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Thursday 22 October 2009

I

(Resolutions, recommendations and opinions)

RESOLUTIONS

EUROPEAN PARLIAMENT

Progress of SIS II and VIS

P7_TA(2009)0055

European Parliament resolution of 22 October 2009 on progress of Schengen Information System II and Visa Information System

(2010/C 265 E/01)

The European Parliament,

— having regard to Rule 110(2) of its Rules of Procedure,

- A. whereas in Council Regulation (EC) No 2424/2001 of 6 December 2001 the Commission was given a mandate to develop the second-generation Schengen Information System (SIS) ⁽¹⁾, to come into force in March 2007,
- B. whereas Parliament adopted Regulation (EC) No 1987/2006 ⁽²⁾ establishing the legal basis for SIS II on 13 October 2006,
- C. whereas numerous problems and delays have meant that the new system has still not come into operation, and whereas doubts have been cast on the viability of the project,
- D. whereas a number of countries, including Ireland, the United Kingdom, Cyprus, Bulgaria, Romania and Liechtenstein, will not be incorporated into the SIS system until a solution is found,
- E. whereas the Justice and Home Affairs Council of 4 and 5 June 2009 adopted a set of conclusions on the new orientation of SIS II, deciding that the development of the system should continue on the basis of the existing SIS II project but with the alternative scenario of a SIS 1+ RE as a back-up solution,
- F. whereas two technical tests (so-called milestone tests) will have to be carried out, the first at the end of 2009 and the second in the summer of 2010,
- G. whereas the current forecast is that SIS II will not be able to come into operation until the last quarter of 2011,
- H. whereas Parliament adopted Regulation (EC) No 767/2008 ⁽³⁾ establishing the legal basis for the Visa Information System (VIS) on 7 June 2007,

⁽¹⁾ OJ L 328, 13.12.2001, p. 4.⁽²⁾ OJ L 381, 28.12.2006, p. 4.⁽³⁾ OJ L 218, 13.8.2008, p. 60.

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- I. whereas the establishment of the VIS, based on the same technical platform and developed by the same contractor as the SIS II system, is also a priority for the EU,
 - J. whereas the VIS is also being delayed, given that the date of deployment at the end of 2009 will not be met and that the start of operations might be delayed beyond September 2010 owing to certain problems in setting up the central VIS by the Commission and with regard to preparations at national level in the Member States,
 1. Stresses the fact that the establishment of SIS II still remains a priority for Parliament and that it should be operational as soon as possible, introducing several improvements and new functionalities, as foreseen in the legal basis, in order to reinforce the security of European citizens and guarantee efficient border controls at external borders, while ensuring the completion and coherence of the Schengen *acquis*;
 2. Expresses deep concern at the delays in the start of operations of both the SIS II and the VIS systems;
 3. Asks to be informed by the Commission and the Council of the results of the technical milestone 1 test, due to take place on 22 December 2009, immediately after its completion and to be informed without delay as to the future steps to be taken;
 4. Calls for full transparency as regards the implementation process, also concerning the financial aspects, and asks to be informed, as co-legislator, whether the so-called milestone 1 and 2 tests are still within the scope of the present SIS II development contract or whether they will have to be treated as additional requirements, and what extra costs are envisaged in that case;
 5. Asks to know if any penalties have been imposed on the contractor for the delays and technical errors that led to the failure of the earlier tests and, if so, what they amounted to; asks, moreover, to be informed of the extra costs involved in those delays and technical errors in terms of the need to carry out the new tests and the extended timetable for the deployment of SIS II;
 6. Calls for concerted and coordinated efforts from the Commission and the Member States to avoid the scenario that happened in connection with the development of the SIS II being repeated in relation to the VIS;
 7. Asks the Council and the Commission to give a reasoned explanation of the grounds on which they continue to have confidence in the current contractor and in its ability to take the VIS and SIS II systems forward successfully and without further delays;
 8. Stresses that the Council and the Commission must involve Parliament in any decision related to the development of SIS II and VIS, in particular if the results of the tests are not satisfactory, thus leading to a change of direction regarding both the SIS II and the VIS projects, which might include cancelling the present contract with the company responsible for them;
 9. Calls on the Commission to clarify whether any cancellation of the contract will automatically lead, in the case of the SIS II project, to the back-up or contingency solution being implemented, and to outline the possible effects on the VIS project;
 10. Stresses that Parliament must be kept constantly informed of the state of play as regards the deployment of SIS II and VIS;
 11. Instructs its relevant committee to monitor this issue closely and to prepare a follow-up resolution for plenary as soon as new developments warrant it, and at the latest after the completion of the milestone 1 test;
 12. Instructs its President to forward this resolution to the Council, the Commission, and the governments and parliaments of the Member States.
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Democracy building in external relations

P7_TA(2009)0056

European Parliament resolution of 22 October 2009 on democracy building in the EU's external relations

(2010/C 265 E/02)

The European Parliament,

- having regard to the Universal Declaration of Human Rights, and in particular Article 21 thereof, and to the International Covenant on Civil and Political Rights,
- having regard to Articles 3, 6, 11 and 19 of the EU Treaty and Articles 177, 300 and 310 of the EC Treaty,
- having regard to all agreements between the EU and third countries and to the human rights and democracy clauses contained in those agreements,
- having regard to the Charter of Fundamental Rights of the European Union ⁽¹⁾ proclaimed in Strasbourg on 12 December 2007,
- having regard to the UN General Assembly resolution of 8 September 2000 entitled 'UN Millennium Declaration' (A/RES/55/2),
- having regard to the UN General Assembly resolution of 4 December 2000 entitled 'Promoting and consolidating democracy' (A/RES/55/96),
- having regard to UN General Assembly resolution of 15 September 2005 entitled '2005 World Summit Outcome' (A/RES/60/1),
- having regard to UN General Assembly resolution of 20 December 2004 entitled 'Enhancing the role of regional, sub-regional and other organisations and arrangements in promoting and consolidating democracy' (A/RES/59/201),
- having regard to the Commission Communication of 11 April 2000 on EU Election Assistance and Observation (COM(2000)0191),
- having regard to its resolution of 15 March 2001 on the Commission Communication on EU Election Assistance and Observation ⁽²⁾,
- having regard to the Commission Communication of 8 May 2001 on the EU's role in promoting human rights and democratisation in third countries (COM(2001)0252),
- having regard to its resolution of 25 April 2002 on the Communication from the Commission on the European Union's role in promoting human rights and democratisation in third countries ⁽³⁾,
- having regard to the European Security Strategy adopted on 12 December 2003,

⁽¹⁾ OJ C 364, 18.12.2000, p. 1.

⁽²⁾ OJ C 343, 5.12.2001, p. 270.

⁽³⁾ OJ C 131 E, 5.6.2003, p. 147.

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- having regard to the Commission Communication of 20 October 2003 on ‘Governance and Development’ (COM (2003)0615),
 - having regard to its resolution of 31 March 2004 on governance in the European Union’s development policy ⁽¹⁾,
 - having regard to the joint declaration by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission on the development policy of the European Union entitled ‘European Consensus’ ⁽²⁾,
 - having regard to the 2005 Paris Declaration on Aid Effectiveness and the 2008 Accra Agenda for Action of the Organisation for Economic Cooperation and Development (OECD),
 - having regard to the Commission Communication of 30 August 2006 on ‘Governance in the European Consensus on Development - Towards a harmonised approach within the European Union’ (COM(2006)0421),
 - having regard to Regulation (EC) No 1889/2006 of the European Parliament and of the Council of 20 December 2006 on establishing a financing instrument for the promotion of democracy and human rights worldwide (EIDHR) ⁽³⁾,
 - having regard to the decision of its Bureau of 18 June 2007 establishing the Office for Promotion of Parliamentary Democracy,
 - having regard to its resolution of 8 May 2008 on EU election observation missions: objectives, practices and future challenges ⁽⁴⁾,
 - having regard to the Council conclusions of 18 May 2009 on ‘Support to Democratic Governance: Towards an enhanced EU framework’,
 - having regard to the oral question of 30 September 2009 to the Commission on democracy-building in external relations (O-0093/2009 - B7-0213/2009),
 - having regard to Rule 115(5) of its Rules of Procedure,
- A. whereas democracy and human rights are fundamental values of the European Union and its Member States and have been integral to the process of European integration from the outset,
- B. whereas the basic treaties of the European Union underline a firm commitment to democracy and human rights and the Copenhagen political criteria of ‘stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities’ have been a key feature of the enlargement process,
- C. whereas the EU vision of democracy building and support has not yet been set out in a single document,
- D. whereas the successful integration of political, social and economic rights into the broad understanding of democracy in the EU has played a key role in creating stability and prosperity in a fashion unprecedented in world history,

⁽¹⁾ OJ C 103 E, 29.4.2004, p. 550.

⁽²⁾ OJ C 46, 24.2.2006, p. 1.

⁽³⁾ OJ L 386, 29.12.2006, p. 1.

⁽⁴⁾ Texts adopted, P6_TA(2008)0194.

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- E. whereas Article 11 of the EU Treaty states that one of the key objectives of the Common Foreign and Security Policy is 'to develop and consolidate democracy and rule of law, and respect for human rights and fundamental freedoms',
- F. whereas Article 21 of the EU Treaty as amended by the Treaty of Lisbon states that 'the Union's action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement' and that 'the Union shall ensure consistency between the different areas of its external action and between these and its other policies',
- G. whereas the promotion and protection of all human rights is a basic prerequisite for the existence of a democratic society, as reaffirmed in the UN General Assembly resolution No. A/RES/59/201, and whereas, although democratic systems may vary in form and shape, as is the case within the EU, democracy is a universal value and its essential principles or elements are enshrined in numerous international declarations and conventions; whereas these elements, as defined by the two above-mentioned UN General Assembly resolutions in 2000 and 2004 (A/RES/55/96 and A/RES/59/201), include:
- respect for human rights and fundamental freedoms, *inter alia* freedom of association and peaceful assembly, freedom of expression and freedom of opinion
 - the right to take part in the conduct of public affairs, directly or through freely chosen representatives, to vote and to be elected at genuine, periodic free elections held on the basis of universal and equal suffrage and by secret ballot guaranteeing the free expression of the will of the people
 - a pluralistic system of political parties and organisations
 - respect for the rule of law
 - the separation of powers and the independence of the judiciary
 - transparency and accountability in public administration
 - free, independent and pluralist media,
- H. whereas, as stated in the UN Millennium Declaration of 2000, democratic and representative governance based on the will of the people can best assure the right of men and women to live their lives and raise their children in dignity, free from hunger and from the fear of violence, oppression or injustice,
- I. whereas the ability of men and women to participate on equal terms in political life and in decision-making is a prerequisite for genuine democracy,
- J. whereas democracy, development and respect for all human rights, including economic, social and cultural rights, are interdependent and mutually reinforcing,
- K. whereas democracy is also clearly linked to security, as recognised by the European Security Strategy, which states that 'spreading good governance, supporting social and political reform, dealing with corruption and abuse of power, establishing the rule of law and protecting human rights are the best means of strengthening the international order',
- L. whereas the European Union has at its disposal a wide range of instruments and tools, from political dialogue and diplomatic initiatives to specific financial and technical cooperation instruments, with which to support democracy worldwide,

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- M. whereas the European Union's external financial instruments, such as the Development Cooperation Instrument (DCI), the European Neighbourhood and Partnership Instrument (ENPI) and the Instrument for Stability (IfS), all offer significant possibilities for providing support for democratic governance and institution- and capacity-building,
- N. whereas the European Instrument for Democracy and Human Rights (EIDHR) is a key financial assistance instrument in the area of human rights and democracy, being global in scope, able to operate without host-country consent, and directly supporting civil society organisations; whereas EU Election Observation Missions (EOMs), financed by the EIDHR, are an essential element of the EU's contribution to democratic institution-building, which includes, in particular, follow-up to the recommendations made by such EU EOMs,
- O. whereas civil society can play an important role in the Union's external democracy-building efforts, as shown by the contribution of volunteers to peace and democracy-building programmes,
- P. whereas there is a need for a better overview of the democracy support currently provided by the EU, of how the EU's large arsenal of tools and instruments to support democracy worldwide delivers in partner countries, and of how those various instruments and actors operate, complement and connect with each other,
- Q. whereas its above-mentioned resolution of 31 March 2004 concerning the Commission's Communication on Governance and Development stressed 'the importance of pursuing electoral and parliamentary reforms, beyond the establishment of multi-party electoral systems, to ensure more extensive and effective political activity among the population',
1. Shares the view that there is a need for a more coherent and uniform framework to make EU support for democracy-building, and, above all, the promotion of democratic values and respect for human rights throughout the world, more effective;
 2. Welcomes the efforts by former and current EU Presidencies to implement a cross-pillar initiative on democracy-building in EU external actions with the aim of refining EU policy and strengthening its action and the coordination of its efforts, and underlines the need for sustained action in this field as part of the Council Conclusions to be adopted in November 2009; stresses, in this respect, that some key principles, such as transparency, access to documents, consultation and accountability, must be duly taken into consideration by the Council in addressing this issue;
 3. Recommends that the upcoming Council conclusions should include concrete and practical suggestions for improving the coordination of democracy-building measures in EU foreign, human rights and development policy instruments; reiterates that the adoption of a Country Strategy on Human Rights and Democracy, to be regarded as a reference document establishing country-specific priorities in this field and mainstreamed into all relevant external EU policies and instruments with the third country concerned, could substantially improve the consistency, coordination and effectiveness of EU external action;
 4. Reiterates that democratisation and good governance are not only ends in themselves, but are also vital for poverty reduction, sustainable development, peace and stability; points out that, as demonstrated by the EU's internal integration process, democracy helps to deliver not only political and civil rights, but also economic, cultural and social rights, including solidarity;
 5. Calls on the Commission and the Member States, when designing the new external action service, to ensure the effective mainstreaming of human rights and democracy-building in all policy areas and to draw lessons from current processes and experience with a view to translating them into progress on the ground in promoting democratic values;
 6. Takes the view that the embedding of democracy and democratic processes in third countries offer the best prospects for developing effective policies on global issues which are also of concern to EU citizens; points out that democratic systems can, for instance, combat transnational crime, illegal immigration and trafficking more effectively, protect the environment, maintain an open global trading system and secure sustainable and competitive energy supplies;

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7. Urges the EU, with a view to strengthening concerted worldwide action to promote democracy, to publicly endorse the UN General Assembly's 2005 definition of democracy as the reference point for its own democratisation work;
8. Stresses that democracy cannot be exported or imposed from the outside and that a successful strategy for democracy promotion must be based on dialogue and entail broad efforts to strengthen civil society and raise democratic awareness in developing countries; underlines the EU's continued commitment to the principles of ownership of development strategies and programmes by partner countries; points out, however, that these processes can be supported by all the various EU instruments, adapted to the specific situation of each country;
9. Stresses that the EU must develop strategies to support the development of civil society and democratic structures and that political foundations, non-governmental organisations and academic institutions play important roles in such contexts and should be supported;
10. Proposes that the Council and Commission proceed with a comprehensive, detailed analysis of all forms of EU support for democracy in a sample of partner countries, with a view to making practical recommendations;
11. Recommends that the Council and Commission implement the OECD Paris Declaration on Aid Effectiveness and the Accra Agenda for Action in their democracy support work, and suggests, in particular, that joint EU democracy assessments, joint EU programming and burden-sharing be introduced with a view to increasing the impact and visibility of the EU's work to support democracy;
12. Underlines the importance of the human rights clauses already contained in EU agreements; reiterates, in this context, that such clauses should first be applied consistently in existing agreements, in preference to a process of devising new agreements incorporating additional conditions;
13. Suggests that the Commission should systematically include a section on the state of democracy and human rights in the Country Strategy Papers, incorporate recommendations from relevant EU EOMs, and, wherever appropriate, mainstream democracy support in programmes with partner countries;
14. Underlines the need for better coordination of the activities carried out under the various external financial instruments and for the complementarity between geographical and thematic instruments to be fully explored;
15. Urges the Council and Commission to carry out broad-based, comprehensive consultation with all EU and third-country stakeholders, including institutional and regional and local actors, human rights defenders and independent civil society groups, before launching new democracy-building initiatives;
16. Encourages the Commission to involve democratic institutions at all levels, particularly parliaments and regional and local authorities, more systematically in the preparation and implementation of country-specific instruments, such as agreements between the EU and the country concerned and Country Strategy Papers;
17. Requests that the Commission consider the establishment of a volunteer European Peace Corps, while taking into account the positive experience of the European Voluntary Service (EVS);
18. Underlines the need for EU democracy support to be comprehensive, addressing all issues covered by the above-mentioned UN General Assembly resolution on the 2005 World Summit Outcome, and to take a long-term approach in its delivery; sees the EIDHR as a key financial assistance instrument in this regard, and calls for support to be maintained and strengthened;

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19. Welcomes the positive contribution made by EU EOMs in strengthening democratic processes, enhancing respect for human rights, fundamental freedoms, good governance and the rule of law, and, in particular, strengthening electoral processes around the world, but stresses the need to ensure a coherent post-electoral policy, paying particular attention to convergence between technical and political follow-up and input from civil society, so that development support is consistent with democratic principles and democratic governance values;
20. Calls on the Commission to build further on its successful cooperation with the UN on election observation missions and to strengthen common strategy-building and project design with the UN and other regional organisations, such as the Organisation for Security and Cooperation in Europe (OSCE) and the African Union, in connection with the promotion of democracy and human rights;
21. Stresses that the EU's democracy-building efforts should more systematically include a special focus on the role of elected representatives and political parties, an independent judiciary and the media and on the strengthening of women's participation in political and public life; underlines, further, the importance of supporting political foundations, non-governmental organisations and academic institutions;
22. Recommends the introduction of a specific strategy to support newly democratically-elected parliaments with a view to permanently entrenching democracy, the rule of law and good governance; calls, further, for the development of a peer-to-peer instrument involving parliamentarians of different nationalities with a view to determining what constitutes efficient and effective representation of the interests of the electorate, efficient and effective oversight of the executive and ways and means of maintaining a flow of information between all parts of the governance system;
23. Confirms its own determination to contribute to the strengthening of democratic processes by enhancing its involvement in election observation, follow-up to EU EOMs and parliamentary capacity-building; calls, in that connection, on its Office for Promotion of Parliamentary Democracy (OPPD) to present a comprehensive action plan to the relevant parliamentary committees which should necessarily include a clear mechanism for cooperation with interparliamentary delegations and joint parliamentary committees; underlines, further, the importance of involving parliamentary assemblies, such as the ACP-EU, EUROLAT, EUROMED and EURONEST assemblies, in this process;
24. Encourages the Commission delegations to work in partnership with the OPPD when considering or initiating parliamentary support programmes;
25. Recommends that an action plan be included in the November Council conclusions and that a review of the progress made be carried out by the end of 2010; requests the current and forthcoming EU Presidencies to present the outcome of the General Affairs and External Relations Council meetings to its committees responsible;
26. Instructs its President to forward this resolution to the Council, the Commission and the governments and parliaments of the Member States.
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The institutional aspects of setting up the European External Action Service

P7_TA(2009)0057

European Parliament resolution of 22 October 2009 on the institutional aspects of setting up the European External Action Service (2009/2133(INI))

(2010/C 265 E/03)

The European Parliament,

- having regard to Article 3(5) and Articles 18, 21, 24, 26, 27 and 47 of the Treaty on European Union in the version thereof resulting from the Treaty of Lisbon,
 - having regard to Declaration No 15 on Article 27 of the Treaty on European Union, annexed to the Final Act of the Intergovernmental Conference which adopted the Treaty of Lisbon,
 - having regard to its resolution of 20 February 2008 on the Treaty of Lisbon, in particular paragraph 5, point (e) thereof ⁽¹⁾,
 - having regard to its resolution of 5 September 2000 on a common Community diplomacy ⁽²⁾,
 - having regard to its resolution of 14 June 2001 on the Commission communication on the development of the external service ⁽³⁾,
 - having regard to its resolution of 26 May 2005 on the institutional aspects of the European External Action Service ⁽⁴⁾,
 - having regard to the workshop held by its Committee on Constitutional Affairs on 10 September 2008,
 - having regard to Rule 48 of its Rules of Procedure,
 - having regard to the report of the Committee on Constitutional Affairs and the opinions of the Committee on Foreign Affairs and of the Committee on Development (A7-0041/2009),
- A. whereas the form of the future European External Action Service (EEAS) is extremely important if the Union's external relations are to be rendered more coherent and efficient and if their profile is to be raised,
- B. whereas the EEAS is the consequence of three innovations introduced by the Treaty of Lisbon: the election of a non-rotating President of the European Council who is responsible for external representation of the Union at head of state or government level; the appointment by the European Council, with the agreement of the Commission President, of the High Representative of the Union for Foreign Affairs and Security Policy, who will be Vice-President of the Commission responsible for external relations ('the VP/HR'); and the explicit conferral of legal personality on the Union, designed to provide it with complete freedom of action at international level,

⁽¹⁾ OJ C 184 E, 6.8.2009, p. 25.

⁽²⁾ OJ C 135, 7.5.2001, p. 69.

⁽³⁾ OJ C 53 E, 28.2.2002, p. 390.

⁽⁴⁾ OJ C 117 E, 18.5.2006, p. 232.

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- C. whereas the EEAS is a logical extension of the *acquis communautaire* in the sphere of the Union's external relations, since it will result in closer coordination between the administrative units concerned as regards a common approach to the common foreign and security policy (CFSP), and of the Community's external relations conducted in accordance with the Community model; whereas the EEAS complements the Member States' diplomatic representations without calling them into question,
- D. whereas the role of the European Union as a global player has increased over the last decades and a new approach is needed if the EU is to act collectively and meet global challenges in a coherent, consistent and efficient manner,
- E. whereas it is important to underline the fact that the European Parliament has consistently called for the establishment of a common European diplomatic service, which would be commensurate with the Union's international role, and which will raise the visibility of the Union and enhance its capacity to act effectively in the international arena; whereas the Council, the Commission and Member States should be called upon to seize the opportunity offered by the setting-up of the EEAS to create a more coherent, consistent and effective foreign policy,
- F. whereas the establishment of the EEAS must contribute to the avoidance of duplication, inefficiency and wasteful use of resources as regards the Union's external action,
- G. whereas the EEAS should serve to make the EU more visible as the leading partner of developing nations, and should build on the EU's strong relations with developing countries,
- H. whereas the Lisbon Treaty singles out development cooperation as an autonomous policy area with specific objectives and on an equal footing with other external policies,
- I. whereas in Declaration No 15 on Article 27 of the Treaty on European Union, the governments of the Member States stipulated that the VP/HR, the Commission and the Member States should begin preparatory work on the EEAS as soon as the Treaty of Lisbon had been signed,
- J. whereas after the entry into force of the Treaty of Lisbon the VP/HR will be responsible for the coherence of the Union's external action; whereas, in keeping with that task, the VP/HR will, in his or her capacity as the Commission's Vice-President, exercise the Commission's external relations responsibilities and, at the same time, implement the CFSP as instructed by the Council ('double hatting'); whereas the VP/HR will make use of the EEAS; whereas the EEAS will be staffed by officials of the Council secretariat and of the Commission and by personnel seconded from national diplomatic services,
- K. whereas, empowered by the Treaties and the right of the Community institutions to organise their own affairs, as recognised in the case-law of the Court of Justice, the Commission has, as the external action of the Communities has expanded, set up numerous delegations to third countries and to international organisations; whereas the Council has liaison offices in New York and Geneva to handle relations with the United Nations; whereas the combined input of those Commission delegations and Council liaison offices or their conversion into joint representations of the Council and the Commission will create a network with approximately 5 000 staff, as one of the foundations for the creation of the EEAS,
- L. whereas the organisation and operation of the EEAS will be established by a decision of the Council, acting on a proposal from the VP/HR after consulting Parliament and after obtaining the consent of the Commission, once the Treaty of Lisbon has entered into force,

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- M. whereas a number of issues of principle with regard to the form of the EEAS should be resolved in sufficiently good time to enable it to begin its work as soon as possible after the appointment of the VP/HR,
- N. whereas, taking into account the fact that Parliament will be consulted on the setting-up of the EEAS, and given the budgetary consequences, an early and substantive dialogue with Parliament is essential for the effective start-up of the EEAS and to ensure that it receives the necessary financial resources,
1. Notes that, after intensive discussions on the make-up of the EEAS, the Convention proposed a model that confers important roles on Parliament and on the Commission; points out that the special procedure which the Intergovernmental Conference eventually agreed to adopt in the Treaty of Lisbon – whereby the Council acts unanimously on a proposal from the VP/HR, after consulting the European Parliament and after obtaining the consent of the Commission – maintains the Union's interinstitutional balance and requires a solution based on consensus;
 2. Reminds the Commission once again that the decision to set up the EEAS cannot be taken without the agreement of the Commission; calls on the Commission, in its preparatory work on the EEAS, to put its full weight as an institution behind the objective of preserving and further developing the Community model in the Union's external relations; recalls, moreover, that the establishment of the EEAS must include agreement on the budgetary aspects;
 3. Calls on the Commission, the Council, the Member States and the future HR/VP to clearly commit themselves to reaching an agreement, with the involvement of Parliament, on a comprehensive, ambitious and consensual plan for the setting-up of the EEAS;
 4. Recommends that the approach with regard to the EEAS, which will be established in accordance with Articles 18, 27 and 40 of the Treaty on European Union in the version thereof resulting from the Treaty of Lisbon, should evolve in the light of experience; considers that a body such as the EEAS cannot be completely circumscribed or predetermined in advance, but must be put in place based on mutual trust and a growing fund of expertise and shared experience;
 5. Recalls that the EEAS must guarantee full application of the Charter of Fundamental Rights in all aspects of the Union's external action in accordance with the spirit and purpose of the Lisbon Treaty; underlines the responsibility of the EEAS to guarantee the consistency between its external action and its other policies in accordance with Article 21(3) of the Treaty on European Union in the version thereof resulting from the Lisbon Treaty;
 6. Affirms the following principles and urges the Commission, when making future proposals, to insist on compliance with those principles, in accordance with the spirit and purpose of the provisions of the Treaty of Lisbon and the spirit of the deliberations of the Convention:
 - (a) appointments to the EEAS should be made on the basis of merit, expertise and excellence in appropriate proportions and respecting the geographical balance from the Commission, the Council and national diplomatic services via an open and transparent process, ensuring that the VP/HR can draw on the knowledge and experience of all three in the same way; furthermore, the institutional set-up of the EEAS must include a gender architecture that duly reflects the commitments made by the Union with regard to gender mainstreaming;
 - (b) the EEAS should take a form which improves the consistency of the external action of the Union and its representation in foreign relations, for which purpose in particular the units dealing with external relations in the stricter sense and senior positions in the delegations in third countries should be brought immediately under the umbrella of the EEAS; in the course of further development, consideration can then be given to what other functions should also be assigned to the EEAS;

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- (c) it is not, however, necessary to strip the Commission Directorates-General of all their external relations responsibilities; particularly in fields where the Commission has executive powers, the integrity of current Community policies with an external dimension should be preserved; the Commission, striving to avoid duplication, should provide a specific model for the departments concerned;
- (d) the military and civilian crisis management units must be placed under the VP/HR's authority, while the command and organisational structure may have to differ from that for civilian personnel; the sharing of the intelligence analysis of players within the EEAS is of vital importance in order to assist the VP/HR in fulfilling his/her mandate of conducting a coherent, consistent and efficient external Union policy;
- (e) Commission delegations in third countries and the Council liaison offices, as well as offices of the EU Special Representatives where possible, should be merged to form 'Union embassies', headed by EEAS staff, who would be answerable to the VP/HR; specialist advisers from Commission Directorates-General should not be prevented from being seconded to work in that framework;
- (f) the EEAS must ensure that the European Parliament has contact persons in the EU delegations that guarantee cooperation with the European Parliament (for example in order to foster parliamentary contacts in third countries);

7. Believes that, as a service that is *sui generis* from an organisational and budgetary point of view, the EEAS must be incorporated into the Commission's administrative structure, as this would ensure full transparency; considers that the decision relating to the establishment of the EEAS should ensure in a legally binding manner, by means of the directorial powers of the VP/HR, that the Service – as laid down in the Treaty of Lisbon – is subject to the decisions of the Council in the traditional fields of external policy (CFSP and the common security and defence policy) and subject to the decisions of the College of Commissioners in the field of common external relations; believes that the EEAS should be constituted as follows:

- (a) all staff of the EEAS should have the same permanent or temporary status and the same rights and obligations irrespective of their origin, for example, there should be no difference between temporary and permanent officials as regards their duties or their position in the organisation chart; by virtue of their different origins, the status of temporary staff should be subject to the Staff Regulations of Officials of the EU, with the proviso that the authorities of origin second them to work at the EEAS in the interests of the service;
- (b) the powers of the appointing authority for the EEAS should be assigned to the VP/HR, ensuring that service instructions are issued in accordance with the responsibilities arising from the Treaty and that the VP/HR decides on staff appointments, promotions and terminations of service;
- (c) in the context of the instructions which follow from the responsibilities defined in the Treaties, EEAS staff should possess a certain objective independence, so that the service can perform its duties optimally; such independence could be ensured by appointments for a fixed period, such as five years, with the possibility of an extension, which could be reduced only if the member of staff concerned violates official obligations;
- (d) by analogy with precedents ⁽¹⁾, responsibility for carrying out the duties of the appointing authority with regard to administering the employment of EEAS staff and implementing the decisions of the VP/HR concerning appointments, promotions and extension or termination of service should be assigned to the appropriate Commission Directorate-General;

⁽¹⁾ E.g. Article 6 of Commission Decision 1999/352/EC, ECSC, Euratom of 28 April 1999 establishing the European Anti-fraud Office (OLAF) (OJ L 136, 31.5.1999, p. 20).

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- (e) secondment to the EEAS by national diplomatic services should be treated as an integral part of the career path within those services;
- (f) the decision on the setting-up of the EEAS should establish the organisational structure of the service, and should provide for the establishment plan to be adopted as a part of the budget of the Commission (administrative expenditure) in the course of the annual budget procedure, making it possible to build the Service in a structured manner, keeping pace with ascertained needs;
- (g) the creation of the EEAS requires an adjustment of the Interinstitutional Agreement on budgetary discipline and sound financial management ⁽¹⁾, as provided for in point 4 and part II, point G thereof; the principle of the apportionment of operating and administrative expenditure (Article 41(2) of the Financial Regulation ⁽²⁾) should be strictly respected;
- (h) in his or her absence, the VP/HR should decide on a substitute on a case-by-case basis and in the light of the duties to be performed on each occasion;

8. Recalls the need to find an agreement with the Parliament on the future Commission proposals amending the Financial Regulation and the Staff Regulations; reiterates its determination to exercise its budgetary powers to the full in connection with these institutional innovations; emphasises that all aspects of the funding arrangements for the EEAS must remain under the supervision of the budgetary authority in accordance with the Treaties;

9. Considers that:

- (a) the EEAS should be headed by a Director-General answerable to the VP/HR, that Director-General being able to represent the VP/HR in certain cases;
- (b) the EEAS should be divided into a number of directorates, each of which would be responsible for a geostrategically important field of the Union's external relations, and further directorates for security and defence policy issues, civilian crisis management, multilateral and horizontal affairs including human rights and administrative matters;
- (c) the EEAS should structure the cooperation of country units in Brussels with the delegations (embassies) of the Union in third countries in the context of each directorate;
- (d) there should be no duplication of external services in the Council or in the European Council;

10. Notes that, while the EU delegations in third countries will complement existing diplomatic representations of the Member States, there will be possibilities for long-term gains in efficiency, as the future EU delegation could in many cases take over consular services and deal with Schengen visa issues;

11. Believes that the decision establishing the organisation and operation of the EEAS should also stipulate that Union embassies in third countries must whenever necessary, according to the resources at their disposal, provide logistical and administrative support to the members of all Union institutions;

⁽¹⁾ Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management (OJ C 139, 14.6.2006, p. 1).

⁽²⁾ 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).

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12. while the European Union delegations will be an integral part of the EEAS, and while they should take their instructions from and be subject to the supervision of the VP/HR and should administratively belong to the Commission, requests the future VP/HR to commit him/herself to informing Parliament's Committees on Foreign Affairs and Development about his/her appointments to senior posts in the EEAS and to agreeing to the committees conducting hearings with the nominees, if the committees so decide; also requests that the future VP/HR commit him/herself to renegotiating the current Framework Agreement ⁽¹⁾ with the European Parliament, in particular on access to sensitive information and other issues relevant for smooth interinstitutional cooperation;

13. Proposes that enquiries be made to determine the extent to which Union embassy staff on secondment from national consular services, beyond performing their political and economic tasks, could gradually assume responsibility, where necessary, for consular tasks in relation to nationals of non-member countries and for tasks related to diplomatic and consular protection of Union citizens in third countries, as already provided for by Article 20 of the EC Treaty; proposes, furthermore, that consideration be given to possibilities for cooperation between Parliament officials and the EEAS;

14. Considers that it is necessary to take further steps as regards providing Union officials with external relations training; suggests setting up a European diplomatic college which, in close cooperation with appropriate bodies in the Member States, would provide Union officials and officials of the Member States who are to work in external relations functions with training based on uniformly harmonised curricula including appropriate training in consular and legation procedures, diplomacy and international relations, together with knowledge of the history and workings of the European Union;

15. Calls on the VP/HR to draft a proposal for a decision on the organisation and modus operandi of the EEAS, taking into account the guidelines set out in this resolution; reserves the right to adopt a detailed position on that proposal pursuant to Article 27(3) of the Treaty on European Union in the version thereof resulting from the Treaty of Lisbon, and to examine the financial aspects in the course of the budget procedure; recommends, however, that political agreement be reached with Parliament on all issues at an early stage in order to avoid valuable time being wasted on political controversies about the form to be taken by the EEAS after the entry into force of the Treaty of Lisbon;

16. Calls on the Commission to consent to the VP/HR's proposal only once it largely complies with the guidelines set out in this resolution or once a differing compromise solution has been achieved by consensus through interinstitutional contacts involving Parliament;

17. Is determined to request the Vice-President-designate of the next Commission to take a position on the issues raised in this resolution when meeting the competent committee for the hearing in the course of the procedure for the appointment of the next Commission;

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

⁽¹⁾ Framework Agreement on relations between the European Parliament and the Commission (OJ C 121, 24.4.2001, p. 122).

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Preparation of the TEC meeting and EU/USA Summit (2 and 3 November 2009)

P7_TA(2009)0058

European Parliament resolution of 22 October 2009 on the upcoming EU-US Summit and the Transatlantic Economic Council Meeting

(2010/C 265 E/04)

The European Parliament,

- having regard to its resolutions of 8 May 2008 on the Transatlantic Economic Council ⁽¹⁾, of 5 June 2008 on the EU-US Summit ⁽²⁾, and of 26 March 2009 on the state of transatlantic relations in the aftermath of the US elections ⁽³⁾,
 - having regard to the outcome of the EU-US Summit held on 5 April 2009 in Prague,
 - having regard to the progress report adopted at the third Transatlantic Economic Council (TEC) meeting on 12 December 2008, and to the Joint Statement adopted at the Transatlantic Legislators' Dialogue (TLD) meeting held in April 2009 in Prague,
 - having regard to the report of the United Nations Fact Finding Mission on the Gaza Conflict led by Justice Goldstone, released on 15 September 2009,
 - having regard to its resolution of 17 September 2009 on the envisaged international agreement to make available to the United States Treasury Department financial payment messaging data to prevent and combat terrorism and terrorist financing ⁽⁴⁾,
 - having regard to its resolution of 8 October 2009 on the Pittsburgh G-20 Summit of 24 and 25 September 2009 ⁽⁵⁾,
 - having regard to Rule 110(4) of its Rules of Procedure,
- A. whereas the European Union welcomes the US administration's cooperative attitude in the international field and a strengthening of the EU-US relationship, which is a cornerstone of the EU's external policies,
- B. whereas the EU and the US have a strategic role as regards the global economic challenges, as their gross domestic product (GDP) represents more than half of the global GDP and the two partners have the world's strongest bilateral trade and investment partnership, accounting for almost 40 % of world trade,
- C. whereas the EU and the US also have common political interests and a shared responsibility in the global political arena for promoting peace, respect for human rights and stability and for tackling various global dangers and challenges, such as nuclear proliferation, terrorism, climate change, energy security and the development of low carbon economies, and the eradication of poverty and attainment of other Millennium Development Goals (MDGs),
- D. whereas the work of the TEC needs to continue towards the goal of an integrated transatlantic market by 2015 by reducing barriers to trade, the achievement of which will be essential in order to relaunch economic growth and bring about recovery,

⁽¹⁾ Texts adopted, P6_TA(2008)0192.

⁽²⁾ Texts adopted, P6_TA(2008)0256.

⁽³⁾ Texts adopted, P6_TA(2009)0193.

⁽⁴⁾ Texts adopted, P7_TA(2009)0016.

⁽⁵⁾ Texts adopted, P7_TA(2009)0028.

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- E. whereas, moreover, joint EU-US leadership is needed for the successful completion of the Doha Development Round,
- F. whereas it is important that the role of legislators is duly reflected in the TEC process and that the priorities of the European Parliament are adequately taken into account,
- G. whereas the EU and the US will be confronted with rising global energy consumption and the requirement to implement global commitments to combat climate change to be agreed in Copenhagen, and whereas the new standards and measures to increase energy efficiency should neither create new obstacles to transatlantic trade nor reduce the security and safety of fissile material,
- H. whereas the foreign policy tools of the Lisbon Treaty will enable the EU to play a stronger and more coherent role on the international scene,
- I. whereas the financial and economic crisis has rapidly turned into a jobs crisis with severe social consequences, and whereas the transatlantic partners share responsibility for tackling the social dimension of the economic crisis,
- J. whereas recent surveys, such as the Transatlantic Trends 2009 survey conducted by the German Marshall Fund, show unprecedented popular support among EU citizens for the US administration, and whereas this provides a basis for a revitalisation of EU-US relations,

EU-US Summit

1. Reaffirms that EU-US relations are the most important strategic partnership for the EU and insists on the importance of the intensification by the EU and the US administration of their strategic dialogue, cooperation and coordination when dealing with global challenges and regional conflicts; calls on the Commission to submit, after the forthcoming EU-US Summit, a communication on a strategic EU-US partnership;
2. Calls on both partners to promote respect for human rights in the world as a key element of their policy; underlines the need for intensive coordination in preventive and crisis diplomacy; calls on the US administration to ratify and accede to the Rome Statute of the International Criminal Court; repeats its appeal for the abolition of the death penalty; calls on the US Government to return to the practice of full compliance with international standards of the rule of law, to put a stop to all extrajudicial measures and to end impunity in connection with human rights violations;
3. Considers it necessary that at the EU-US Summit both partners should take the leading role on the implementation of the G-20 commitments; calls, therefore, for coordination of the US reform package for the financial sector and the current EU legislative reforms, including the financial supervisory structure, and calls on both partners to reinforce their cooperation on the modernisation of the IMF;
4. Underlines the importance of EU-US cooperation in reaching an international agreement at the UN Climate Change Conference (COP-15) in Copenhagen in December 2009 on the basis of scientific evidence and including adequate international assistance with the financing of climate mitigation and adaptation in developing countries; urges the EU Presidency to seek, at the EU-US Summit, an ambitious US commitment to international post-Kyoto obligations and US cooperation in promoting links between the EU emissions trading scheme and regional or federal trading schemes in the US;
5. Insists that the Lisbon Treaty will require a strengthening of the institutional mechanisms of EU-US relations in line with its above-mentioned resolution of 26 March 2009;
6. Calls on the EU and the US to agree at the forthcoming Summit on a reinforced transatlantic partnership to deal with common global challenges, in particular with regard to nuclear non-proliferation and disarmament, counter-terrorism, climate change, respect for human rights, facing pandemics and attaining the MDGs; stresses that developing countries did not cause the global financial and economic crisis, but are disproportionately affected by it;

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7. Underlines the importance of NATO as the cornerstone of transatlantic security; considers that relevant developments in this wider security structure should be addressed in dialogue with Russia and the non-EU OSCE Member States, in order to renew the transatlantic consensus on security; underlines the importance of the ESDP and the value of an enhanced European defence capability for the strengthening of transatlantic security;
8. Welcomes in this connection the decision of the Russian Federation and the US to conduct negotiations with a view to concluding a new, comprehensive, legally binding agreement to replace the Strategic Arms Reduction Treaty (START), which expires in December 2009, and the signature of the Joint understanding for a follow-on agreement to START-1' by Presidents Barack Obama and Dmitri Medvedev in Moscow on 6 July 2009;
9. Welcomes the announcement by the US President that he will take forward the ratification of the Comprehensive Nuclear-Test-Ban Treaty (CTBT); calls on the Council to contribute positively and proactively to the preparations for the next Non Proliferation Treaty (NPT) Review Conference in 2010, in close cooperation with the US and Russia;
10. Underlines that the uncertainties about the nature of the Iranian nuclear programme endanger the non-proliferation system and stability in the region and the world; supports the objective of finding a negotiated solution with Iran, following the dual strategy of dialogue and sanctions, in coordination with other members of the Security Council and the International Atomic Energy Agency;
11. Is concerned about the latest nuclear testing conducted by the Democratic People's Republic of Korea and its rejection of UN Security Council Resolution 1887 (2009) of 24 September 2009; nonetheless supports the US bilateral dialogue approach, within the framework of the Six-Party Talks, to achieve denuclearisation of the Korean peninsula;
12. Takes note of the abandonment by the US of its original plans for a missile defence shield in Europe and takes note of its new plans; calls for a new global security architecture involving especially the EU, the US, Russia and China;
13. Calls on both partners to promote a dialogue with Latin America, a region which shares the vision of democracy, human rights and the principle of multilateralism;
14. Reiterates the importance of the promotion by both partners, in a spirit of trust and transparency, of coordinated approaches in their policies towards Iran, Iraq, Afghanistan and Pakistan; urges the EU, the US, NATO and the UN to devise a new joint strategic concept which comprehensively integrates international commitments, calling on all neighbours to participate in this effort in order to achieve regional stabilisation;
15. Considers that the first meeting, hosted on 23 September 2009 by President Obama, between Israeli Prime Minister Benjamin Netanyahu and Palestinian leader Mahmoud Abbas failed to fulfil its ambitions; reaffirms that the success of the Middle East peace process is one of the most important priorities for the EU and the US and calls on the EU and the US to jointly promote active Quartet intervention in the search for common ground as a basis for a peaceful settlement with the objective of a two-state solution providing for an independent, viable Palestinian state; calls on the Summit to examine possible ways of reaching out to the Arab world; calls for an end to the extremely difficult humanitarian situation in the Gaza Strip; deplores the role of Hamas in restricting personal freedom and human rights;
16. Hopes that, at the Summit, the two parties will agree that a successful conclusion of the Doha Round should include measures to avoid volatility of agricultural prices and food shortages; calls upon leaders not to forget the ultimate development goal of this round and to honour their commitment to spend 0,7 % of their GDP on development cooperation; stresses the need to take into consideration recent reforms of the common agricultural policy and hopes to see similar adjustments made to the US Farm Bill; recalls developments with regard to issues where conflict previously existed, such as hormones in beef, chloride in chicken and the authorisation of some genetically modified products; is confident that, through continuous dialogue, issues affecting mutual trade in agricultural products can be tackled before they come before WTO dispute bodies;

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17. Takes note of the idea of creating a Transatlantic Energy Council; underlines strongly that it should deal only with the clearly foreign and security policy-related aspects of this issue and should in the future be integrated into the Transatlantic Political Council (TPC), and that the TEC should deal with overall energy policy;

18. Welcomes the recent extension of the visa waiver programme to another seven EU Member States; urges the US, however, to lift the visa regime for the entire EU and to treat all EU citizens equally and on the basis of full reciprocity; criticises the planned introduction of administrative fees for the granting of Electronic System for Travel Authorisations (ESTA) to EU citizens as a retrograde step and calls on the Commission to treat this as a priority with the US administration, including the option of imposing reciprocity;

19. Calls upon the US to allow the full and effective implementation of the first-stage EU-US aviation agreement and of the EU-US aviation safety agreement; reminds both the Commission and the US authorities that failure to conclude a second-stage agreement could lead to the cancellation of the first-stage agreement by some Member States; calls upon the US to avoid any measures which work against reinforced cooperation, such as those on foreign repair stations, anti-trust exemptions and air carrier citizenship mentioned in House Resolution 915;

Transatlantic Economic Council meeting and the reinforcement of the TEC

20. Underlines that a closer transatlantic partnership with a view to the completion of a transatlantic market by 2015, based on the principle of a social market economy, is a vital instrument for shaping globalisation and for dealing with global economic and social crises; points out that many of the non-tariff barriers to trade and investment which the TEC is called upon to remove are rooted in the deliberate efforts of legislative bodies to foster the achievement of social, health-related, cultural or environmental objectives, and hence must not be abolished without a corresponding legislative act;

21. Requests the Commission to set out a detailed road map of existing obstacles to the attainment of that target; recalls the study which Parliament authorised and financed in its 2007 budget; wonders why neither of these documents has so far been released by the Commission despite repeated requests by Parliament that it do so; sets 15 November 2009 as the final date for their submission for publication;

22. Considers that transatlantic cooperation on energy efficiency and technology (including 'green energy') and on energy regulatory areas can be dealt with within the TEC; insists that transatlantic cooperation on energy security should constitute one of the central issues to be addressed regularly within the TPC, whose creation was proposed by the European Parliament in its above-mentioned resolution of 26 March 2009;

23. Believes that transatlantic economic cooperation must be made more accountable, transparent and predictable and that schedules of meetings, agendas, road maps and progress reports should be regularly published and immediately posted on a website; proposes to hold an annual debate on the progress made on issues discussed within the TEC, as well as its structure;

24. Believes none the less that the impact on commercial activities of actions taken by governments in this context on matters such as privacy and data protection standards, biometric specifications, aviation security, travel documentation and exchanges of passenger information, should not be neglected by the TEC;

25. Calls on the US authorities and the Commission to further intensify their negotiations to find balanced solutions concerning inter alia, air security needs and data protection in the field of passenger name records (PNR), reviews of security checks at airports and the more effective incorporation of measures to reduce the impact of transatlantic and international aviation on climate into the Copenhagen negotiations and ICAO agreements;

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The role of the TLD in the TEC

26. Calls once again on the leadership of the EU and the US, as well as the co-chairs of the TEC, to take account of the crucial role of legislators for the success of the TEC; urges them to involve the representatives of the TLD fully and directly in the TEC, as legislators share with their respective executive branches responsibility for the enactment and oversight of many of the TEC decisions;

27. Believes that it is essential to ensure that the most appropriate members of Congress and of the European Parliament are brought into the Legislators' Dialogue and the TEC process, in order to make sure that legislation has no unintended consequences for transatlantic trade and investment; hopes that the new agreement could upgrade the current TLD into a transatlantic interparliamentary assembly, following recommendations made by Parliament in its above-mentioned resolution of 26 March 2009;

TEC and the economic and financial crises

28. Welcomes the fact that the TEC is advised by a range of stakeholders, including representatives of business, and calls for a comparable role to be given to representatives of the trade union movement on each side of the Atlantic, so that the social dimension is fully included; calls for the heads of the Transatlantic Labour Dialogue and the future Transatlantic Energy Dialogue to be included in the Group of Advisers; however, is of the view that their consultative role is to be differentiated from the legislative role of the US Congress and the European Parliament;

29. Underlines the role of the TEC in promoting and ensuring a coordinated US-EU regulatory response to the crises, in particular regarding alternative investment funds, financial market infrastructure (especially as regards over-the-counter (OTC) derivatives markets), capital requirements, tax havens and cross-border insolvency resolution; calls on the TEC to examine the coordination of, and best practice with regard to, remuneration policy for financial institutions, ensuring that remuneration is based on long-term results, and thus reducing risk exposure;

30. Emphasises that the risk of a credit crunch is not over; stresses in this regard that coordinated macroeconomic policies are vital to achieving a sustainable global economic recovery and addressing the rising level of unemployment;

31. Calls on the TEC to insist that the US authorities take into account changes to the EU capital requirements directives when implementing the Basel II framework; welcomes the proposal of the US Government to regulate all OTC derivatives and its work on a central clearing house for complex structured products, and calls on the TEC to examine how to promote a coordinated approach concerning treatment of asset classes and corporations as well as infrastructure equivalence;

32. Calls on the TEC to ensure that the US authorities coordinate with the proposed EU directive on alternative investment fund managers (the AIFM Directive), in order to avoid regulatory arbitrage;

33. Urges the TEC to address the issue of 'too big to fail' institutions and supports the G-20 proposals for 'living will' contingency plans for systemically important cross-border institutions; considers that systemically important financial institutions could be subject to stricter disclosure requirements such as limitations on commercial confidentiality, in the same way as dominant companies can be under EU competition policy;

34. Supports the G-20 call to speed up convergence of accounting standards; urges the TEC to invite the Financial Accounting Standards Board (FASB) and the International Accounting Standards Board (IASB) to agree a single set of high-quality global accounting standards and complete their convergence project by June 2011; underlines that the IASB should continue its governance reforms;

35. Urges the TEC to insist that the US authorities abide by their road map for requiring US domestic users to apply the International Financial Reporting Standards (IFRS); recalls its request that, until the US adopts the IFRS, the US Securities and Exchange Commission (SEC) should recognise the IFRS, as adopted by the EU and until the decision requiring US users to apply the IFRS has been made, as being equivalent to the Generally Accepted Accounting Principles in the US (US GAAP); urges the TEC to promote the development of a country-by-country breakdown of reporting for multinational groups;

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36. Hopes that the TEC will urge changes in US insurance supervision that will enable the EU to recognise the US insurance supervisory regime as equivalent under the conditions set out in the Solvency II Directive; is of the opinion that the initiative to set up an Office of National Insurance would improve EU-US cooperation; calls on the TEC to ensure that the US authorities make progress on federal-level insurance supervision by separating, if necessary, tax and other issues from the pure supervision aspect;

37. Welcomes the expansion of the Global Forum on Transparency and Exchange of Information (GFTEI) and sees it as a promising step that all 87 countries in the GFTEI have agreed to adopt the OECD standard on tax information sharing; urges the TEC to ensure that the EU and the US show their common global leadership by ensuring that the necessary incentives, including sanctions, are in place in March 2010, and to quickly implement, with all parties, a programme of peer review to assess progress, but considers that this framework must be reinforced to combat tax evasion and avoidance; stresses that automatic information should be the standard in all transnational tax matters;

38. Believes that the exchange of corporate social responsibility (CSR) best practices between the US and the EU will have a significant impact on the attitude of enterprises to CSR and on their positive engagement with social and environmental issues; considers that regulatory cooperation should take into account the strengthening of the EU regulatory framework regarding the Capital Requirements Directive, in particular remuneration policies in the financial services sector;

39. Welcomes the G-20 leaders' conclusions;

TEC and intellectual property

40. Calls on the forthcoming TEC meeting to promote strategic transatlantic cooperation on the protection of intellectual property with full respect for the fundamental and civil rights of citizens; underlines that the spread of technologies must not distort the system of intellectual property protection that guarantees the ability to take financial and business risks inherent in the innovation process;

41. Reminds the TEC that the information society is a crucial pillar of the transatlantic economic area based on access to knowledge and on a new model for the protection and sharing of digital content, in keeping with proportionality;

TEC and consumer protection

42. Calls on the TEC to promote joint actions to ensure that third countries, particularly China, raise their production standards to meet EU/US safety requirements, in particular for toys, and to ensure strict enforcement, on both sides of the Atlantic, of safety laws regarding products, particularly toys, as well as stronger national inspections;

43. Calls on the Commission to develop within the TEC stronger and more effective cross-border enforcement cooperation mechanisms, with the objective of linking the EU 'RAPEX' alert system for consumer products which pose a serious risk to consumers to the US Consumer Product Safety Commission alert system and integrating the activities of the EU's consumer protection cooperation network with those of the US authorities;

44. Proposes that the TEC endorse the adoption of a binding cooperation instrument which would structure and facilitate the sharing of information on product safety and the development of a common programme of cooperative actions;

45. Calls on the Commission to accelerate, with a view to the forthcoming TEC meeting and EU-US Summit, its work on a much-delayed bilateral Enforcement Cooperation Agreement extending to the US, its enforcement activities within the framework of the EU Consumer Protection Cooperation Regulation ⁽¹⁾ and the US Safe Web Act;

⁽¹⁾ Regulation (EC) No 2006/2004 of the European Parliament and of the Council of 27 October 2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws (OJ L 364, 9.12.2004, p. 1).

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46. Calls on the Commission to work with US counterparts in order to allow the TEC to examine ways of enhancing consumer protection with due regard for the digital rights of consumers, as well as working together on rules for defective goods;

Bilateral trade – customs matters, market surveillance and trade security

47. Calls on the TEC to promote the strengthening of cooperation between the EU and the US customs and market surveillance authorities, in order to prevent dangerous products, in particular dangerous toys, from reaching consumers;

48. Calls on the TEC to voice EU concerns over the US unilateral legislative measure regarding the 100 % scanning of US-bound maritime cargo containers, as adopted by the US Congress; believes that the TEC could usefully organise seminars on the 100 % scanning issue in Brussels and Washington, in order to foster a deeper understanding between US and EU legislators and to promote an early and mutually acceptable resolution of this problem; calls on the Commission to evaluate, for the forthcoming TEC meeting, the potential costs of this measure to business and to the EU economy, as well as the potential impact on customs operations;

49. Is resolved to continue to call on the US legislature – and calls on the Commission to do likewise within the TEC – to reconsider the 100 % container-scanning obligation, and to develop cooperation with the US based on risk management, including mutual recognition of the EU and US trade partnership programmes, in accordance with the SAFE Framework of Standards of the World Customs Organization;

Mutual recognition and standardisation

50. Calls on the Commission to pursue, in the light of the forthcoming TEC meeting, the formal adoption of procedures for the mutual recognition of declarations of conformity for products subject to mandatory third-party testing, in particular for ICT and electrical equipment, to insist on the mutual recognition of legal units of measurement, in particular acceptance of metric-only labelling of EU products in the US, to explore standardisation with US authorities, to establish round tables on standards focusing on innovative solutions and to coordinate internationally;

Environmental and public health issues

51. Considers it of the utmost importance to engage in a dialogue in the TEC on novel foods and the use of new technologies in food production; emphasises concerns regarding cloning in animal breeding;

52. Welcomes the fact that the US Government has recognised the need to reform its Toxic Substances Control Act; calls on the EU and US to cooperate so as to establish a regulatory system in the US that brings about a level of protection compatible with REACH;

Energy, industry and science

53. Calls for cooperation within the TEC on all matters affecting the regulatory environment for industries, following the approach of the EU 'Small Business Act' – thinking small first – when considering legislation with a transatlantic impact;

54. Encourages the TEC to develop cooperation towards a common energy strategy which supports diversification and promotes an eco-efficient economy, in order to increase security of supply, and encourages the TEC to help seek convergent sustainability criteria for biofuels;

55. Urges the TEC to stimulate cooperation in research so as to better exploit the potential of the extended EU-US Science and Technology Agreement;

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International trade

56. Considers that access to third-country markets is a matter of common concern and interest for both the EU and the US; is convinced that the TEC can play an important role in fostering a common approach by the EU and the US in their trade relations with third countries; calls on the TEC to work towards a more common approach to new free-trade agreements on the part of the US and the EU, with a view to harmonising such agreements, including social and environmental standards;

57. Calls on the TEC to deal with the legal framework and technical standards in order to remedy unclear legal conditions and in this context to consider the issues of contracts, duties or legal security in the US;

Judicial and police cooperation, visas

58. Hopes that the EU-US Ministerial Meeting scheduled to be held on 28 October 2009 in Washington DC will adopt a joint declaration on police and judicial cooperation, covering in particular cyber-security;

59. Recalls its determination to fight terrorism and its firm belief in the need to strike the right balance between security measures and the protection of civil liberties and fundamental rights, while ensuring the utmost respect for privacy and data protection; reaffirms that necessity and proportionality are key principles without which the fight against terrorism will never be effective;

60. Believes that a sound legal and political framework is needed for strong cooperation between the EU and the US in matters related to justice, freedom and security and that a stronger partnership involving the parliamentary and democratic dimension is essential in order to address effectively common challenges such as the fight against terrorism and organised crime without prejudice to fundamental rights and the rule of law, judicial cooperation in criminal matters and police cooperation, management of migration and protection of the right to seek asylum, and promotion of visa-free movement of all bona fide citizens between the two areas;

61. In this respect, recalls that the European Union is based on the rule of law and that all transfers of European personal data to third countries for security purposes should respect procedural guarantees and defence rights and comply with data-protection legislation at national and European level;

62. Recalls that, within the transatlantic framework of the EU-US agreement on legal assistance, which will enter into force on 1 January 2010, Article 4 provides for access to be granted to targeted financial data upon request, through national state authorities, and that this might constitute a sounder legal basis for the transfer of SWIFT data than the proposed interim agreement;

63. Notes that an interim agreement on the transfer of such data is being negotiated between the EU and the US which would be valid for an intermediate period through a sunset clause not exceeding 12 months, and that a new agreement, negotiated without prejudice to the procedure to be followed under the Lisbon Treaty, will have to fully involve the European Parliament and national parliaments and ensure that the conditions set out in Paragraph 3 of its above-mentioned resolution of 17 September 2009 are fulfilled;

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64. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the US Congress, the co-chairs of the Transatlantic Legislators' Dialogue, and the co-chairs and secretariat of the Transatlantic Economic Council.

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Guinea

P7_TA(2009)0059

European Parliament resolution of 22 October 2009 on the situation in Guinea

(2010/C 265 E/05)

The European Parliament,

- having regard to the communiqué issued by the International Contact Group on Guinea (ICGG) in Abuja (Nigeria) on 13 October 2009,
 - having regard to the prolonged instability in the Mano River region that is traumatising the local population,
 - having regard to its previous resolutions on Guinea,
 - having regard to the statement by the Presidency on behalf of the European Union on 29 September 2009, on the violent events in Conakry, Republic of Guinea,
 - having regard to Parliament's debate on 7 October 2009,
 - having regard to Rule 122 of its Rules of Procedure,
- A. whereas a military junta, led by Captain Moussa Dadis Camara, seized power on 23 December 2008, following the death of President Lansana Conté,
- B. whereas the repression of a peaceful demonstration by the opposition on 28 September 2009, the anniversary of the referendum by which the country gained independence, caused, according to sources, between 100 and 200 deaths, (the military having recovered a number of bodies to prevent them being counted, thus also preventing the families from mourning their dead), and more than 1 000 wounded, by gunshots or bayoneting, and numerous cases of rape were reported,
- C. whereas leading opposition figures have been beaten, injured and arrested, journalists critical of the authorities are being hunted down and the junta is creating a real risk of ethnic conflict,
- D. whereas there have been horrifying reports of soldiers using rifle butts, even bayonets, to rape women, while other women were stripped of their clothing and their dignity – and were then violated, humiliated and raped in public by the security forces,
- E. whereas acts of violence against women amount to war crimes and crimes against humanity and all perpetrators should be brought to justice to end their impunity,
- F. whereas Articles 8 and 9 of the Cotonou Agreement, to which Guinea is a signatory, require respect for human rights and democracy,
- G. whereas the 'roadmap' set up on 27 July 2009 under Article 96 of the Cotonou Agreement was designed to organise the transition to democracy,

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- H. whereas the members of the junta who were formerly members of the National Council for Democracy and Development had pledged to hold free elections as soon as possible, and not to stand as candidates in those elections themselves,
- I. whereas the Prosecutor of the International Criminal Court (ICC) has just begun a preliminary investigation into the situation in Guinea, in order to determine whether crimes have been committed within the ICC's jurisdiction,
- J. whereas its irresponsible use of armed force to repress the population disqualifies the military junta from organising the country's transition to democracy, through free and fair elections,
- K. whereas positions have been taken by the Economic Community of West African States (ECOWAS) and the African Union, and Burkanibe President Blaise Compaoré has been appointed as the 'facilitator',
- L. whereas the International Contact Group on Guinea (ICGG), comprising diplomats from ECOWAS, the UN, the African Union and the European Union and representatives of the world human rights defence watchdogs, visited Guinea and has reported accordingly,
- M. whereas the European Union and Guinea signed a fisheries partnership agreement in December 2008 ⁽¹⁾, a few days before the coup that brought Captain Dadis Camara to power, with the first payment under that agreement being due by 30 November 2009,
- N. whereas the African Union's ultimatum to Captain Dadis Camara, urging him to renew his undertaking not to stand as a candidate in the next presidential election, has expired,
- O. whereas ECOWAS has appealed to the international community to deploy a neutral force in Guinea to protect the population and opposition figures and the ICGG has called for a total embargo on arms destined for Guinea,
- P. whereas there is considerable development potential in Guinea's substantial mineral resources; whereas Guinea is classified by Transparency International as one of the most corrupt countries in Africa,
1. Condemns the bloody and murderous repression of unarmed demonstrators and presents its condolences to the families of the victims;
 2. Condemns all acts of sexual violence against women and girls and calls for medical and psychological assistance for rape victims; calls on the Commission to urgently launch specific programmes for the rehabilitation of women victims of violence in Guinea;
 3. Welcomes the ICGG communiqué following its 12 October 2009 meeting in Abuja on the Guinean crisis in which it calls on the military junta to 'immediately release all those arbitrarily arrested, and particularly those held in custody in connection with the 28 September 2009 incident' in Conakry and calls on it to formalise by Saturday, 17 October 2009 the arrangements necessary to rule out participation by members of that junta in the presidential elections scheduled for January 2010;

⁽¹⁾ Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Community and the Republic of Guinea on fishing off the coast of Guinea for the period from 1 January 2009 to 31 December 2012 (O) L 156, 19.6.2009, p. 40).

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4. Welcomes the setting-up by the UN of an independent international committee of inquiry to determine responsibility for the massacre, and the opening of a preliminary investigation by the ICC to ensure that it does not go unpunished;
 5. Calls for every possible measure to be taken to guarantee the safety of the witnesses and the victims' families when they are heard by the international committee of inquiry;
 6. Calls on the military junta to respect the right to freedom of opinion, expression and association, including the right to peaceful assembly, as expressed in the Universal Declaration of Human Rights;
 7. Considers that only a government resulting from free and fair elections will be able to represent the country's long-term interests;
 8. Wishes to see a transitional government put in place, incorporating the main opposition parties, with the task of preparing for the presidential and parliamentary elections;
 9. Calls on the Council to take the 'appropriate measures' referred to in Article 96 of the Cotonou Agreement and to look into the options for responding to the request by ECOWAS to arrange a mission in support of an African force for protection of the population, so as to provide that force with the resources needed to fulfil its mission, and a longer-term civilian mission to contribute to the organisation of the security forces;
 10. Calls on the African Union, in collaboration with ECOWAS, to impose strong sanctions against the military junta personnel while organising a national dialogue through a truth and reconciliation commission;
 11. Calls on all states to suspend international supplies of military and police weaponry, munitions and other equipment that could be used to commit human rights violations by Guinean security forces, in accordance with the position taken by the ICGG;
 12. Deplores the fact that both state-owned and private Chinese firms investing in Guinea are largely indifferent to the human rights of the country's citizens;
 13. Instructs its President to forward this resolution to the Council and the Commission, the governments and parliaments of the Member States, the Secretary-General of the United Nations, the authorities of the African Union and ECOWAS and the junta in power in the Republic of Guinea.
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Iran

P7_TA(2009)0060

European Parliament resolution of 22 October 2009 on Iran

(2010/C 265 E/06)

The European Parliament,

- having regard to its previous resolutions on Iran, in particular those concerning human rights,
 - having regard to the declarations by the EU Presidency, the High Representative for the CFSP, the EU Foreign Ministers, the Heads of State and Government of the G8, the European Council and the President of the European Parliament on the repression of demonstrations during the post-electoral unrest in Iran in June 2009,
 - having regard to the report of the UN Secretary-General of 23 September 2009 on the situation of human rights in the Islamic Republic of Iran,
 - having regard to the statement by the President of the European Parliament of 9 October 2009 reiterating the commitment of Parliament to the worldwide abolition of the death penalty and specifically denouncing capital punishment for juvenile crimes and the imminent executions in Iran,
 - having regard to the EU Presidency statement of 13 October 2009 on the execution of Behnoud Shojaee in Iran,
 - having regard to the EU Presidency statement of 20 September 2009 condemning the repeated denials by the Iranian President Mahmoud Ahmadinejad of the Holocaust and of the right of the state of Israel to exist,
 - having regard to the EU Presidency statement of 18 October 2009 condemning the suicide attack in Sistan-Baluchestan province in Iran, which killed at least 42 people,
 - having regard to United Nations General Assembly Resolutions 62/149 of 18 December 2007 and 63/168 of 18 December 2008 on a moratorium on the use of the death penalty,
 - having regard to the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Elimination of All Forms of Racial Discrimination, and the Convention on the Rights of the Child, to which the Islamic Republic of Iran is a party,
 - having regard to Rule 122 of its Rules of Procedure,
- A. whereas the general human rights situation in Iran has continued to deteriorate, even more so since the presidential elections of June 2009,
- B. whereas Iran is the country with the highest number of executions after China, the numbers having increased fourfold since President Mahmoud Ahmedinejad came to power in 2005, and whereas it holds the sad distinction of being the only country in the world still to execute juvenile offenders; whereas at least 140 child offenders are on death row in Iran, according to reports by human rights lawyers,

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- C. whereas on 11 October 2009 Behnoud Shojaee was hanged despite strong national and international pleas to spare his life, being the third juvenile offender to be executed in the Islamic Republic of Iran since the beginning of 2009 after Delara Darabi and Molla Gol Hassan, and whereas the juvenile offenders Safar Angooti and Abbas Hosseini face imminent risk of execution,
- D. whereas the torture and ill-treatment of prisoners, sleep deprivation, solitary confinement, clandestine detention, the application of cruel, inhuman and degrading treatment and impunity for state agents all continue to be widespread,
- E. whereas the violent repression of political opponents, human rights activists, journalists, bloggers, teachers, intellectuals, academics, gay people, women, students, trade unionists and members of religious, ethnic and language minorities has increased,
- F. whereas seven leaders of the Baha'i faith continue to be imprisoned, being held solely on the basis of their religious beliefs,
- G. whereas on 4 August 2009 President Mahmoud Ahmadinejad received formal endorsement for a second term of office, having been declared the winner of the 12 June 2009 elections, while his election rivals Mir-Hossein Mousavi and Mehdi Karrubi, as well as numerous observers, accused the authorities of large-scale falsification of the election results,
- H. whereas in the following weeks and months tens of thousands of protesters took to the streets; whereas some 150 people died and more than a thousand demonstrators were arrested,
- I. whereas mass trials continue for reportedly 140 opposition supporters, including prominent reformers, and activists accused of offences ranging from rioting to spying and seeking to topple Iran's rulers,
- J. whereas four individuals have been sentenced to death in connection with the protests despite being imprisoned since April, long before the post-election demonstration,
- K. whereas according to reports by human rights organisations, dozens of reporters, photographers and bloggers have left Iran or are trying to flee the country, thousands have lost their jobs, numerous newspapers have been closed down by the authorities in recent weeks, and 19 journalists and five bloggers are reportedly still being held by the Iranian authorities,
1. Expresses serious doubts concerning the accuracy of the election results which have led to the confirmation of President Mahmoud Ahmedinejad for a second term of office, despite strong indications of large-scale electoral fraud, and considers that the credibility of the Iranian President has been seriously undermined;
 2. Pays tribute to the courage of all those Iranian men and women who are defending their basic freedoms and democratic principles and expressing their wish to live in a society free from repression and intimidation; pays a special tribute to the Iranian women who played a crucial role in the post-election demonstrations in June, and in particular to Neda Agha Soltan, who has become the symbol of the violent repression, and also to Shadi Sadr, the human rights activist, arrested on 15 July 2009 for speaking publicly about human rights violations carried out in prisons on detainees following Iran's disputed presidential elections;
 3. Condemns the large-scale and excessive use of force, arbitrary arrest and alleged torture in the repression of protests over the disputed Iranian presidential elections; calls on the Iranian government to respect fundamental civil and political rights and in particular the right to free expression, and demands that all peaceful demonstrators and all those arrested in the wider context of the recent unrest - be they students, academics, campaigners, journalists or human rights activists - be released unconditionally;

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4. Calls on the Iranian authorities to grant access for the International Committee of the Red Cross to all prisoners without exception, and to allow international human rights organisations to monitor the situation in the country;
 5. Urges the Iranian authorities to eliminate, in law and in practice, all forms of torture and other cruel, inhuman or degrading treatment or punishment, and to uphold due process of law and end impunity for human rights violations;
 6. Condemns the suicide bomb attack which took place in Sistan-Baluchestan province on 17 October 2009, in which dozens of people were killed or wounded; is concerned that this suicide attack may be linked to the repression of ethnic and religious minorities in this province; rejects the use of terrorism as a means of resolving political disputes;
 7. Reiterates its appeal to the Iranian authorities to live up to the government's obligation to respect religious minorities and promptly release the Baha'i leaders Fariba Kamalabadi, Jamaloddin Khanjani, Afif Naeimi, Saeid Rasaie, Mahvash Sabet, Behrouz Tavakkoli and Vahid Tizfahm;
 8. Reiterates its call on the Iranian authorities to abolish the death penalty completely and, in the meantime, to establish a moratorium on executions, as called for by UN General Assembly Resolutions 62/149 and 63/168;
 9. Strongly condemns the death sentences and executions in Iran, in particular those imposed or carried out on juvenile offenders and minors, and protests vehemently against the execution in Iran on 11 October 2009 of Behnoud Shojaee; urges the Iranian authorities to respect the internationally recognised legal safeguards with regard to minors, such as the ICCPR and the International Convention on the Rights of the Child, and, in particular, not to execute Safar Angooti and Abbas Hosseini;
 10. Recommends that a Special Envoy be dispatched by the UN High Commissioner for Human Rights to monitor the situation of political detainees and ensure that the Iranian authorities adhere to international procedural standards and to their legal human rights obligations;
 11. Deplores the systematic restriction of freedom of information by means of blocking websites, banning them from covering unauthorized demonstrations, and implementing new restrictions requiring journalists to obtain permission before covering any story;
 12. Calls on the Iranian authorities to stop the prosecution of journalists working for international media, and calls, in particular, for the immediate release of Fariba Pajooh, a young Iranian-Canadian journalist and well-known blogger, arrested at her home in Tehran on 24 August 2009;
 13. Condemns the fact that the human rights activist Abdolfattah Soltani was, on 2 October 2009, prevented from travelling from Tehran to Nuremberg, Germany in order to receive that city's Human Rights Prize;
 14. Calls on the Commission to establish an EU delegation in Tehran in order to promote and strengthen dialogue with the authorities and with civil society in Iran, and to intensify cooperation, notably on aid for refugees and the fight against drug trafficking;
 15. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the UN Secretary-General, the UN Human Rights Council, and the Government and Parliament of the Islamic Republic of Iran.
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Thursday 22 October 2009

Sri Lanka

P7_TA(2009)0061

European Parliament resolution of 22 October 2009 on Sri Lanka

(2010/C 265 E/07)

The European Parliament,

- having regard to its previous resolutions of 18 May 2000 ⁽¹⁾, 14 March 2002 ⁽²⁾ and 20 November 2003 ⁽³⁾ on Sri Lanka, of 13 January 2005 ⁽⁴⁾ on the tsunami disaster in the Indian Ocean, of 18 May 2006 ⁽⁵⁾ on the situation in Sri Lanka and of 5 February 2009 ⁽⁶⁾ on Sri Lanka,
 - having regard to the open letters of the European Commissioner for External Relations of 16 June 2009 and 21 September 2009 on the situation in Sri Lanka,
 - having regard to the Council conclusions of 18 May 2009 on Sri Lanka,
 - having regard to Rule 122 of its Rules of Procedure,
- A. whereas all the territories in the north of Sri Lanka formerly held by the Liberation Tigers of Tamil Eelam (LTTE) have been retaken,
- B. whereas 25 years of conflict, which ended with the defeat of the LTTE in 2009, have resulted in more than 90 000 deaths,
- C. whereas, following the end of the conflict, more than 250 000 Tamil civilians are being held in camps for screening and resettlement, where there are serious concerns about overcrowding and inadequate access to clean water, sanitation and medical facilities and where they have no freedom of movement,
- D. whereas the Sri Lankan Government denies humanitarian and human rights organisations adequate access to the camps,
- E. whereas the international community must continue to provide humanitarian aid, including trained staff,
- F. whereas the Sri Lankan Government needs to be generous and proactive in addressing the concerns and interests of its Tamil citizens and to implement rapidly and fully the 13th Amendment to the Sri Lankan Constitution, as well as further and significant devolution measures so that the Tamil peoples, too, see the defeat of the LTTE as a liberation,
- G. whereas the human rights situation is unlikely to improve without the involvement of permanent international observers, in particular from organisations such as the International Committee of the Red Cross (ICRC),
- H. whereas numerous journalists covering the conflict and the post-conflict situation in Sri Lanka have experienced violence and intimidation,

⁽¹⁾ OJ C 59, 23.2.2001, p. 278.

⁽²⁾ OJ C 47 E, 27.2.2003, p. 613.

⁽³⁾ OJ C 87 E, 7.4.2004, p. 527.

⁽⁴⁾ OJ C 247 E, 6.10.2005, p. 147.

⁽⁵⁾ OJ C 297 E, 7.12.2006, p. 384.

⁽⁶⁾ Texts adopted, P6_TA(2009)0054.

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- I. whereas Sri Lanka's economic recovery will depend greatly on foreign direct investment and also on continued EU support,
 - J. whereas large areas of former conflict zones are contaminated by anti-personnel mines and other explosive debris of war,
 1. Deeply deplores the fact that more than 250 000 people are still detained in camps and calls on the Sri Lankan Government to take all necessary steps to organise the quick return home of those detained, as well as the urgent delivery of humanitarian assistance to them, in line with its obligation to protect all people under its jurisdiction; emphasises the need to give the ICRC and the UN specialised agencies a key role in this process;
 2. Calls on the Sri Lankan authorities to grant humanitarian organisations free access to the camps in order to provide those detained with the necessary humanitarian assistance, particularly with the imminent arrival of monsoon rains in the north of the country;
 3. Urges society worldwide to continue providing humanitarian patronage, in order to contribute to a lasting peace, and calls on international donors to link funding for the camps to compliance with commitments on resettlement and to implement a time-limited programme of assistance to the camps;
 4. Calls on all Tamil leaders to commit to a political settlement and to renounce terrorism and violence once and for all;
 5. Insists that the Sri Lankan Government is under an obligation to apply international human right standards in judicial proceedings against members of the LTTE;
 6. Recognises Sri Lanka's development of a National Action Plan for the Promotion and Protection of Human Rights;
 7. Calls on the Sri Lankan Government to expedite plans for reconciliation and regional devolution as included in the country's constitution;
 8. Urges the Sri Lankan Government to stop the repression of the media under anti-terrorist legislation and to allow freedom of the press; and calls on it, now that the conflict has ended, to review its anti-terrorist legislation and to ensure that all alleged violations of media freedom are the subject of full, open and transparent investigations;
 9. Urges the Sri Lankan Government to give further and increased attention to the clearance of landmines, the presence of which presents a serious obstacle to rehabilitation and economic regeneration; calls on it, in this regard, to take the very positive step of acceding to the Ottawa Treaty (Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction), and urges the Commission, in particular, to sponsor additional support for urgent mine-clearance work in Sri Lanka;
 10. Welcomes the introduction of the Victim and Witness Assistance and Protection Bill, which is currently at second reading in the Sri Lankan Parliament;
 11. Takes note of holding of local elections in northern Sri Lanka;
 12. Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States, the UN Secretary-General, the Secretary-General of the British Commonwealth, the International Committee of the Red Cross, Human Rights Watch, the International Campaign to Ban Landmines, the Government of Sri Lanka and all other member countries of the South Asian Association for Regional Cooperation.
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II

*(Information)*INFORMATION FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES
AND AGENCIES

EUROPEAN PARLIAMENT

Request for waiver of the immunity of Mr Marek Siwiec

P7_TA(2009)0050

**European Parliament decision of 20 October 2009 on the request for waiver of the immunity of
Marek Siwiec (2009/2067(IMM))**

(2010/C 265 E/08)

The European Parliament,

- having regard to the request for waiver of the immunity of Marek Siwiec, forwarded by the Polish Prosecutor-General on 27 September 2006 and announced in plenary sitting on 10 April 2008,
- having heard Marek Siwiec in accordance with Rule 7(3) of its Rules of Procedure,
- having regard to Article 10 of the Protocol of 8 April 1965 on the Privileges and Immunities of the European Communities, and Article 6(2) of the Act of 20 September 1976 concerning the election of the members of the European Parliament by direct universal suffrage,
- having regard to the judgments of 12 May 1964 and 10 July 1986 ⁽¹⁾ of the Court of Justice of the European Communities,
- having regard to Article 105 of the Constitution of the Republic of Poland of 2 April 1997,
- having regard to Article 7b(1) of the Polish Law of 9 May 1996 on the performance of the mandate of deputy or senator,
- having regard to Rules 6(2) and 7 of its Rules of Procedure,
- having regard to the report of the Committee on Legal Affairs (A7-0030/2009),

A. whereas a private prosecution has been brought against Marek Siwiec,

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

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B. whereas it appears from the timing of the prosecution during an electoral campaign three years after the alleged offences were committed, and from the overtly political aims of the private individual bringing the prosecution, as evidenced in particular by documents presented by that individual himself to the President of Parliament and by the fact that he claims to be acting on behalf of citizens who object in general terms to Mr Siwiec's carrying out a public activity, that the bringing of the criminal proceedings in question constitutes a *fumus persecutionis*, inasmuch as there are serious reasons to believe that the charges against Mr Siwiec have been brought by a political opponent with the principal aim of undermining his activity as a Member of the European Parliament,

1. Decides not to waive the immunity of Marek Siwiec;
 2. Instructs its President to forward this decision, and the report of the committee responsible, immediately to the appropriate authority of the Republic of Poland.
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III

(Preparatory acts)

EUROPEAN PARLIAMENT

International Renewable Energy Agency (IRENA) Statute *

P7_TA(2009)0030

European Parliament legislative resolution of 20 October 2009 on the proposal for a Council decision on the conclusion of the Statute of the International Renewable Energy Agency (IRENA) by the European Community and on the exercise of its rights and obligations (COM(2009)0326 – C7-0092/2009 – 2009/0085(CNS))

(2010/C 265 E/09)

*(Consultation procedure)**The European Parliament,*

- having regard to the proposal for a Council decision (COM(2009)0326),
 - having regard to Articles 175(1), 300(2), first subparagraph, and 300(3), first subparagraph, of the EC Treaty, pursuant to which the Council consulted Parliament (C7-0092/2009),
 - having regard to Rules 55, 90(8) and 46(1) of its Rules of Procedure,
 - having regard to the report of the Committee on Industry, Research and Energy (A7-0026/2009),
1. Approves conclusion of the Statute;
 2. Instructs its President to forward its position to the Council and the Commission, and the governments and parliaments of the Member States.

Obsolete Council acts in the field of the common agricultural policy *

P7_TA(2009)0031

European Parliament legislative resolution of 20 October 2009 on the proposal for a Council regulation repealing certain obsolete Council acts in the field of the Common Agricultural Policy (COM(2009)0377 – C7-0134/2009 – 2009/0103(CNS))

(2010/C 265 E/10)

*(Consultation procedure)**The European Parliament,*

- having regard to the Commission proposal to the Council (COM(2009)0377),

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- having regard to Article 37 of the EC Treaty, pursuant to which the Council consulted Parliament (C7-0134/2009),
 - having regard to Rules 55 and 46(1) of its Rules of Procedure,
 - having regard to the report of the Committee on Agriculture and Rural Development (A7-0018/2009),
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.
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Delegation of the tasks of laboratory testing *

P7_TA(2009)0032

European Parliament legislative resolution of 20 October 2009 on the proposal for a Council directive amending Directive 2000/29/EC as regards the delegation of the tasks of laboratory testing (COM(2009)0424 – C7-0160/2009 – 2009/0117(CNS))

(2010/C 265 E/11)

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2009)0424),
 - having regard to Article 37 of the EC Treaty, pursuant to which the Council consulted Parliament (C7-0160/2009),
 - having regard to Rules 55 and 46(1) of its Rules of Procedure,
 - having regard to the report of the Committee on Agriculture and Rural Development (A7-0017/2009),
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.
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Reduced rates of excise duty in Madeira and the Azores *

P7_TA(2009)0033

European Parliament legislative resolution of 20 October 2009 on the proposal for a Council decision authorising Portugal to apply reduced rates of excise duty in the autonomous region of Madeira on locally produced and consumed rum and liqueurs and in the autonomous region of the Azores on locally produced and consumed liqueurs and eaux-de-vie (COM(2009)0259 – C7-0104/2009 – 2009/0075(CNS))

(2010/C 265 E/12)

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2009)0259),
 - having regard to Article 299(2), of the EC Treaty, pursuant to which the Council consulted Parliament (C7-0104/2009),
 - having regard to Rules 55 and 46(1) of its Rules of Procedure,
 - having regard to the report of the Committee on Regional Development (A7-0039/2009),
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.

Conservation of wild birds (codified version) *I**

P7_TA(2009)0034

European Parliament legislative resolution of 20 October 2009 on the proposal for a directive of the European Parliament and of the Council on the conservation of wild birds (codified version) (COM(2009)0129 – C6-0102/2009 – 2009/0043(COD))

(2010/C 265 E/13)

(Codecision procedure – codification)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2009)0129),
- having regard to Article 251(2) and Article 175(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0102/2009),
- having regard to the Interinstitutional Agreement of 20 December 1994 - Accelerated working method for official codification of legislative texts ⁽¹⁾,

⁽¹⁾ OJ C 102, 4.4.1996, p. 2.

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- having regard to Rules 86 and 55 of its Rules of Procedure,
 - having regard to the report of the Committee on Legal Affairs (A7-0024/2009),
- A. whereas, according to the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, the proposal in question contains a straightforward codification of the existing texts without any change in their substance,
1. Approves the Commission proposal as adapted to the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission;
 2. Instructs its President to forward its position to the Council and the Commission.

Appliances burning gaseous fuels (codified version) *I**

P7_TA(2009)0035

European Parliament legislative resolution of 20 October 2009 on the proposal for a directive of the European Parliament and of the Council relating to appliances burning gaseous fuels (codified version) (COM(2007)0633 – C6-0393/2007 – 2007/0225(COD))

(2010/C 265 E/14)

(Codecision procedure – codification)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2007)0633),
 - having regard to Article 251(2) and Article 95 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0393/2007),
 - having regard to the Interinstitutional Agreement of 20 December 1994 – Accelerated working method for official codification of legislative texts ⁽¹⁾,
 - having regard to Rules 86 and 55 of its Rules of Procedure,
 - having regard to the report of the Committee on Legal Affairs (A7-0025/2009),
- A. whereas, according to the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, the proposal in question contains a straightforward codification of the existing texts without any change in their substance,
1. Approves the Commission proposal as adapted to the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission;
 2. Instructs its President to forward its position to the Council and the Commission.

⁽¹⁾ OJ C 102, 4.4.1996, p. 2.

Tuesday 20 October 2009

Provision of audiovisual media services (codified version) *I**

P7_TA(2009)0036

European Parliament legislative resolution of 20 October 2009 on the proposal for a directive of the European Parliament and of the Council on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) (codified version) (COM(2009)0185 – C7-0041/2009 – 2009/0056(COD))

(2010/C 265 E/15)

(Codecision procedure – codification)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2009)0185),
 - having regard to Article 251(2) and Articles 47(2) and 55 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C7-0041/2009),
 - having regard to the Interinstitutional Agreement of 20 December 1994 – Accelerated working method for official codification of legislative texts ⁽¹⁾,
 - having regard to Rules 86 and 55 of its Rules of Procedure,
 - having regard to the report of the Committee on Legal Affairs (A7-0029/2009),
- A. whereas, according to the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, the proposal in question contains a straightforward codification of the existing texts without any change in their substance,
1. Approves the Commission proposal as adapted to the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission;
 2. Instructs its President to forward its position to the Council and the Commission.

⁽¹⁾ OJ C 102, 4.4.1996, p. 2.

Tuesday 20 October 2009

Protection of workers against asbestos (codified version) *I**

P7_TA(2009)0037

European Parliament legislative resolution of 20 October 2009 on the amended proposal for a directive of the European Parliament and of the Council on the protection of workers from the risks related to exposure to asbestos at work (codified version) (COM(2009)0071 – C7-0206/2009 – 2006/0222(COD))

(2010/C 265 E/16)

(Codecision procedure – codification)

The European Parliament,

- having regard to the amended Commission proposal to the European Parliament and the Council (COM(2009)0071),
 - having regard to Article 251(2) and Article 137(2) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C7-0206/2009),
 - having regard to the Interinstitutional Agreement of 20 December 1994 - Accelerated working method for official codification of legislative texts ⁽¹⁾,
 - having regard to Rules 86 and 55 of its Rules of Procedure,
 - having regard to the report of the Committee on Legal Affairs (A7-0033/2009),
- A. whereas, according to the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, the proposal in question contains a straightforward codification of the existing texts without any change in their substance,
1. Approves the Commission proposal as adapted to the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission;
 2. Instructs its President to forward its position to the Council and the Commission.

⁽¹⁾ OJ C 102, 4.4.1996, p. 2.

Tuesday 20 October 2009

Veterinary checks on animals entering the Community from third countries (codified version) *

P7_TA(2009)0038

European Parliament legislative resolution of 20 October 2009 on the proposal for a Council directive laying down the principles governing the organisation of veterinary checks on animals entering the Community from third countries (codified version) (COM(2008)0873 – C6-0033/2009 – 2008/0253(CNS))

(2010/C 265 E/17)

(Consultation procedure – codification)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2008)0873),
 - having regard to Article 37 of the EC Treaty, pursuant to which the Council consulted Parliament (C6-0033/2009),
 - having regard to the Interinstitutional Agreement of 20 December 1994 – Accelerated working method for official codification of legislative texts ⁽¹⁾,
 - having regard to Rules 86 and 55 of its Rules of Procedure,
 - having regard to the report of the Committee on Legal Affairs (A7-0028/2009),
- A. whereas, according to the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, the proposal in question contains a straightforward codification of the existing texts without any change in their substance,
1. Approves the Commission proposal as adapted to the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission;
 2. Instructs its President to forward its position to the Council and the Commission.

⁽¹⁾ OJ C 102, 4.4.1996, p. 2.

Tuesday 20 October 2009

Collection network for accountancy data on agricultural holdings (codified version) *

P7_TA(2009)0039

European Parliament legislative resolution of 20 October 2009 on the proposal for a Council regulation setting up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings in the European Community (codified version) (COM(2009)0125 – C7-0005/2009 – 2009/0040(CNS))

(2010/C 265 E/18)

(Consultation procedure – codification)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2009)0125),
 - having regard to Article 37(2) of the EC Treaty, pursuant to which the Council consulted Parliament (C7-0005/2009),
 - having regard to the Interinstitutional Agreement of 20 December 1994 – Accelerated working method for official codification of legislative texts ⁽¹⁾,
 - having regard to Rules 86 and 55 of its Rules of Procedure,
 - having regard to the report of the Committee on Legal Affairs (A7-0031/2009),
- A. whereas, according to the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, the proposal in question contains a straightforward codification of the existing texts without any change in their substance,
1. Approves the Commission proposal as adapted to the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission;
 2. Instructs its President to forward its position to the Council and the Commission.

⁽¹⁾ OJ C 102, 4.4.1996, p. 2.

Tuesday 20 October 2009

Animal health conditions on intra-Community trade in and imports of poultry and eggs (codified version) *

P7_TA(2009)0040

European Parliament legislative resolution of 20 October 2009 on the proposal for a Council directive on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and eggs for hatching (codified version) (COM(2009)0227 – C7-0048/2009 – 2009/0067(CNS))

(2010/C 265 E/19)

(Consultation procedure – codification)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2009)0227),
 - having regard to Article 37 of the EC Treaty, pursuant to which the Council consulted Parliament (C7-0048/2009),
 - having regard to the Interinstitutional Agreement of 20 December 1994 – Accelerated working method for official codification of legislative texts ⁽¹⁾,
 - having regard to Rules 86 and 55 of its Rules of Procedure,
 - having regard to the report of the Committee on Legal Affairs (A7-0027/2009),
- A. whereas, according to the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, the proposal in question contains a straightforward codification of the existing texts without any change in their substance,
1. Approves the Commission proposal as adapted to the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission;
 2. Instructs its President to forward its position to the Council and the Commission.

⁽¹⁾ OJ C 102, 4.4.1996, p. 2.

Tuesday 20 October 2009

Pure-bred breeding animals of the bovine species (codified version) *

P7_TA(2009)0041

European Parliament legislative resolution of 20 October 2009 on the amended proposal for a Council directive on pure-bred breeding animals of the bovine species (codified version) (COM(2009)0235 – C7-0045/2009 – 2006/0250(CNS))

(2010/C 265 E/20)

(Consultation procedure – codification)

The European Parliament,

- having regard to the amended Commission proposal to the Council (COM(2009)0235),
 - having regard to Articles 37 and 94 of the EC Treaty, pursuant to which the Council consulted Parliament (C7-0045/2009),
 - having regard to the Interinstitutional Agreement of 20 December 1994 – Accelerated working method for official codification of legislative texts ⁽¹⁾,
 - having regard to Rules 86 and 55 of its Rules of Procedure,
 - having regard to the report of the Committee on Legal Affairs (A7-0032/2009),
- A. whereas, according to the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission, the proposal in question contains a straightforward codification of the existing texts without any change in their substance,
1. Approves the Commission proposal as adapted to the recommendations of the Consultative Working Party of the legal services of the European Parliament, the Council and the Commission;
 2. Instructs its President to forward its position to the Council and the Commission.

⁽¹⁾ OJ C 102, 4.4.1996, p. 2.

Tuesday 20 October 2009

Agreement between the EC and Mauritius on the short-stay visa waiver *

P7_TA(2009)0042

European Parliament legislative resolution of 20 October 2009 on the proposal for a Council decision on the conclusion of the Agreement between the European Community and the Republic of Mauritius on the short-stay visa waiver (COM(2009)0048 – C7-0015/2009 – 2009/0012(CNS))

(2010/C 265 E/21)

(Consultation procedure)

The European Parliament,

- having regard to the proposal for a Council decision (COM(2009)0048),
 - having regard to Article 62(2)(b)(i) and Article 300(2), first subparagraph, first sentence, of the EC Treaty,
 - having regard to Article 300(3), first subparagraph, of the EC Treaty, pursuant to which the Council consulted Parliament (C7-0015/2009),
 - having regard to Rules 55 and 90(8) of its Rules of Procedure,
 - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A7-0019/2009),
1. Approves the conclusion of the Agreement;
 2. Instructs its President to forward its position to the Council and the Commission, and to the governments and parliaments of the Member States and of the Republic of Mauritius.

Agreement between the EC and Seychelles on the short-stay visa waiver *

P7_TA(2009)0043

European Parliament legislative resolution of 20 October 2009 on the proposal for a Council decision on the conclusion of the Agreement between the European Community and the Republic of Seychelles on the short-stay visa waiver (COM(2009)0052 – C7-0012/2009 – 2009/0015(CNS))

(2010/C 265 E/22)

(Consultation procedure)

The European Parliament,

- having regard to the proposal for a Council decision (COM(2009)0052),
- having regard to Article 62(2)(b)(i) and Article 300(2), first subparagraph, first sentence, of the EC Treaty,
- having regard to Article 300(3), first subparagraph, of the EC Treaty, pursuant to which the Council consulted Parliament (C7-0012/2009),

Tuesday 20 October 2009

- having regard to Rules 55 and 90(8) of its Rules of Procedure,
 - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A7-0012/2009),
1. Approves the conclusion of the Agreement;
 2. Instructs its President to forward its position to the Council and the Commission, and to the governments and parliaments of the Member States and of the Republic of Seychelles.
-

Agreement between the EC and Barbados on the short-stay visa waiver *

P7_TA(2009)0044

European Parliament legislative resolution of 20 October 2009 on the proposal for a Council decision on the conclusion of the Agreement between the European Community and Barbados on the short-stay visa waiver (COM(2009)0050 – C7-0017/2009 – 2009/0014(CNS))

(2010/C 265 E/23)

(Consultation procedure)

The European Parliament,

- having regard to the proposal for a Council decision (COM(2009)0050),
 - having regard to Article 62(2)(b)(i) and Article 300(2), first subparagraph, first sentence, of the EC Treaty,
 - having regard to Article 300(3), first subparagraph, of the EC Treaty, pursuant to which the Council consulted Parliament (C7-0017/2009),
 - having regard to Rules 55 and 90(8) of its Rules of Procedure,
 - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A7-0013/2009),
1. Approves the conclusion of the Agreement;
 2. Instructs its President to forward its position to the Council and the Commission, and to the governments and parliaments of the Member States and of Barbados.
-

Tuesday 20 October 2009

Agreement between the EC and Saint Kitts and Nevis on the short-stay visa waiver *

P7_TA(2009)0045

European Parliament legislative resolution of 20 October 2009 on the proposal for a Council decision on the conclusion of the Agreement between the European Community and the Federation of Saint Kitts and Nevis on the short-stay visa waiver (COM(2009)0053 – C7-0013/2009 – 2009/0017(CNS))

(2010/C 265 E/24)

(Consultation procedure)

The European Parliament,

- having regard to the proposal for a Council decision (COM(2009)0053),
 - having regard to Article 62(2)(b)(i) and Article 300(2), first subparagraph, first sentence, of the EC Treaty,
 - having regard to Article 300(3), first subparagraph, of the EC Treaty, pursuant to which the Council consulted Parliament (C7-0013/2009),
 - having regard to Rules 55 and 90(8) of its Rules of Procedure,
 - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A7-0014/2009),
1. Approves the conclusion of the Agreement;
 2. Instructs its President to forward its position to the Council and the Commission, and to the governments and parliaments of the Member States and of the Federation of Saint Kitts and Nevis.

Agreement between the EC and Antigua and Barbuda on the short-stay visa waiver *

P7_TA(2009)0046

European Parliament legislative resolution of 20 October 2009 on the proposal for a Council decision on the conclusion of the Agreement between the European Community and Antigua and Barbuda on the short-stay visa waiver (COM(2009)0049 – C7-0016/2009 – 2009/0013(CNS))

(2010/C 265 E/25)

(Consultation procedure)

The European Parliament,

- having regard to the proposal for a Council decision (COM(2009)0049),
- having regard to Article 62(2)(b)(i) and Article 300(2), first subparagraph, first sentence, of the EC Treaty,
- having regard to Article 300(3), first subparagraph, of the EC Treaty, pursuant to which the Council consulted Parliament (C7-0016/2009),

Tuesday 20 October 2009

- having regard to Rules 55 and 90(8) of its Rules of Procedure,
 - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A7-0015/2009),
1. Approves the conclusion of the Agreement;
 2. Instructs its President to forward its position to the Council and the Commission, and to the governments and parliaments of the Member States and of Antigua and Barbuda.
-

Agreement between the EC and the Bahamas on the short-stay visa waiver *

P7_TA(2009)0047

European Parliament legislative resolution of 20 October 2009 on the proposal for a Council decision on the conclusion of the Agreement between the European Community and the Commonwealth of the Bahamas on the short-stay visa waiver (COM(2009)0055 – C7-0014/2009 – 2009/0020(CNS))

(2010/C 265 E/26)

(Consultation procedure)

The European Parliament,

- having regard to the proposal for a Council decision (COM(2009)0055),
 - having regard to Article 62(2)(b)(i) and Article 300(2), first subparagraph, first sentence, of the EC Treaty,
 - having regard to Article 300(3), first subparagraph, of the EC Treaty, pursuant to which the Council consulted Parliament (C7-0014/2009),
 - having regard to Rules 55 and 90(8) of its Rules of Procedure,
 - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A7-0016/2009),
1. Approves the conclusion of the Agreement;
 2. Instructs its President to forward its position to the Council and the Commission, and to the governments and parliaments of the Member States and of the Commonwealth of the Bahamas.
-

Tuesday 20 October 2009

Draft amending budget 9/2009: earthquake in Italy

P7_TA(2009)0048

European Parliament resolution of 20 October 2009 on Draft amending budget No 9/2009 of the European Union for the financial year 2009, earthquake in Italy, Section III – Commission (14265/2009 - C7-0214/2009 - 2009/2087(BUD))

(2010/C 265 E/27)

The European Parliament,

- having regard to Article 272 of the EC Treaty and Article 177 of the Euratom Treaty,
- 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 ⁽¹⁾, and particularly Articles 37 and 38 thereof,
- having regard to the general budget of the European Union for the financial year 2009, as finally adopted on 18 December 2008 ⁽²⁾,
- having regard to the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management ⁽³⁾,
- having regard to Preliminary draft amending budget No 9/2009 of the European Union for the financial year 2009, which the Commission presented on 28 August 2009 (COM(2009)0448),
- having regard to Draft amending budget No 9/2009, which the Council established on 9 October 2009 (14265/2009 – C7-0214/2009),
- having regard to Rule 75 of and Annex V to its Rules of Procedure,
- having regard to the report of the Committee on Budgets (A7-0023/2009),

A. whereas Draft amending budget No 9 to the general budget 2009 covers the following items:

- Mobilisation of the EU Solidarity Fund for an amount of EUR 493 780 000 in commitment and payment appropriations relating to the effects of the earthquake that hit Italy in April 2009,
- A corresponding reduction in global payment appropriations of EUR 493 780 000 from following budget lines:

05 04 02 01 Completion of the European Agricultural Guidance and Guarantee Fund, Guidance Section – Objective 1 regions (2000-2006);

06 02 06 Programme Marco Polo II;

06 04 06 Competitiveness and Innovation Framework Programme – ‘Intelligent Energy Europe’ Programme;

06 06 01 02 Research related to energy – Fuel Cells and Hydrogen Joint Undertaking (FCH);

⁽¹⁾ OJ L 248, 16.9.2002, p. 1.

⁽²⁾ OJ L 69, 13.3.2009.

⁽³⁾ OJ C 139, 14.6.2006, p. 1.

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06 06 02 01 Research related to transport (including Aeronautics);

06 06 02 03 SESAR Joint Undertaking;

06 06 05 02 Completion of the sixth EC framework programme (2003-2006);

07 03 07 LIFE+ (Financial Instrument for the Environment – 2007 to 2013);

08 02 01 Cooperation – Health;

08 07 02 Cooperation – Transport - Clean Sky Joint Undertaking;

08 10 01 Ideas;

11 06 01 Completion of the Financial Instrument for Fisheries Guidance (FIFG) – Objective 1 (2000-2006); and

11 06 04 Completion of the Financial Instrument for Fisheries Guidance (FIFG) – outside Objective 1 areas (2000-2006),

B. whereas the purpose of Draft amending budget No 9/2009 is to formally enter this budgetary adjustment into the 2009 budget,

1. Takes note of Preliminary draft amending budget No 9/2009, which is the fifth amending budget solely dedicated to the EU Solidarity Fund, in accordance with the request of the European Parliament and the Council in the joint declaration adopted during the Conciliation meeting of 17 July 2008;
2. Approves Draft amending budget No 9/2009 unamended;
3. Instructs its President to forward this resolution to the Council and Commission.

Mobilisation of the European Globalisation Adjustment Fund (Germany)

P7_TA(2009)0049

European Parliament resolution of 20 October 2009 on the proposal for a decision of the European Parliament and of the Council on mobilisation of the European Globalisation Adjustment Fund, in accordance with point 28 of the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management (COM(2009)0423 – C7-0113/2009 – 2009/2078(BUD))

(2010/C 265 E/28)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2009)0423 – C7-0113/2009),
- having regard to the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management (IIA of 17 May 2006) ⁽¹⁾, and in particular point 28 thereof,

⁽¹⁾ OJ C 139, 14.6.2006, p. 1.

Tuesday 20 October 2009

- having regard to Regulation (EC) No 1927/2006 of the European Parliament and of the Council of 20 December 2006 on establishing the European Globalisation Adjustment Fund (EGF Regulation) ⁽¹⁾,
 - having regard to the report of the Committee on Budgets and the opinion of the Committee on Employment and Social Affairs (A7-0022/2009),
- A. whereas the European Union has set up the appropriate legislative and budgetary instruments to provide additional support to workers who suffer from the consequences of major structural changes in world trade patterns and to assist their reintegration into the labour market,
- B. whereas the Union's financial assistance to workers made redundant should be dynamic and made available as quickly and efficiently as possible, in accordance with the Joint Declaration of the European Parliament, the Council and the Commission adopted during the conciliation meeting on 17 July 2008, and having due regard for the IIA of 17 May 2006 in respect of the adoption of decisions to mobilise the Fund,
- C. whereas Germany has requested assistance in respect of cases concerning redundancies in the telecommunications sector, in respect of workers made redundant by Nokia GmbH on 6 February 2009 in the region of Bochum ⁽²⁾ and has fulfilled the eligibility criteria set out under the EGF Regulation,
1. Requests the institutions involved to make the necessary efforts to accelerate the mobilisation of the European Globalisation Adjustment Fund (EGF);
 2. Stresses that the European Union should use all its means to face the consequences of the global economic and financial crisis; notes, in this respect, that the EGF can play a crucial role in the reintegration into the labour market of the workers made redundant;
 3. Recalls that the mobilisation of the EGF in payment appropriations should not jeopardise the funding of the European Union Social Fund; expresses some doubts about whether complementarity with other existing instruments like the EU Social Fund is guaranteed;
 4. Undertakes to evaluate the functioning and the added value of the EGF in the context of the general assessment of the programmes and other various instruments created by the IIA of 17 May 2006, within the process of the 2007-2013 multiannual financial framework budget review;
 5. Approves the decision annexed to this resolution;
 6. Instructs its President to sign the decision with the President of the Council and arrange for its publication in the Official Journal of the European Union;
 7. Instructs its President to forward this resolution, including its annex, to the Council and the Commission.

⁽¹⁾ OJ L 406, 30.12.2006, p. 1.

⁽²⁾ EGF/2009/002 DE/Nokia.

Tuesday 20 October 2009

ANNEX

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**of on mobilisation of the European Globalisation Adjustment Fund, in accordance with point 28 of the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

having regard to the Treaty establishing the European Community,

having regard to the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management ⁽¹⁾, and in particular point 28 thereof,having regard to Regulation (EC) No 1927/2006 of the European Parliament and of the Council of 20 December 2006 establishing the European Globalisation Adjustment Fund ⁽²⁾, and in particular Article 12(3) thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The European Globalisation Adjustment Fund (EGF) was established to provide additional support to redundant workers who suffer from the consequences of major structural changes in world trade patterns and to assist them with their reintegration into the labour market.
- (2) The Interinstitutional Agreement of 17 May 2006 allows the mobilisation of the EGF within the annual ceiling of EUR 500 million.
- (3) Germany submitted an application to mobilise the EGF, in respect of workers made redundant by Nokia GmbH on 6 February 2009. This application complies with the requirements for determining the financial contributions as laid down in Article 10 of Regulation (EC) No 1927/2006, therefore the Commission proposes to deploy an amount of EUR 5 553 850.
- (4) The EGF should, therefore, be mobilised in order to provide a financial contribution for the application submitted by Germany,

HAVE DECIDED AS FOLLOWS:

Article 1

For the general budget of the European Union for the financial year 2009, the European Globalisation Adjustment Fund shall be mobilised to provide the sum of EUR 5 553 850 in commitment and payment appropriations.

⁽¹⁾ OJ C 139, 14.6.2006, p. 1.⁽²⁾ OJ L 406, 30.12.2006, p. 1.

Tuesday 20 October 2009*Article 2*

This Decision shall be published in the *Official Journal of the European Union*.

Done at Strasbourg,

For the European Parliament
The President

For the Council
The President

Thursday 22 October 2009

Draft general budget 2010 (Section III)

P7_TA(2009)0051

European Parliament resolution of 22 October 2009 on the draft general budget of the European Union for the financial year 2010, Section III – Commission (C7-0127/2009 – 2009/2002(BUD)) and Letter of amendment No 1/2010 (SEC(2009)1133) to the draft general budget of the European Union for the financial year 2010

(2010/C 265 E/29)

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 (Financial Regulation) ⁽²⁾,
- having regard to the Interinstitutional Agreement (IIA) of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management ⁽³⁾,
- having regard to its resolution of 10 March 2009 on the guidelines for the 2010 budget procedure ⁽⁴⁾,
- having regard to the preliminary draft general budget of the European Union for the financial year 2010, which the Commission presented on 29 April 2009 (COM(2009)0300),
- having regard to the draft general budget of the European Union for the financial year 2010, which the Council established on 10 July 2009 (C7-0127/2009),
- having regard to Letter of amendment No 1/2010 (SEC(2009)1133) to the preliminary draft general budget of the European Union for the financial year 2010,
- having regard to Rule 75 of and Annex V to its Rules of Procedure,
- having regard to the report of the Committee on Budgets and the opinions of the other committees concerned (A7-0038/2009),

Key issues

1. Recalls that its political priorities and its assessment of the budgetary framework for the year 2010 were set out in its resolution of 10 March 2009, where Parliament was highly critical of the tight margins available in most of the headings of the Multiannual Financial Framework (MFF);

⁽¹⁾ OJ L 253, 7.10.2000, p. 42.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

⁽³⁾ OJ C 139, 14.6.2006, p. 1.

⁽⁴⁾ Texts adopted, P6_TA(2009)0095.

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2. Deplores the fact that, in its draft budget, Council has reduced the Commission's Preliminary draft budget (PDB) even further: commitment appropriations in the draft budget total EUR 137 944 million, which represent a decrease relative to the PDB of EUR 613 million, and payment appropriations of EUR 120 521 million represent a decrease relative to the PDB of EUR 1 795 million; underlines that this has even further increased the disparity between the level of commitments and payments, which is contrary to the principle of sound financial management;

3. Recalls that the key objective of the 2010 budget must be to give special attention to the recent economic crisis; resolves that in this context Parliament will put European citizens first, proving that the European Union is not at the origin of the problem, but can be instrumental in the solution; therefore has amended accordingly the draft budget of the Council, with the aim of using the EU budget as a tool to help overcome the current crises, by giving impetus to economic growth, competitiveness, cohesion and job protection;

4. Reaffirms, after having examined the draft budget, that sub-heading 1a does not allow proper financing of the EU's needs on 'Competitiveness for growth and employment' where there is a shortfall, particularly for addressing the current economic crisis and limiting its possible consequences; considers that this sub-heading should be examined in depth and, if need be, revised to ensure it fulfils its objectives in future years;

5. Recalls the agreement on the joint declaration, annexed to this resolution, by the Parliament and Council at the first reading conciliation on the 2010 budget of 10 July 2009; has taken it into account in the preparation of its amendments to the draft budget;

On the European Recovery Plan

6. Stresses that the financing of the second phase of the European Economic Recovery Plan is a priority for Parliament; intends to use the tools provided for in the IIA in order to guarantee its financing; recalls, in this context, that the European Council was not able to present its plans in its draft budget; recalls that the financing agreement should not jeopardise the financial envelopes of the co-decided programmes nor the annual budgetary procedure as outlined in the declaration agreed by the budgetary authority on the financing of the European Economic Recovery Plan of 2 April 2009; recalls also its view on the principles and the prudence required when using available margins under a particular heading;

On sub-heading 1a

7. Is astonished by Council's additional cuts on lines supporting the Lisbon strategy, which is based on a European Council decision; points out that this is contrary to what should have been done in order to address the current economic crisis;

8. Is committed to doing its utmost to secure adequate financing for all activities and policies under sub-heading 1a which foster sustainable growth and job creation and deliver solutions to European citizens namely by providing greater energy security, increasing support for research and innovation, particularly on clean energy technologies, promoting small and medium-sized enterprises and reinforcing life-long learning; advocates the enrichment and further development of the Erasmus Programme in order to foster the promotion of first-job creation for young people; recalls the importance of optimising the implementation of framework programmes and calls on the Commission to take into account the Parliament's position as adopted in the discharge procedure for the Commission 2007 ⁽¹⁾, in particular paragraphs 113 to 123 on those implementation problems.

⁽¹⁾ OJ L 255, 26.9.2009, p. 36.

Thursday 22 October 2009

9. Recalls the revised rules in the Regulation (EC) No 546/2009 of the European Parliament and of the Council of 18 June 2009 amending Regulation (EC) No 1927/2006 on establishing the European Globalisation Adjustment Fund ⁽¹⁾ for the benefit of workers who suffer from the consequences of major structural changes in world trade patterns, to assist them with their reintegration into the labour market; recalls that the above-mentioned revision aimed at widening the application of the fund should take into account the effects of the current economic crisis; stresses the need to have a thorough examination of the EGF in the mid-term review;

On sub-heading 1b

10. Regrets the cuts introduced by the Council to the PDB in a period when structural and cohesion funds should be used for stimulating economic growth and recovery; proposes systematic increases to payments on the main lines (ERDF, ESF, Cohesion Fund) to boost implementation of structural policy in the Member States, for the benefit of all European citizens;

11. Points out that the current weak implementation of structural and cohesion policy is mainly due to the low flexibility in the system of complicated rules and requirements imposed by the Commission and Member States;

12. Insists that Member States use all the existing tools to accelerate or even revise their operational programmes in order to tackle the consequences of the recent economic and financial crisis more efficiently; calls on the Commission to endorse these modifications in the shortest possible period of time so as not to delay their implementation;

13. Urges the Council to find an agreement on the proposal made by the Commission in July 2009 for amending the general provisions of the ERDF, ESF and Cohesion Funds as regards simplification of the provisions relating to financial management;

14. Underlines that numerous important policies and activities aimed at fighting climate change and supporting growth for jobs are financed under this sub-heading, and that more should be done to focus the efforts in order to effectively address those priorities;

15. Reiterates the importance it attaches to the solidarity principle within the Union; intends to make every effort to guarantee more adequate funding for cohesion policy in order to be able to deal with current and future challenges; believes it is now even more necessary to assess the application of the n+2 and n+3 rule with a view to ensuring full execution of the Structural Funds and the Cohesion Fund;

On heading 2

16. Is of the opinion that the EU budget in its present format cannot address effectively and realistically the goals that the Union has set for climate change; considers that European citizens need a tangible European initiative to fight climate change, face its consequences and finance the necessary policies;

17. Recalls that, in view of the Copenhagen conference in December 2009, the fight against climate change will remain one of its top priorities for Budget 2010; considers, however, that this priority is not sufficiently reflected in the draft budget and intends, consequently, to put stronger emphasis on this key policy; reminds the Commission to submit a timely and reasonable financing proposal in the aftermath of the climate change conference;

⁽¹⁾ OJ L 167, 29.6.2009, p. 26.

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18. Emphasises the priority given by its competent committee for aiding milk producers; decides to send a clear message to the Commission and the Council by proposing an amount of EUR 300 million for the creation of a Dairy Fund; urges the Commission to take on board this request when presenting its Amending letter No 2;

19. Decides to finance the broadband internet measures for rural areas of the European Economic Recovery Plan from the margin of heading 2, in line with the relevant declaration agreed by the budgetary authority on the financing on 2 April 2009;

20. Stresses the need to increase the funding of programmes with the potential to promote the consumption of agricultural products (e.g. school milk and school fruit schemes);

On sub-heading 3a

21. Acknowledges European citizens' wish for a safe and secure Europe and welcomes the increases in this sub-heading relative to the 2009 budget; acknowledges that all countries in the Union are facing many challenges in relation to policies covered by this sub-heading; urges Member States to take advantage of the increases in this sub-heading relative to the 2009 budget to tackle these challenges together;

22. Stresses the importance of further funding being made available via the EU budget to manage legal immigration and integration of third country nationals while in parallel tackling illegal immigration in full respect of human fundamental rights, and strengthening border protection, including the strengthening of the European Return Fund and the European Refugee Fund to facilitate solidarity between the Member States;

On sub-heading 3b

23. Recalls that sub-heading 3b covers vital policies that have a direct impact on the everyday life of European citizens; disagrees with the Council's cuts in this sub-heading and endorses the specialised committees' approach, ensuring that the increase of the appropriations is justified;

24. Recalls that the low turn-out in the European elections has shown once again that information and communication policy has to be improved in the 2010 budget; acknowledges that this represents a common challenge for the Commission, the Member States and Parliament as a necessary part of the democratic process; has therefore tabled amendments putting in reserve a part of appropriations foreseen for the information and communication policy; calls on the Commission to present to Parliament its plans on how to implement the outcome of the findings of the Interinstitutional Group of Information (IGI);

On heading 4

25. Supports Letter of amendment No 1 to the PDB 2010 adopted by the Commission on 2 September 2009, which provides for an increase on two lines: Palestine and climate change in developing countries, two priorities put forward by the Parliament;

26. Has decided to increase budget line climate change in developing countries, while waiting for the outcome of the conference on climate change in Copenhagen; stresses, however, the need for a new financial instrument to help developing countries to cope with the effects of climate change, so the Development Cooperation Instrument (DCI) can fulfil its originally assigned tasks in the future;

27. Reiterates its serious concerns about the dangerously narrow margin for manoeuvre resulting from chronic under-financing of a heading constantly under pressure as a result of crises occurring in third countries;

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28. Calls on the Commission to present a plan to restore, over the period 2010 to 2013, the financial means that were reallocated from the Instrument for Stability to the Food Facility, in order to ensure that the Union has the full financial means available, under heading 4 of the budget, to fulfil its role on the international stage as expected by the citizens of Europe; calls on the Commission to present a plan for the mobilisation of financial resources for any external emergency assistance facilities or mechanisms that are created outside the Instrument for Stability in a way that would avoid drawing on the funds foreseen for the Instrument for Stability;

29. Calls on the European Council not to make far-reaching political commitments calling for stronger EU financial support without at the same time providing for the requisite budgetary appropriations when there is an obvious contradiction with the funds available under the annual ceilings of the current MFF;

30. Considers securing energy supply an important issue for the Union; therefore welcomes the signature of all participatory countries to the Nabucco project, and expects consistency from all of them when dealing with other projects that might put Nabucco at risk;

31. Continues to count on support for the peace process in Palestine and the reconstruction needs in the Gaza Strip; calls on the Commission to communicate which measures it has taken to minimise the risks that projects and programmes financed under this budget line are used or diverted to terrorist organisations or acts of terrorism, or inefficient bureaucracy, and to specify whether part of the aid is aimed at rebuilding premises or infrastructure previously financed by the Union or its Member States and damaged by military action;

32. Stresses the necessity of allocating sufficient funding to the EU Baltic Sea Strategy in order to finance actions that cannot be financed from other budget lines (coordination, information and pilot projects in any of the four pillars of the action plan);

On heading 5

33. Has decided to accept some of the Council's cuts in the administrative expenditure lines, based on a selective approach, striking a balance between the overall budgetary priorities, including new ones, and the needs for implementation of existing policies;

34. Has nevertheless reinstated the appropriations for staff expenditure; points out that the total amount of all types of administrative expenditure financed outside heading 5 has substantially increased in recent years; requests that in future, proposals from the Commission to transfer administrative expenditure to the operational headings be fully justified; acknowledges that operational programmes can not function without the necessary administrative support; is, however, greatly concerned that under the current MFF part of the overall envelope for multi-annual programmes under headings other than heading 5 is being used for administrative expenditure;

35. Is worried about the current call for tender for a New European Quarter; reiterates its request to be fully informed on the selection process and the need for further information on the Commission's building policy in general;

36. Calls on the Commission to present a calendar for the proposals on the tri-annual Review of the Financial Regulation;

On pilot projects and preparatory actions

37. Recalls that the IIA allows for a total amount for pilot projects of up to EUR 40 million in any budget year and for a total amount for preparatory actions of up to EUR 100 million out of which a maximum of EUR 50 million can be allocated to new preparatory actions;

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38. Considers these projects an indispensable tool for Parliament to initiate new policies for European citizens; notes that for all but four pilot projects and preparatory actions the Commission has entered payment appropriations only, which has enabled Parliament to fully scrutinise whether or not a follow-up was needed and whether or not new commitments should be voted; moreover has analysed a series of new interesting proposals, only some of which could be entered into the 2010 budget due to the constraints of IIA and MFF ceilings;

39. Has given priority to the implementation of pilot projects and preparatory actions in their second or third year; intends to monitor closely the implementation of these and the newly established projects and actions during the financial year 2010;

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40. Instructs its President to forward this resolution, together with the amendments and proposed modifications to Section III of the draft general budget, to the Council and Commission, and also to the other institutions and bodies concerned.

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ANNEX I

STATEMENTS AGREED AT THE CONCILIATION OF 10 JULY 2009

JOINT DECLARATION FOR ENTRY IN THE COUNCIL MINUTES

Recruitment in relation with the 2004 and 2007 enlargement

'The European Parliament and the Council stress again the importance of a full recruitment on all posts related to the 2004 and 2007 enlargement, especially for middle and high management level, and insist that all efforts should be made by the institutions and specifically by EPSO to ensure that the necessary action is taken to speed up the whole process of filling up the posts granted by the budgetary authority with officials. The criteria should be as stipulated in Article 27 of the Staff Regulation and to arrive at the broadest possible geographical proportional basis as soon as possible.

The European Parliament and the Council intend to continue to monitor closely the ongoing recruitment process. To this effect, they request each institution and EPSO to provide twice a year, in March and October, an information to the budgetary authority on the state of affairs regarding recruitments in relation with the 2004 and 2007 enlargement.'

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COUNCIL DECLARATIONS FOR ENTRY IN THE COUNCIL MINUTES

1. Payment appropriations

'The Council asks the Commission to submit an amending budget if the appropriations entered in the 2010 budget are insufficient to cover expenditure under sub-heading 1a (Competitiveness for growth and employment), sub-heading 1b (Cohesion for growth and employment), heading 2 (Preservation and management of natural resources) and heading 4 (EU as a global player).'

2. Heading 4

'The Council, noting the Commission's intention to present a letter of amendment to the 2010 PDB covering at a later stage additional needs in the field of external actions, especially the priorities covered by previous letters of amendment and those referred to in the European Council conclusions of June 2009, has established its draft budget for 2010 with an appropriate margin under heading 4 allowing it to be taken into account.'

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3. Building policy of EU Institutions and bodies

The Council recalls its conclusions on the Court of Auditors' special report No. 2/2007 concerning the Institutions' expenditure on buildings and, acknowledging that building costs represent a significant part of the overall administrative expenditure of the EU Institutions, considers that a sound financial management of building expenses is essential.

The Council reiterates the importance of a strong interinstitutional cooperation in this field. It underlines the need for the Institutions to cooperate to the highest possible extent and to join their forces, both for the rental or purchase of buildings and for connected current expenses. It invites the Institutions to share facilities whenever appropriate in order to limit building expenses to the necessary minimum.

In this context, the Council welcomes the efforts already made by the Institutions to cooperate at interinstitutional level and to harmonise their building management methods. It notes with satisfaction the agreement on common guidelines for defining and measuring building space which was recently reached by interinstitutional working groups set up in Brussels and Luxembourg. The Council asks the Institutions to look into the potential for further interinstitutional cooperation which could include sharing of premises, joint management of premises and the scope for a possible interinstitutional buildings office.

The Council calls on the Institutions to establish long-term building strategies, based on realistic estimates of future staff numbers and ensuring the necessary flexibility by means of an equilibrium between owned and rented buildings, in order to avoid as far as possible any ad-hoc decisions on buildings. It also requests the Institutions to use available space in the most efficient way and to take any possible measures of internal rationalisation. The Council welcomes the work already carried out by the Institutions on alternative financing methods and awaits the coming report from the Commission.

The Council attaches great importance to receive the information required by the relevant provisions of the Financial Regulation as soon as possible. The information should include thorough need assessments and comprehensive cost-benefit analyses, the various alternatives, outlining the options to rent or buy as well as the alternative financing possibilities, and taking all financing costs into account. Well before decisions need to be taken, the information should be made available to both arms of the budgetary authority, so that they can establish their position without time pressure.

Moreover, it reiterates its call on the Secretaries-General of the Institutions to provide information before the presentation of the preliminary draft budget. While recognising each Institution's own specificities and additional particularities characterising each project, the Council asks the Institutions to pursue their work towards harmonising this information through common definitions and indicators to allow comparisons of building space and building costs between the different Institutions, including the common understanding of the method for calculating annual costs of own property spread over the entire period of their utilisation.

The Council encourages the Institutions to continue and to intensify the energy-efficiency and environment measures in their buildings, including the certification according to environmental standards, wherever this is appropriate and feasible with the given resources.

The Council takes note of the excellent cooperation between the Institutions and the administrations of their host Member States, which contribute significantly to the sound management of building issues.

The Council recalls that its observations apply equally to the specific situation of the executive agencies, and where applicable to the decentralised agencies.'

UNILATERAL DECLARATION FOR ENTRY IN THE COUNCIL MINUTES

'With regard to the adoption of the Council's position on the draft budget for 2010 and in view of proceedings pending before the Court of First Instance, Germany states that the programme "Food aid for the most deprived persons in the European Union" must be implemented in accordance with Community law. Germany states its view that market purchasing should not be used for this programme. The programme must be implemented in the light of the proceedings before the Court of First Instance.'

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ANNEX II

European Parliament declarations issued during the Conciliation of the First reading of the budgetary procedure 2010**Implementation of the 2009 Budget (Budget Forecast Alert)**

The European Parliament is concerned about the situation of implementation of the 2009 Budget as described in the most recent Budget Forecast alert, in particular commitments under sub-headings 3a and 3b and payments under sub-headings 1a, 3a and 3b and heading 5. It stresses the importance of progressing according to the implementing schedule foreseen in the PDB.

The European Parliament asks the Commission to present by 31 August 2009 a report providing more detailed information concerning the reasons (structural, organisational, managerial, procedural) of the delays registered in the implementation of each programme or policy area concerned.

The European Parliament also requests to the Commission to provide justifications for each programme or policy area where implementation diverts from the decisions taken by the budgetary authority in the 2009 Budget.

The simplification and a more targeted use of Structural funds in the context of the economic crisis

The European Parliament recalls the joint declarations of the three institutions on the implementation of the Cohesion policy of November 2008 and April 2009 and underlines the necessity to continue the efforts for accelerating the implementation of structural and cohesion funds. It considers that the progress made in the simplification of assessment, approval and management procedures has been insufficient, which is demonstrated in the low approval rate of Management and Control Systems (MCSs) and Major Projects (MPs). It urges the Commission to continue its efforts to simplify implementing procedures in close cooperation with Member States and in particular, to speed up the approval of MCSs and MPs, and thus accelerate payments while respecting the N+2 rule.

The EP believes that all opportunities provided by the use of Structural Funds including the adaptation or revision of the operational programs could be mobilised for more targeted actions that facilitate overcoming the effects of the economic crisis, particularly those which support growth and competitiveness and limit job losses, and invites Member States to use this possibility. Calls on the Commission to encourage and enable by means of efficient and fast procedures the use of all measures foreseen by the Structural Funds regulations aimed at supporting growth and employment. Moreover EP recalls the importance of full and efficient use of the available appropriations.

Payment appropriations

The European Parliament asks the Commission to submit an amending budget if the appropriations entered in the 2010 budget are insufficient to cover expenditure under a specific heading, where necessary.

Heading 4

The European Parliament notes the Commission's intention to present a letter of amendment to the 2010 PDB covering, at a later stage, additional needs in the field of external actions, especially the priorities covered by previous letters of amendment and those referred to in the European Council conclusions of June 2009. The European Parliament recalls that, during the budget conciliation procedure on 21 November 2008, the Commission committed itself to present an assessment of the situation within heading 4 accompanied, if necessary, by relevant proposals. It expects the Commission to accompany the Amending Letter by a multiannual assessment of the needs in this area.

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Draft general budget 2010 (Sections I, II, IV, V, VI, VII, VIII and IX)

P7_TA(2009)0052

European Parliament resolution of 22 October 2009 on the draft general budget of the European Union for the financial year 2010, 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 – European Ombudsman and Section IX – European Data Protection Supervisor (C7-0128/2009 – 2009/2002B(BUD))

(2010/C 265 E/30)

The European Parliament,

- having regard to Article 272 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, 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 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management ⁽³⁾,
 - having regard to its resolution of 10 March 2009 on the guidelines for the 2010 budget procedure – Sections I, II and IV to IX ⁽⁴⁾,
 - having regard to its resolution of 5 May 2009 on the estimates of revenue and expenditure of Parliament for the financial year 2010 ⁽⁵⁾,
 - having regard to its internal agreement, dating from 1988, to limit its budgetary appropriations to a maximum of 20 % of the total of heading 5, not including expenditure of an exceptional nature;
 - having regard to the preliminary draft general budget of the European Union for the financial year 2010, which the Commission presented on 29 April 2009 (COM(2009)0300),
 - having regard to the draft general budget of the European Union for the financial year 2010, which the Council established on 13 July 2009 (C7-0128/2009),
 - having regard to Rule 75 of and Annex V to its Rules of Procedure,
 - having regard to the report of the Committee on Budgets and the opinions of the Committee on International Trade and the Committee on Petitions (A7-0037/2009),
- A. whereas the Preliminary draft budget (PDB) of all the institutions left a margin of EUR 236 597 323 below the ceiling of the financial framework for the financial year 2010,

⁽¹⁾ OJ L 253, 7.10.2000, p. 42.

⁽²⁾ OJ L 248, 16.9.2002, p. 1.

⁽³⁾ OJ C 139, 14.6.2006, p. 1.

⁽⁴⁾ Texts adopted, P6_TA(2009)0096.

⁽⁵⁾ Texts adopted, P6_TA(2009)0346.

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- B. whereas after the Council's decision of 13 July 2009, the draft budget (DB) has a margin of EUR 276 153 415 below this ceiling,
- C. whereas the pilot process agreed for the 2009 procedure, in which enhanced cooperation between the Bureau and the Committee on Budgets and early mutual cooperation on all items with significant budgetary implications would be applied, has been maintained also for the 2010 procedure,
- D. whereas a conciliation meeting between the Bureau and the Committee on Budgets took place on 15 September 2009, prior to the votes in the Committee on Budgets and in the plenary,

General Framework

1. Recalls that the EU institutions must establish their budgets in the context of the economic and financial situation facing Europe and that it is imperative that these reflect the efforts to achieve political objectives with as effective a use of resources as possible;
2. Reiterates its conviction that budget requests must be fully cost-based and only reflect real needs to achieve the tasks entrusted to each institution, while making every effort to identify savings, including through better organisation of work, redeployment of existing resources toward priorities and less bureaucracy, in order to make the best possible use of scarce financial resources;
3. Welcomes the constructive and cooperative approach taken by all institutions in their dealings with the budgetary authority and is satisfied that their answers to questions raised have been prompt and accurate;
4. Stresses that any expenditure related specifically to the potential entry into force of the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community is not included in the proposals; recalls that, in the event of this treaty entering into force, existing budgetary instruments, such as an amending letter or amending budget, may have to be used if necessary; is nevertheless of the opinion that, in such a case and to the fullest possible extent, reorganisation of existing resources must be fully examined before any call for additional resources is made; as a matter of prudence for the future, reiterates the need to maintain a sustainable budget and for a healthy financial margin in this heading;
5. Recalls that there is still room for improvement and more effective use of budget resources in a number of areas and would like to highlight, again, the area of inter-institutional cooperation; agrees with the Court of Auditors that increased cooperation in the field of language services could provide some margin for savings; has therefore made this a priority for 2010 and calls on the institutions to further improve these aspects, including a re-negotiation of the current arrangements in place for the sharing of internal translation resources;
6. To this end, decides to introduce a cross-cutting reserve of 5 % for external translation services and stresses that this amendment is targeted towards all institutions with their own translation departments; the improvements requested include the re-negotiation of the current arrangements in place for the sharing of internal translation resources in view of realising efficiency gains and savings in the area of translation, also in line with the special report of the Court of Auditors in this field; takes note of the fact that this reserve can thus be released when a concrete proposal for a system of internal translation resource sharing has been presented by the institutions and considered by the budgetary authority;
7. Stresses its wish that the possibility of 'tele-working' for translators should be re-examined by the institutions; notes that this could lead to annual savings, notably if office space can be freed up and used for other purposes; notes that the Court of Auditors uses this system (albeit in limited numbers) and that it is working well;

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8. Has decided to leave a margin below the ceiling of heading 5 'Administrative expenditure', of EUR 222 344 665, thus limiting the overall increase to 2,1 %; emphasises that this includes restoring a part of the reductions made by Council to the budget of the institutions in those cases where the specific requests of each institution have been justified;

9. Believes that the EU budget system must develop in a way that rewards resourcefulness and innovative solutions; highlights, in this regard, and as an incentive, that efficiency gains and savings that are the result of such measures on the part of the institutions could be used for other priorities they might have; stresses, however, that unused funds that result simply from slow implementation or unexpected events should as a general rule be returned to the taxpayer;

Section 1 - European Parliament

General framework

10. Welcomes the good spirit and constructive nature of the conciliation meeting of 15 September 2009 between its Bureau and Committee on Budgets; believes that this should further reinforce the establishment of the Parliament's budget under conditions of mutual cooperation and trust, as well as stringent application of sound budgetary principles and transparency; stresses that the prerogatives of each body should be fully maintained;

11. Recalls that agreement was reached on the following issues, which were part of this conciliation meeting:

- Reserves (priority projects, building reserve, contingency reserve)
- Restructuring of DG INLO and security service
- Staff needs for 2010
- House of European History
- Political parties and foundations
- Multilingualism
- Knowledge management;

12. Considers that the flow of information and timing of exchanges between its Bureau and the Committee on Budgets are crucial to ensure success and further improvements in their cooperation;

13. Stresses the need for the Parliament, as is the case for all institutions, to provide as complete a preliminary budget proposal as possible in the spring and early summer; emphasises that the use of an amending letter in the autumn should truly be limited to unforeseen events and technical updates; recognises that election years constitute a specific situation in which a greater degree of flexibility must be catered for in these procedures so as to safeguard the prerogatives of a newly formed parliament;

14. Points out that the overall level of its budget amounts to 19,87 % of the authorised expenditure under heading 5 (administrative appropriations) of the multi-annual financial framework, i.e. it has been maintained below the self-imposed limit of 20 %; reiterates, however, that the percentage figure of 19,87 % does not include any possible adaptations that might become necessary should the Treaty of Lisbon enter into force, particularly in the legislative area, and maintains its position that a considerable margin is essential; acknowledges that, due to the current limited margin, further savings and redeployment will be required to enable additional requirements to be fulfilled;

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15. Considers that a distinction between the Parliament's fixed and variable costs would facilitate decisions on the overall level of its budget and the appropriate follow-up for maintaining a sustainable budget; in this respect, has decided to place in reserve a part of three specific budget lines while requesting a report which identifies the expenses under titles 2 and 3 according to the different types of costs and whether they are of a fixed or variable nature; considers that this distinction, the long-term strategies on buildings, communication and information policies as well as a cost-benefit analysis of the various activities of Parliament will enable the construction of a zero-based budget in the coming years; considers that this will allow the Parliament's budget to reflect only real needs and will increase its transparency, budget accuracy and efficiency;

16. Points out that 2010 is the first year of full application of the new Statute for Members and that this is having a significant impact on its budget, which has had to take over these costs; notes that the additional amounts included compared to 2009 (a year of partial application) can be estimated at some EUR 40 million and, compared to previous years, at some EUR 113 million;

17. Considers that these figures, however, should be differentiated into what are effectively unavoidable consequences of a legal and budgetary nature and those for which the actual implementation of the system can make a difference; from a budgetary point of view, therefore calls for a report on the application of the system for travel reimbursements, based on accurate and objective data, to be presented before 30 June 2010;

18. Welcomes the agreement reached at the end of 2008 on the new statute for Members' parliamentary assistants and has included the budgetary provisions for the first full year of application in 2010; also welcomes the establishment of the Temporary Evaluation Group to examine any practical problems arising from the introduction of the Members' and Assistants' Statutes and looks forward to receiving its conclusions as soon as possible, in any case no later than the Bureau's presentation of the 2011 Estimates;

19. In connection with the overall level of the budget and the elements outlined above, also points out that the conciliation led to agreement on reducing the proposed reserves to a level of EUR 5 million for new political initiatives, maintaining a general contingency reserve of EUR 10 million and also agreement on a building reserve of EUR 15 million;

Human resources

20. Welcomes the agreement concerning staff resources for the 2010 budget and appreciates the information provided by the administration concerning posts deemed necessary and the restructuring measures proposed in parallel;

21. Decides to authorise the appropriations for 54 new posts on the Parliament's 2010 Establishment Plan as follows:

— Permanent posts: 8 AD9, 17 AD5 and 28 AST1,

— Temporary posts: 2 AD10, 1 AD9 and 1 AD5,

— Deletion of 3 temporary AST 1 posts approved on the 2009 establishment plan;

also decides to approve the appropriations for the following upgradings: 5 AD5 to 5 AD7 in relation to recruitment of interpreters, 30 AD7 to 30 AD9 in relation to internal competitions, and 30 AST3 to 30 AST5, also in relation to internal competitions; also decides to approve the appropriations for conversion of 5 AST6 posts into 2 AD11 and 3 AD12 posts in relation to cross-over competitions;

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22. This notwithstanding, insists that further efforts at redeployment of already existing resources and posts should be an integral part of its budget process; believes, in this regard, that it is right to adapt its organisation of work and structure of services to the political priorities in order to maximise the results and, from a budgetary point of view, reduce the cost impact; in this respect, recalls its request from last year that it is crucial to optimally balance the distribution of human resources between core legislative activities, direct services to Members and administrative support functions, as well as making the underlying assumptions and priorities better understood;

23. Notes in particular the conciliation agreement to strengthen its department for buildings and buildings policy in order to ensure proper maintenance and security, improving its planning and control and, reasonably, leading, together with a coherent and responsible property policy, to savings in the longer term; therefore agrees to provide 49 new posts over three years to this end; also notes the agreement to finance 5 posts requested for a reorganisation of the security service;

24. Also welcomes the conciliation agreement to carry out an organisational audit for DG INLO and the Security Service in order to assess whether resources are being used in the best way;

Legislative work and multilingualism

25. Recalls that multilingualism has been a crucial feature of the 2010 budget both from the point of view of safeguarding, and indeed strengthening, the right of all Members to enjoy equal treatment as far as language services are concerned, and also from the point of view of striving to keep costs down through improved inter-institutional cooperation between all institutions; welcomes the targeted additional funding for this area in the budget proposal and approves it;

26. Believes that assuming Parliament's increased legislative responsibilities is an ongoing process and requires full assistance to Members to fulfil their legislative work; welcomes, in this context, the decision of the Bureau of 6 May 2009 aimed at enhancing direct assistance to Members during their legislative work, in particular during the initial drafting stage; considers that attention must now also be turned to the later stages of the legislative procedures and deems it essential that Members have access to correct texts in all official languages, in accordance with the principles of multilingualism and in accordance with the aims of the Union's better law-making policy, in order to enhance transparency and the democratic legitimacy of Parliament's positions in legislative procedures;

27. Recalls that Parliament regularly votes on agreed legislative acts in the form of early political compromises, whereas the Council adopts such acts only after they have been finalised; considers it essential that Parliament should examine and vote on final, correct texts in all languages; requests that steps be taken at internal and inter-institutional level to ensure that Parliament is on an equal footing with Council in this respect;

28. Welcomes the agreement at the conciliation to introduce a cross-cutting reserve of 5 % on specific budget lines for all institutions with their own translation services as already described above;

29. Is willing to reconsider the system and accessibility of translations of plenary speeches, the so-called *verbatim reports*, and how this could be improved through the use of modern technology while, at the same time, constituting a major saving in the budget; considers that this could involve a demand-based translation system, which could also speed up the availability of requested texts considerably;

Buildings policy

30. Recalls its previous request that the Bureau present a coherent and responsible long-term strategy in the area of property and buildings, which also takes into account the particular problem of increasing maintenance costs, renovation needs and security costs and ensures the sustainability of Parliament's budget, and expects it to be presented by the end of 2009; notes the reply received following last year's budget resolution but does not consider this sufficient; also stresses that account must be taken of possible future reimbursements from the Belgian authorities in line with the agreement concerning the Parliament's existing premises in Brussels;

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31. Reiterates the importance it attaches to security issues, closely linked to its building policy, and considers that an effective and balanced approach is necessary in this area; underlines in particular the specific character of a parliament and the need for openness and accessibility alongside security; at the same time, expresses concern regarding the ever-rising costs in this area and considers that a differentiated approach is necessary depending on the specific situation of each workplace;

32. Notes that the reason why the Bureau is contemplating acquiring a new building close to its current facilities in Brussels, while reckoning that it no longer needs another one of its buildings for parliamentary work, remains to be clearly explained;

Communication and information policy

33. Welcomes the agreement on financing of European political parties and foundations, which should contribute to strengthen communication with, and participation of, citizens in EU political life; calls for further discussion on long-term budget principles in this field;

34. Welcomes the final decision by the Bureau on the management model for the new Visitor's Centre and decides to provide the requested 13 posts in order to ensure, finally, as prompt an opening as possible and, in any case, no later than the first part of 2010;

35. Takes note of the agreement reached between its Bureau and Committee on Budgets concerning the House of European History; decides to make available the requested EUR 1,5 million, to be budgeted under a suitable budget line already existing in the 2009 budget, in order to ensure that the architects' competition can go ahead and concept proposals can be received on time next year; reiterates its opinion that information concerning the overall cost of the project is necessary; welcomes the agreement to aim for additional funding from outside sources and to explore possible cooperation on the project;

36. Stresses the importance it attaches to an effective organisation of the many information sources and services available to Members and staff within the Parliament; in this respect, recalls the newly adopted ICT strategy, under its IT General Directorate, and the decision to create a Directorate for Library and Document Management under its Presidency services; further underlines the need to develop an overall 'Knowledge Management System' to facilitate the dissemination of all information at both political and administrative level; asks its Bureau to pay particular attention to the cooperation between the various services in order to ensure that the overall policy is coherent and cost-effective and, finally, welcomes the agreement at the conciliation that a presentation covering such aspects will be provided for a meeting of its Committee on Budgets;

37. Also believes that the inclusion of services managing documents in the new directorate referred to above should improve access to information and contribute to a better understanding of parliamentary activities; insists that this should facilitate the work of Members and also improve transparency vis-à-vis citizens; decides to approve the budgetary elements as contained in the preliminary budget; at the same time, wishes to be updated on its organisation, cost and staffing forecasts and products and services, including the measures to improve accessibility of documents;

38. Takes note of the opinions submitted by the Committee on International Trade and the Committee on Petitions and of the similar positions expressed; considers that, in the main, the concerns raised have been taken on board as far as possible through the budgetary amendments and the vote;

Section IV - Court of Justice

39. Considers that the Court's increasing workload in terms of consultations and the new urgency procedures has warranted a reasonable increase in its operating budget and establishment plan in the past two years, including a very considerable reinforcement of staff for 2009; therefore considers it natural that no additional posts are being asked for 2010; is not convinced that the Council's cuts on foreseen remunerations and abatement rates are correct given the actual rate of recruitment and staffing level;

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40. Therefore decides to re-instate the PDB on a number of lines given the arguments put forward and after considering the opinions of its committees;

41. Notes that the effect of the Court's new buildings is on-going and that this has a problematic impact on the overall growth of its budget; from this perspective, and considering these sunk costs, can accept the overall growth of 4,5 % as put forward, noting that the development of the Court's normal operating budget is situated at a considerably lower rate of about +2,5 %.

Section V - Court of Auditors

42. Following the 20 auditor posts granted for 2009, agrees to the creation of a further 12 auditor posts as a result of increasing demands, particularly from the budget discharge authority; stresses that staffing levels and work requests must be considered within the wider context of the budget and the European economy; considers therefore that the 32 new auditor posts granted over two years will place the Court in a comfortable position for some years to come and, otherwise, demands that the Court must prioritise the requests in order of urgency and relative importance;

43. Notes the planned progression of the costs for the K3 building extension and reiterates that, compared to a lease-purchase option, the decision to finance this directly from the budget will keep this project at the lowest level possible for the tax-payer; takes account of the fact that the decision to frontload an amount of EUR 55 million to 2009 has led to a significant decrease for this line for 2010;

44. Following a comment from the external audit carried out in respect of the Court itself, considers that all spending for this project must be carried out under the appropriations granted on the dedicated building line and, for the sake of transparency, must not be budgeted under other headings/lines;

45. Decides to increase a limited number of expenditure items relating to the Court's dissemination of reports to the public, publications in the Official Journal, and missions, in order to allow for a thematic expert to accompany the auditor, when needed, in order to enhance the insight and quality of findings;

Section VI - European Economic and Social Committee

46. Decides to take a compromise position between the Committee's original requests and the Council's draft budget; to this end, decides to approve the creation of 6 additional posts (4 AD5, 1 AST 3 and 1 AST1) and to adjust the general abatement rate for salaries and allowances to 5 %;

47. Asks the Committee to present a first summary report of the functioning of the improved planning system for meeting and travel costs, as introduced in the previous budget;

48. In view of future budgets, also requests a succinct explanation of how the travel reimbursements and allowances are calculated and what options, if any, the members and staff have in this regard;

Section VII - Committee of the Regions

49. Does not agree with the Council's abolition of all ten additional posts requested for the Committee and decides to reinstate four of them as priority posts linked to its political work and, particularly, the regional assembly; recalls, however, that increases to the Committee's staffing were approved already for 2009 and therefore cannot approve more than that, given the general economic situation;

50. Decides to introduce a general abatement rate of 5 % after hearing the Committee's arguments as regards recruitment levels and vacancy rates; notes that this should ensure that the Committee has sufficient funds to meet its obligations while still representing a small saving on the PDB;

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51. Takes a compromise position between the Committee's requests and the Council's reductions on various operational lines, including resources for IT development, child-care facilities for staff and information and communication measures;

Section VIII - European Ombudsman

52. Partially reinstates the PDB after noting the reductions by Council and hearing the arguments of the Ombudsman; insists that limited savings, in the main, on the PDB can nevertheless be maintained;

53. Also takes a compromise position between the Ombudsman and the Council as concerns needed appropriations for salaries and allowances;

54. Agrees with the Ombudsman that a reflection on the extent to which expenditure related to the election of this Office is useful and, in fact, considers that the current system of splitting such costs over different years and different budget posts is not transparent;

55. Is surprised that this body has had virtually no budget at all for training measures and can therefore agree to a certain increase in this area;

Section IX - European Data Protection Supervisor

56. Acknowledges that the Supervisor is increasingly being called on to give opinions on legislation (with an impact on data protection issues); has discussed this matter in some depth and has taken note of the statement that these consultations are obligatory on the part of the Supervisor; therefore decides to make some adjustments to the draft budget suggested by the Council;

57. Approves the creation of two additional posts (1 AD5 and 1 AST2) which represents a middle position between the original requests and the Council's position; does so in the light of the fact that, at the same time, an increase is granted also for the financing of national experts;

58. Also agrees to some reinforcements over the Council's proposal on a limited number of other budget headings after hearing the Supervisor's arguments;

*

* *

59. Instructs its President to forward this resolution, together with the amendments to Sections I, II, IV, V, VI, VII, VIII and IX of the draft general budget, to the Council and the Commission, and also to the other institutions and bodies concerned.

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Adjustment of basic salaries and allowances applicable to Europol staff *

P7_TA(2009)0053

European Parliament legislative resolution of 22 October 2009 on the initiative of the Czech Republic with a view to adopting a Council decision adjusting the basic salaries and allowances applicable to Europol staff (10985/2009 – C7-0099/2009 – 2009/0805(CNS))

(2010/C 265 E/31)

(Consultation procedure)

The European Parliament,

- having regard to the initiative of the Czech Republic (10985/2009),
 - having regard to the Council Act of 3 December 1998 laying down the staff regulations applicable to Europol employees ⁽¹⁾, and in particular Article 44 thereof,
 - having regard to Article 39(1) of the EU Treaty, pursuant to which the Council consulted Parliament (C7-0099/2009),
 - having regard to Rules 100 and 55 of its Rules of Procedure,
 - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A7-0040/2009),
1. Approves the initiative of the Czech Republic;
 2. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 3. Calls on the Council to consult Parliament again if it intends to amend the initiative of the Czech Republic substantially;
 4. Instructs its President to forward its position to the Council and the Commission, and to the government of the Czech Republic.

⁽¹⁾ OJ C 26, 30.1.1999, p. 23.

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Modification of Regulation (EC) No 1234/2007 'single CMO Regulation' *

P7_TA(2009)0054

European Parliament legislative resolution of 22 October 2009 on the proposal for a Council regulation amending Regulation (EC) No 1234/2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (single CMO Regulation) (COM(2009)0539 – C7-0223/2009 – 2009/0152(CNS))

(2010/C 265 E/32)

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2009)0539),
 - having regard to Article 37 of the EC Treaty, pursuant to which the Council consulted Parliament (C7-0223/2009),
 - having regard to Rules 55 and 142 of its Rules of Procedure,
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
 3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 4. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
 5. Instructs its President to forward its position to the Council and the Commission.

TEXT PROPOSED BY THE COMMISSION

AMENDMENT

Amendment 2**Proposal for a regulation – amending act****Article 1 – point 3**

Regulation (EC) No 1234/2007

Article 186 – point a

(3) In Article 186, point (a) is replaced by the following:

'(a) with regard to the products of the sugar, hops, beef and veal, **milk and milk products**, sheepmeat and goatmeat sectors, where the prices on the Community market for any of those products rise or fall significantly;'

(3) In Article 186, point (a) is replaced by the following:

'(a) with regard to the products of the sugar, hops, beef and veal, sheepmeat and goatmeat sectors, where the prices on the Community market for any of those products rise or fall significantly;

(aa) with regard to milk and milk products, where the prices on the Community market for any of those products rise or fall significantly during the 12-month periods starting on 1 April 2009 and 1 April 2010;'

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TEXT PROPOSED BY THE COMMISSION

AMENDMENT

Amendment 8

Proposal for a regulation – amending act

Article 1, point 3 a (new)

Regulation (EC) No 1234/2007

Article 188 – point 2 a (new)

(3a) In Article 188 the following paragraph is added:

'2a. The European Parliament shall be informed by the Commission on a regular basis of the proceedings of the committee referred to in Article 195. To that end, it shall receive agendas for committee meetings, and draft measures submitted to the committee, together with the results of voting, summary records of the meeting and lists of the authorities and organisations to which the persons designated by the Member States to represent them belong. The European Parliament shall also be kept informed whenever the Commission transmits to the Council measures or proposals for measures to be taken.'

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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.)

Political amendments: new or amended text is highlighted in bold italics; deletions are indicated by the symbol ¶.

Technical corrections and adaptations by the services: new or replacement text is highlighted in italics and deletions are indicated by the symbol ||.

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