis, Koulourianos, Kreissl-Dörfler, Kronberger, Kuhne, Kuntz, Lagendijk, Laguiller, Lamassoure, Lambert, Lang, Langenhagen, Lannoye, Leinen, Liese, Lisi, Lucas, Ludford, Lund, Lynne, Maat, Malmström, McAvan, McCarthy, McCartin, MacCormick, McKenna, McNally, McMillan-Scott, Maes, Malliori, Mann T., Manisco, Mantovani, Marinos, Markov, Martin D., Martin H., Martin H.-P., Martinez, Marques, Mastorakis, Mathieu, Mayol i Raynal, Meijer, Méndez de Vigo, Mendiluce Pereiro, Miguélez Ramos, Miller, Modrow, Moraes, Morgan, Morgantini, Mulder, Murphy, Muscardini, Musumeci, Myller, Naïr, Napoletano, Naranjo Escobar, Newton Dunn, Nicholson, Niebler, Obiols i Germà, ÓNeachtain, Onesta, Oomen-Ruijten, Ortuondo Larrea, O'Toole, Paasilinna, Paciotti, Paisley, Papayannakis, Parish, Pasqua, Pastorelli, Paulsen,

Thursday 18 December 2003

Perry, Piétrasanta, Plooij-van Gorsel, Poignant, Poli Bortone, Prets, Purvis, Radwan, Read, Redondo Jiménez, Ribeiro e Castro, Ries, Riis-Jørgensen, Rocard, Rod, de Roo, Roth-Behrendt, Rothley, Roure, Rovsing, Rühle, Sacrédeus, Sandberg-Fries, Sandbæk, Santer, Santini, dos Santos, Sauquillo Pérez del Arco, Scallon, Scheele, Schierhuber, Schmidt, Schroedter, Schröder J., Schwaiger, Seppänen, Simpson, Sjöstedt, Skinner, Smet, Sörensen, Sommer, Sornosa Martínez, Souchet, Souladakis, Staes, Stauner, Sterckx, Stevenson, Stihler, Stirbois, Stockton, Sturdy, Sudre, Sumberg, Suominen, Swoboda, Tannock, Thomas-Mauro, Thorning-Schmidt, Thors, Thyssen, Titley, Torres Marques, Turco, Turmes, Twinn, Vallvé, Van Hecke, Van Lancker, Van Orden, Varela Suanzes-Carpegna, Vatanen, Vattimo, Veltroni, Vermeer, de Veyrinas, Villiers, Vinci, Voggenhuber, Watts, Weiler, Wenzel-Perillo, Whitehead, Wijkman, Wuermeling, Wuori, Wyn, Wynn, Zacharakis, Zappala, Zimeray, Zorba, Zrihen.