

Friday, 12 February 1993

MINUTES OF PROCEEDINGS OF THE SITTING OF FRIDAY, 12 FEBRUARY 1993

(93/C 72/05)

PART I**Proceedings of the sitting****IN THE CHAIR: Mr KLEPSCH***President**(The sitting was opened at 9 a.m.)***1. Approval of Minutes**

The following spoke:

— Mr Lannoye, who pointed out that it was not the case, as Mrs Dury had claimed at the end of the topical and urgent debate (Part I, Item 12), that a written declaration had been tabled on the patenting of animals (the President replied that the matter would be looked into);

— Mr Lane, who asked for the Minutes to record the fact that Commissioner Steichen had refused to reply to questions put to him by Members at the end of the debate on hormones in stock-breeding (Part I, Item 16) (the President replied that this would be checked).

— Mr Colom i Naval, on Mr Lannoye's remarks.

The Minutes of the previous sitting were approved.

2. Documents received

The President announced that he had received from the Council requests for opinions on the following proposals from the Commission of the European Communities to the Council:

— Proposal from the Commission to the Council for a Regulation replacing Regulation (EEC) No 1468/81 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs or agricultural matters (COM(92)0544 — C3-0045/93 — SYN 450)

referred to
responsible: CONT
opinion: AGRI, ECON

legal base: Art. 043 EEC, Art. 100a EEC, Art. 113 EEC

— Proposal from the Commission to the Council for a decision concerning the conclusion of the Convention on Biological Diversity (COM(92)0509 — C3-0046/93)

referred to
responsible: ENVI
opinion: ENER, LEGA
legal base: Art. 130s EEC

3. Bovine semen (Rule 116) *

The next item was the vote on the proposal from the Commission to the Council concerning a Directive amending Directive 88/407/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species and extending it to cover fresh bovine semen (COM(92)0462 — C3-0465/92)

which had been referred to

— the Committee on Agriculture, Fisheries and Rural Development as committee responsible and to

— the Committee on the Environment, Public Health and Consumer Protection for an opinion

PROPOSAL FOR A DIRECTIVE COM(92)0462 — C3-0465/92:

Parliament approved the Commission proposal (Part II, Item 1).

4. Statistics on crop products (Rule 116) *

The next item was the vote on the proposal from the Commission to the Council for a Regulation on statistical information to be supplied by Member States on crop products other than cereals (COM(92)0430 — C3-0473/92)

which had been referred to

— the Committee on Agriculture, Fisheries and Rural Development as committee responsible and to

— the Committee on Budgets for an opinion

PROPOSAL FOR A REGULATION COM(92)0430 — C3-0473/92:

Parliament approved the Commission proposal (Part II, Item 2).

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5. Cross-border payments in internal market (vote)

(motions for resolutions in the reports by Mr Bofill Abeilhe (A3-0029/93) and Mr A. Simpson) (A3-0028/93)

(a) A3-0029/93

Explanations of vote tabled in writing:

Mr de la Cámara Martínez and Mr Alvarez de Paz.

Parliament adopted the resolution (para. 10 by separate vote (the rapporteur) by EV) (Part II, Item 3(a)).

(b) A3-0028/93

Parliament adopted the resolution (Part II, Item 3(b)).

6. Services (vote)

(motions for resolutions B3-0179, 0183, 0186 and 0216/93)

MOTION FOR A RESOLUTION B3-0179/93

Parliament rejected the motion for a resolution.

MOTION FOR A RESOLUTION B3-0183/93

A split vote was held on para. 4 (SOC):

— text of the motion for a resolution without para. 4: adopted

— para. 4:

1st part: the words 'where as a participant in the market the state has a decisive influence on the market's Regulation': adopted by EV

2nd part: remainder: adopted

Parliament adopted the resolution (Part II, Item 4(a)).

(Motion for a resolution B3-0186/93 fell)

MOTION FOR A RESOLUTION B3-0216/93

Amendments adopted: 2 and 1 by EV

The different parts of the text were adopted in order.

Explanation of vote tabled in writing:

Mr Ephremidis, on behalf of the LU Group.

Parliament adopted the resolution by RCV (EPP):

Members voting: 109

For: 107

Against: 1

Abstentions: 1

(Part II, Item 4(b)).

7. Architectural heritage (vote)

(motion for a resolution in the Laroni report — A3-0036/93)

Mr Elliott, deputizing for the rapporteur, spoke on the amendments.

Amendments adopted: 5, 1, 2, 3 by EV and 4.

The different parts of the text were adopted in order.

Explanations of vote tabled in writing:

Mr Cunha Oliveira, Mr Cushnahan, Mr Desmond and Mr Arbeloa Muru.

Parliament adopted the resolution (Part II, Item 5).

8. Environment in transboundary context (vote) *

Lannoye report — A3-0030/92

PROPOSAL FOR A DECISION COM(92)0093 — C3-0202/92

Amendments adopted: 1 to 5 collectively.

Parliament approved the Commission proposal as amended (Part II, Item 6).

DRAFT LEGISLATIVE RESOLUTION

Parliament adopted the legislative resolution (Part II, Item 6).

9. Application of Community law (vote)

(motion for a resolution in the Bontempi report — A3-0038/93)

Amendments adopted: 1, 2, 3, 4, 5.

The different parts of the text were adopted in order.

Explanations of vote tabled in writing:

Mr Cushnahan and Mr Valverde López.

Parliament adopted the resolution by RCV (EPP):

Members voting: 117

For: 116

Against: 1

Abstentions: 0

(Part II, Item 7).

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10. Aeronautical research and technology

(vote)

(motion for a resolution in the Turner report — A3-0426/93)

The following spoke:

— Mrs van Hemeldonck, draftsman of the opinion of the Committee on Economic Affairs, who pointed out that ams. 1 to 7 which bore her name had in fact been tabled by the Committee;

— the rapporteur, on the amendments;

— Mr Samland, who pointed out that ams 1, 6, 5, 4, 2, 3 and 7, which were not by the SOC Group, should be cancelled for procedural reasons (Rules 69(1) and 120(6)) (the President agreed).

Amendments adopted: 8 and 9,

Amendments rejected: 10 and 11,

Amendments cancelled: 1, 6, 5, 4, 2, 3 and 7.

The different parts of the text were adopted in order.

Parliament adopted the resolution (Part II, Item 8).

11. Fishery policy (vote) *

Reports by Mr Vázquez Fouz (A3-0009/93), Mr Cunha Oliveira (A3-0013/93), Mr Kofoed (A3-0012/93) and Mr Verbeek (A3-0011/93)

(a) A3-0009/93:

PROPOSAL FOR A REGULATION COM(92)0213 — C3-0292/92:

Amendments adopted: 1 to 3 collectively.

Parliament approved the Commission proposal as amended (Part II, Item 9(a)).

Explanation of vote tabled in writing:

Mr Vázquez Fouz.

DRAFT LEGISLATIVE RESOLUTION:

Parliament adopted the legislative resolution (Part II, Item 9(a)).

(b) A3-0013/93:

PROPOSAL FOR A REGULATION COM(92)0289 — C3-0325/92:

Amendments adopted: 1 and 2 collectively.

Parliament approved the Commission proposal as amended (Part II, Item 9(b)).

DRAFT LEGISLATIVE RESOLUTION:

Parliament adopted the legislative resolution (Part II, Item 9(b)).

(c) A3-0012/93:

I. PROPOSAL FOR A REGULATION COM(92)0431 — C3-0469/92:

Amendment adopted: 1.

Parliament approved the Commission proposal as amended (Part II, Item 9(c)).

DRAFT LEGISLATIVE RESOLUTION:

Explanation of vote tabled in writing:

Mr Ford.

Parliament adopted the legislative resolution (Part II, Item 9(c)).

II. PROPOSAL FOR A REGULATION COM(92)0431 — C3-0470/92:

Amendment adopted: 2.

Parliament approved the Commission proposal as amended (Part II, Item 9(c)).

DRAFT LEGISLATIVE RESOLUTION:

Parliament adopted the legislative resolution (Part II, Item 9(c)).

III. PROPOSAL FOR A REGULATION COM(92)0431 — C3-0471/92:

Amendment adopted: 3

Parliament approved the Commission proposal as amended (Part II, Item 9(c)).

DRAFT LEGISLATIVE RESOLUTION:

Parliament adopted the legislative resolution (Part II, Item 9(c)).

(d) A3-0011/93:

PROPOSAL FOR A REGULATION COM(92)0012 — C3-0085/92:

Amendment adopted: 1.

Parliament approved the Commission proposal as amended (Part II, Item 9(d)).

DRAFT LEGISLATIVE RESOLUTION:

Parliament adopted the legislative resolution (Part II, Item 9(d)).

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12. EEC/ECSC-Romania trade agreement (debate and vote) *

Mr Suárez González, deputizing for the rapporteur, introduced the report, drawn up by Mr Ortiz Climent on behalf of the Committee on External Economic Relations, on the proposal from the Commission to the Council for a decision concerning the conclusion by the European Economic Community of the Interim Agreement between the European Economic Community and the European Coal and Steel Community, of the one part, and Romania, of the other part, on trade and trade-related matters (COM(92)0510 — 4218/93 — C3-0043/93) (A3-0045/93).

The following spoke: Mr Balfe, on behalf of the SOC Group, Mr Habsburg, Mrs von Alemann, on behalf of the LDR Group, Mr Millan, Member of the Commission, and Mr Suárez González, on Mr Habsburg's remarks.

The President declared the debate closed.

VOTE

PROPOSAL FOR A DECISION (COM(92)0510 — 4218/93 — C3-0043/93)

Parliament approved the Commission proposal by RCV (EPP):

Members voting: 64

For: 52

Against: 9

Abstentions: 3

(Part II, Item 10).

DRAFT LEGISLATIVE RESOLUTION:

Parliament adopted the legislative resolution (Part II, Item 10).

13. Definitive discontinuation of milk production (debate and vote) *

Mr Sierra Bardají introduced his second report, drawn up on behalf of the Committee on Agriculture, Fisheries and Rural Development, on the proposal from the Commission to the Council amending the proposal for a Regulation setting compensation for reduction of individual milk reference quantities and for definitive discontinuation of milk production (COM(92)0253 — C3-0449/92) (A3-0046/93).

The following spoke: Mr Cunha Oliveira, on behalf of the SOC Group, and Mr Carvalho Cardoso, on behalf of the EPP Group.

IN THE CHAIR: Mr ESTGEN

Vice-President

The following spoke: Mr Garcia, on behalf of the LDR Group, Mr Lane, on behalf of the EDA Group, and Mr Millan, Member of the Commission.

The President declared the debate closed.

VOTE

COMMISSION PROPOSAL (COM(92)0253 — C3-0449/92):

Amendments adopted: 1 to 6 collectively.

Parliament approved the Commission proposal as amended (Part II, Item 11).

DRAFT LEGISLATIVE RESOLUTION:

Parliament adopted the legislative resolution (Part II, Item 11).

14. Processed tomato products (debate and vote) *

The next item was the report by Mr Vázquez Fouz, drawn up on behalf of the Committee on Agriculture, Fisheries and Rural Development, on the proposal from the Commission to the Council for a Regulation on the introduction of a limit to the granting of production aid for processed tomato products (COM(92)0474 — C3-0478/92) (A3-0047/93).

Mr Görlach, on behalf of the SOC Group, asked for the report to be referred back to committee pursuant to Rule 103(1).

Mr Carvalho Cardoso spoke on this request.

Parliament rejected the request by RCV:

Members voting: 51

For: 22

Against: 26

Abstentions: 3

Mr Vázquez Fouz introduced his report.

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The following spoke in the debate: Mr Carvalho Cardoso, on behalf of the EPP Group, Mr Garcia, on behalf of the LDR Group, and Mr Matutes, Member of the Commission.

The President declared the debate closed.

VOTE

PROPOSAL FOR A REGULATION (COM(92)0474 — C3-0478/92):

Amendment adopted: 9 by EV,

Amendments rejected: 1 by EV, 2 by EV, 3 by EV, 4, 5, 10 by EV, 6, 11 by EV, 12, 13, 7, 15 by EV,

Amendments declared inadmissible: 8 and 14.

Article 1(3)(c) and Article 3 were approved by separate votes (Article 1(3)(c) by EV).

Parliament approved the Commission proposal as amended (Part II, Item 12).

DRAFT LEGISLATIVE RESOLUTION:

EXPLANATIONS OF VOTE:

The following spoke: Mr Vázquez Fouz, Mr Bettini and Mr Carvalho Cardoso, on the last speaker's remarks.

Parliament rejected the draft legislative resolution by RCV (SOC):

Members voting: 57

For: 24

Against: 31

Abstentions: 2

The matter was referred back to committee.

15. Statute of EIB (debate and vote)

Mr Herman introduced his interim report, drawn up on behalf of the Committee on Institutional Affairs, on holding a conference of representatives of the governments of the Member States with a view to the adoption of an addition to the protocol on the statute of the European Investment Bank (C3-0036/93) (A3-0048/93).

The following spoke: Mr Gutiérrez Diaz, draftsman of the opinion of the Committee on Regional Policy, and Mr Matutes, Member of the Commission.

The President declared the debate closed.

VOTE

Parliament adopted the interim resolution (Part II, Item 13).

16. Export refunds in milk products sector (debate and vote)

Mr Tomlinson introduced his report, drawn up on behalf of the Committee on Budgetary Control, on the audit of export refunds paid to selected major traders in the milk products sector (Court of Auditors Special Report No 2/92) (A3-0037/93).

The following spoke: Mrs Goedmakers, on behalf of the SOC Group, Mr Kellett-Bowman, on behalf of the EPP Group, Mr Lane, on behalf of the EDA Group, Mr Geraghty, Mr Wilson, Mr Blak, Mr A. Smith, Mr Tauran, Mr Matutes, Member of the Commission, Mr Kellett-Bowman, on Mr Smith's comments, Mr Geraghty, who put a question to the Commission which Mr Matutes answered, Mr A. Smith, in reply to Mr Kellett-Bowman, Mr Blak, on what he considered to be personal exchanges, Mr Falconer, in reply to Mr Blak, and Mr Blak, on the way in which his comments had been interpreted.

The President declared the debate closed.

VOTE

Amendment adopted: 1.

EXPLANATIONS OF VOTE:

The following spoke: Mr Lane, on behalf of the EDA Group, Mrs Banotti and Mr Cushnahan.

Parliament adopted the resolution (Part II, Item 14).

17. Membership of committees

At the request of the EPP Group, Parliament ratified the appointment of Mr Lamanna as member of the Committee on Civil Liberties and Internal Affairs to replace Mr Forte.

18. Written declarations (Rule 65)

Pursuant to Rule 65(3), the President announced the number of signatures to these declarations:

<i>Document No</i>	<i>Author</i>	<i>Signatures</i>
4/92	Santos Lopez	2
1/93	Newton Dunn	6
2/93	Ford	10
3/93	Crampton	3

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19. Forwarding of resolutions adopted during the sitting

The President informed Parliament, pursuant to Rule 107(2), that the Minutes of that day's sitting would be submitted to Parliament for its approval at the beginning of its next sitting.

With Parliament's agreement, he stated that he would forward the resolutions that had just been adopted forthwith to the bodies named therein.

20. Dates for next part-session

The President announced that the next part-session would be held from 8 to 12 March 1993.

21. Adjournment of session

The President declared the session of the European Parliament adjourned.

(The sitting was closed at 11.40 a.m.)

Enrico VINCI
Secretary-General

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PART II

Texts adopted by the European Parliament

1. Bovine semen (Rule 116) ***PROPOSAL FOR A DIRECTIVE COM(92)0462 — C3-0465/92**

Proposal from the Commission to the Council concerning a Directive amending Directive 88/407/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species and extending it to cover fresh bovine semen

The proposal was approved.

2. Statistics on crop products (Rule 116) ***PROPOSAL FOR A REGULATION COM(92)0430 — C3-0473/92**

Proposal from the Commission to the Council for a Regulation on statistical information to be supplied by Member States on crop products other than cereals

The proposal was approved.

3. Cross-border payments in internal market**(a) RESOLUTION A3-0029/93****Resolution on the system of payments in the context of Economic and Monetary Union**

The European Parliament,

- having regard to the motions for resolutions by Mr Beumer on the system of the payments in the context of EMU (B3-0860/91), Mr Robles Piquer on the establishment of a European Postal Bank (B3-0286/92) and Mr Vandemeulebroucke on a Europe-wide 'phonecard (B3-0289/92),
- having regard to the Commission Discussion Paper: Making Payments in the Internal Market (COM(90)0447), and the Commission working document: Easier cross-border payments: breaking down the barriers (SEC(92)0621 — C3-0367/92),
- having regard to the Treaty on European Union signed in Maastricht on 7 February 1992 and in particular:
 - (i) Articles 73b to 73g concerning the removal of all restrictions on payments between Member States and between Member States and third countries;
 - (ii) Article 73h on the provisions applicable during the first stage of EMU concerning payments connected with the movement of goods, services or capital;

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- (iii) Article 105(2), on the basic tasks to be carried out through the European System of Central Banks (ESCB), one of which is the promotion of the smooth operation of payment systems;
 - (iv) Article 109c(1) and (2) concerning the tasks of the Monetary Committee and of the Economic and Financial Committee, one of which is the examination of all measures relating to capital movements and payments as soon as the Maastricht Treaty is ratified;
 - (v) Article 109f(3) on the European Monetary Institute's responsibility to promote the efficiency of cross-border payments as from 1 January 1994,
- having regard to the report of the Committee on Economic and Monetary Affairs and Industrial Policy, and the opinion of the Committee on the Environment, Public Health and Consumer Protection and the opinion of the Committee on Energy, Research and Technology based on motion for resolution B3-0289/92 (A3-0029/93),
- A. whereas an approximate estimate of 400 million total cross-border payments are effected in the Community per year of which 50% are 'retail' payments, below ECU 2 500 in value; the 200 million retail payments account for a considerable proportion which is expected to grow as the completion of the Single Market would lead to greater flows in goods, services and capital and to an increase in the movement of people,
 - B. whereas the large majority of retail payments are made 'face-to-face' by individuals while the remainder are 'remote' payments made by and to individuals or businesses in payment for goods and services,
 - C. worried by the fact that charges for cross-border transfers are about 10 to 20 times more expensive than those for domestic transfers and that the minimum charge for retail cross-border payment is likely to be in excess of ECU 20,
 - D. whereas the standard of performance of cross-border payment systems in Member States today is not yet sufficiently adapted to the needs of EMU and whereas there is an urgent need to improve cross-border payments aiming at an advanced technology,
 - E. aware of the interdependence between retail cross-border payments and large value payments, since in several countries the two are held through by the same payments systems,
 - F. whereas the dominant means used for remote retail cross-border payments is credit transfer orders, although payment cards have assumed some importance recently with cheques being in decreasing demand,
 - G. mindful of investment needs in infrastructure (computers, communications, software) and in norms and standards in order to promote highly integrated payment systems while respecting the principles of non-discrimination, no barriers to entry and fair competition, allowing for a reasonable return to new investment,
 - H. whereas large-value payments unite the central banks with their national banks and in this way monetary policy is properly channelled and foreign exchange policy is put into practice,
 - I. concerned that many systems are based on obsolete methods and on practices which expose members to the 'risk' that one of them may fail before payments are completed,
 - J. concerned at the need to endow EMU with the appropriate institutional structure, to be devised, prepared and established in the first stage of EMU,

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1. Supports the four suggestions made by the Commission in the field of:
 - (a) efficient linkages between automated clearing houses (ACHs),
 - (b) correspondent banking,
 - (c) new systems, such as direct debiting, for effecting cross-border transfers,
 - (d) accession by the large banks to an ACH, without thereby distorting competition or creating new barriers to entry;
2. Finds the two principles adopted by the Users Group in their report, quality of information and redress procedures, useful to apply to existing and new payment systems in order to improve their efficiency;
3. Approves the four criteria: transparency, speed, reliability and cost, for the assessment of existing and any future payment systems;
4. Believes that the principle of 'cross-frontier acceptability', meaning compatible technical systems in Member States, should be applied to all new payment systems and to drawing up Community technical standards;

As regards the consumer

5. Is of the opinion that the content of the principle of transparency ought to be defined by a Council Directive entailing the following rules:
 - (a) a requirement for the bank to inform the potential user of the various means of effecting payments which it is able to offer and their respective costs,
 - (b) the user's right to bear all charges concerned with a cross-border payment, which should automatically exclude 'double charging',
 - (c) a four working day period for the settlement of the cross-border payment,
 - (d) the user should have access to a redress procedure; the Commission will need to provide a suitable appeal mechanism for medium and large businesses;
6. Welcomes the guidelines on customer information on cross-border remote payments submitted by banks and designed to ensure that every user is provided with the fullest possible information; is concerned, though, that in the past such guidelines have not been respected;
7. Insists on the fact that where the originator of a payment has accepted responsibility for all charges, the operators of payment systems should be obliged to ensure no 'double charging' arises, so that the beneficiary can receive the full amount transferred;
8. Believes that principle No 4 of Commission Recommendation 90/109/EEC ⁽¹⁾ on a maximum two-day execution for cross-border transfers should be interpreted to mean four working days for remote cross-border payment, regardless of the number of banks involved for the execution of the order; a penalty should be imposed on any bank that delays execution;
9. Recalls that the powers conferred upon Parliament by the Treaty on European Union, and in particular Article 138d on the right of citizens to address a petition to Parliament and Article 138e on the powers of the Ombudsman, will also apply to instances stemming from activities of payment systems;
10. Requests the Commission to ensure that the national complaints bodies established or to be established following the said Commission Recommendation should so cooperate with each other, in order that a complainant need only address himself to his own national body, which will then make contact on his behalf with other national bodies, where appropriate;

⁽¹⁾ OJ No L 67, 15.3.1990, p. 39.

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11. Voices its concern that the protection of individuals in relation to the processing of personal data, payment systems and their efficiency have not been treated in depth; requests, therefore, the Commission to revise its 1990 proposal which would protect the user of payment systems without raising unnecessary obstacles to the development of efficient cross-border payments;

As regards new payment systems and competition

12. Supports the initiatives of new payment systems proposed by new or existing operators and, in particular, the development of electronic fund transfers; is persuaded that effective competition between systems should be encouraged via the elimination of technical and legal barriers to entry and by harmonization of technical and operational standards;

13. Is of the opinion that the Community could promote certain innovations, such as card networks, to be used for money transfers or extending direct debiting across borders, or electronic cheques, if the legal framework were appropriate; asks the Commission to put forward a proposal on the legal and technical conditions for this purpose;

14. Requests the Commission to submit the appropriate proposal concerning rules on the legal nature of inter-bank settlements involving a third party, taking account of the status of the private ecu as a means of payment;

15. Is convinced of the important role of new payment systems in modernizing national payment systems in some Member States, since an effort in this field would help the cohesion objective of the Maastricht Treaty and deserves financial and technical assistance from the Community in accordance with the trans-European networks;

16. Calls upon the Commission to study the ways and means by which the high telecommunications costs for new payment systems are lowered under the Open Network Provision Directive 90/387/EEC ⁽¹⁾, and to report back to Parliament one year from the adoption of this resolution on its initiatives in this field;

17. Finds the current obligation for payment systems to report transactions to the national central banks for payments in the Community incompatible with the philosophy of the four principles of freedom and of the Single Market; proposes, therefore, that for any payment below ECU 10 000 no reporting requirement should be required;

18. Agrees with the competition principles contained in Annex C of the Commission document SEC(92)621 final but wonders how the mechanism the Commission would employ could preserve a fine balance between general agreements and effective competition so that the European open-market system and fair play could be maintained;

19. Believes that correspondent banking would be substantially improved if the linkages between Automated Clearing Houses (ACHs) were improved in a first phase while, at a later stage, after the ratification of the Maastricht Treaty by Member States, the possibility of creating a European Automated Clearing House, to be set up by the European Monetary Institute, should be considered by the Committee of Central Bank Governors;

20. Points out that a well-integrated payment system in the Community would benefit from additional support if the Member States of the EEA were to adopt at this stage systems compatible with those in force in the Community; to this end the Committee on European Banking Standards would have an interest in inviting a representative from those countries to participate in its work;

21. Calls upon the Commission to put forward a proposal that would seek to eliminate any uncertainty stemming from conflicting national laws and, in particular, to tackle the aspects of:

⁽¹⁾ OJ No L 192, 24.7.1990, p. 1.

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- (a) the moment of settlement finality,
- (b) the point of irrevocability,
- (c) the nature of legal tender in the presence of a parallel currency,
- (d) the mutual responsibility of the credit institutions involved in a cross-border payment;

22. Proposes the drawing up of rules governing membership of payment systems, similar in approach and application to those applicable to the second banking Directive, which should guarantee:

- (a) the principle of non-exclusivity,
- (b) the right for all credit institutions to set up a payment system, provided they satisfy the criteria of economic eligibility,
- (c) the setting up of criteria concerned with economic eligibility, meaning potential economic fitness and minimum systemic risk,
- (d) the supervision of payment systems by regulatory bodies based on commonly agreed principles and working criteria;

23. Calls on the Committee of Central Bank Governors to formulate a common position on increasing competition from financial and non-financial institutions other than banks which wish to set up or participate in clearing and settlement systems;

As regards large-value payments

24. Warns that the freedom to provide services in the banking sector (a single banking licence) from 1993 and the consequent growth in the number of transnational payments will lead to an increase in 'in-house' compensatory payments within banking institutions. Many transnational payment operations will therefore no longer be recorded and will be able to escape surveillance more easily, thereby leading to fluctuations in the exchange rate systems at least until the third phase of EMU;

25. Is worried by the fact that the Committee of Central Bank Governors has not completed its work on 'systemic risk' stemming from the possibility of one participant in a payment system who fails to meet his required obligations thus making other participants unable to meet their obligations when due;

26. Points out that the fact that some payment systems handle both 'retail' and 'wholesale' payments across frontiers does not imply that the spread of systemic risk will be reduced;

27. Believes that approximately 90% of large-value payments come from the financial markets, most of which are foreign exchange markets; this may mean that the risk in payment systems will rise as capital movements increase;

28. Calls upon the Committee of Central Bank Governors to examine and propose a list of principles concerning cooperation among regulatory bodies with regard to:

- (a) surveillance of payment systems,
- (b) coordination of policies aimed at reducing and controlling the risk due to the different existing payment systems in the Community,
- (c) exchange of information among national central banks, and
- (d) common standards and guarantees;

29. Is concerned by the fact that large-value interbank fund transfers between countries could have repercussions on:

- (a) the stability and integrity of the financial system,
- (b) total liquidity and credit,
- (c) the cross-currency settlement risk;

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30. Asks, therefore, the Committee of Central Bank Governors first to appraise experience of the EC-wide payment system as called for in paragraph 19, and then to propose, if necessary, the setting up of an entirely new system capable of making settlements in several currencies, thus accepting the private sector risk;

31. Reserves the right to review the situation of payment systems when both the Commission and the Committee of Central Bank Governors have informed Parliament on the subjects raised in this resolution;

*
* *

32. Instructs its President to forward this resolution to the Council, the Commission, the Committee of Central Bank Governors and the parliaments of the Member States.

(b) RESOLUTION A3-0028/93

Resolution on easier cross-border payments in the internal market

The European Parliament,

- having regard to the Commission's working document: 'Easier Cross-Border payments: Breaking down the Barriers'; (SEC(92)0621),
- having regard to Rule 121 of its Rules of Procedure,
- having regard to the report of the Committee on Legal Affairs and Citizens' Rights (A3-0028/93),

- A. whereas it is essential for the functioning of the internal market that consumers and businesses are able to make cross-border payments as quickly and as inexpensively as possible,
- B. whereas many of the problems encountered by consumers and businesses alike in making cross-border payments could best be resolved by the introduction of a strict system of self-regulation,
- C. whereas some of the legal problems encountered in making cross-border payments can however only be resolved by the introduction of harmonizing legislation at Community level,

1. Calls on the Commission to introduce a Directive with a view to harmonizing conflicting national legislation regarding the issues of finality and irrevocability and also insolvency;
2. Calls on Member States to liberalize their national legislation on banking to allow financial institutions active on their territory to offer their customers the possibility of holding giro accounts to effect ordinary payments in any freely convertible currency;
3. Calls on the financial institutions involved in cross-border payments to draw up and implement a strict code of conduct relating to technical standards;
4. Calls on the C.E.N. to grant recognition to the Committee on European Banking Standards as an 'Associated Standardizing Body' to assist in the process of setting European standards;
5. Welcomes Commission Recommendation 90/109/EEC on transparency in cross-border financial transactions (OJ No L 67, 15.3.1990, p. 39) and calls on the Commission to expand and strengthen the existing Recommendation in such a manner as to encourage the development by financial institutions, in cooperation with consumer organizations, of transparency guidelines covering not only remote cross-border payments but also face-to-face cross-border payments;

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6. Calls on the Commission to recommend that the national bodies established or to be established pursuant to Recommendation 90/109/EEC to deal with complaints should be granted sufficient authority to deal with cross-border complaints in liaison with the redress systems established by the other Member States concerned;
 7. Calls on the Commission to negotiate reciprocal treatment and opportunities for Community financial institutions as regards cross-border payments with third countries, in particular the United States and Canada.
 8. Instructs its President to forward this resolution to the Commission and Council.
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4. Services

(a) RESOLUTION B3-0183/93

Resolution on the service sector in the Single Market

The European Parliament,

- A. whereas the service sector is of outstanding importance to employment in the European Community,
1. Welcomes the current progress in opening up the market in the liberal professions as a substantial step towards creating a single market in services;
 2. Notes, however, that the opening up of internal frontiers has not had such beneficial results in the service sector as in the free movement of goods;
 3. Underlines the need for rapid transposition and application of the Directives and Regulations that have already been adopted in the service sector, particularly those for completion of the single market in the field of banking and insurance;
 4. Encourages the Commission to perform its tasks in the area of competition policy with particular vigour in the service sector, where as a participant in the market the state has a decisive influence on the market's Regulation;
 5. Calls on the Commission to pursue its policy of opening up the market and liberalization in the public services sector, where application of the principle of subsidiarity acquires especial importance to take account of the structures that have emerged in different ways in the Member States;
 6. Instructs its President to forward this resolution to the Commission.
-

(b) RESOLUTION B3-0216/93

Resolution on the role of the public sector in the completion of the internal market

The European Parliament,

- having regard to Article 90 of the EEC Treaty, in particular paragraph 2 thereof,
- having regard to the Treaty on European Union, in particular its provisions on European citizenship and economic and social cohesion,
- having regard to the general conclusions of the Edinburgh European Council of 11/12 December 1992,

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- A. whereas it is the responsibility of the public sector to provide high-quality public services (energy, water, transport, etc.), responsive to the needs of the population and in the general economic interest,
 - B. whereas competitiveness within the European Community, above and beyond the improvement of the conditions of economic profitability, must also be assessed against the collective needs of its citizens,
 - C. whereas employees in a sector providing public services should have the right to be represented by their trade unions, to be consulted and to negotiate with government and employers at European as well as other levels,
-
- 1. Believes that the Member States should ensure, in accordance with the principle of subsidiarity, that public services provide the basis for compulsory education, health care, social security for workers and especially the protection of their citizens, wherever they live and regardless of their social and economic status, against social marginalization and poverty;
 - 2. Takes the view that the Community must provide the conditions for each citizen of the Union to enjoy equal access to the goods and services of general economic interest;
 - 3. Calls on the Commission to provide a definition of the notion of a public service and the general interest, as a consequence of the creation of the internal market and progress towards Economic and Monetary Union;
 - 4. Calls, therefore, on the Commission to forward to the Council and the European Parliament a proposal on action to be taken to provide minimum standards, guaranteeing the provision of basic needs and public services throughout the whole of the European Community;
 - 5. Calls on the Commission, in the context of competition policy, to make a particular commitment to safeguarding the principle of freedom of access to the public service sector based on respect for a certain number of criteria relating to financial accessibility for all Community citizens, quality of service offered and the internalization of environmental costs;
 - 6. Instructs its President to forward this resolution to the Council and the Commission and the governments of the Member States.

5. Architectural heritage

RESOLUTION A3-0036/93

Resolution on preserving the architectural heritage and protecting cultural assets

The European Parliament,

- having regard to the following motions for resolutions: B3-0195/89, B3-0198/89, B3-0379/89, B3-0604/89, B3-0637/89, B3-0031/90, B3-0042/90, B3-0217/90, B3-0269/90, B3-0447/90, B3-0632/90, B3-0879/90, B3-1340/90, B3-1500/90, B3-1865/90, B3-2137/90, B3-1946/90, B3-1947/90, B3-0160/91, B3-0161/91, B3-0201/91, B3-0212/91, B3-0214/91, B3-0256/91, B3-0264/91, B3-0489/91, B3-0524/91, B3-0864/91, B3-0877/91, B3-0878/91, B3-0879/91, B3-1750/91, B3-0244/92, B3-0611/92, B3-0691/92 and B3-1086/92,
- having regard to the Treaty establishing the European Economic Community and, in particular, Articles 2, 118, 128 and 130a and 130c thereof,

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- having regard to the Solemn Declaration on European Union and, in particular, under the heading 'Cultural Cooperation', the passage on 'joint action to protect, promote and safeguard the cultural heritage' ⁽¹⁾,
- having regard to the report on a people's Europe, approved by the European Council in Milan and, in particular, the passage concerning the setting up of voluntary work camps where young people 'of different nationalities and cultures come together ... for a shared experience' ⁽²⁾,
- having regard to the resolutions adopted by the ministers responsible for cultural affairs, meeting within the Council, in particular of 17 February 1986 on the establishment of transnational cultural itineraries ⁽³⁾, of 13 November 1986 on the protection of Europe's architectural heritage, on business sponsorship of cultural activities and on the conservation of works of art and artefacts ⁽⁴⁾, of 27 May 1988 on the future organization of their work ⁽⁵⁾ and the setting up of a Cultural Affairs Committee combining the normal Community framework and intergovernmental cooperation, and of 2/3 April 1992 in Lisbon on cultural patronage in the European Community,
- having regard to the 1977, 1982 and 1987 Commission communications to the Council on relaunching cultural action in the European Community and the latest Commission communication to the Council, the European Parliament and the Economic and Social Committee on 'New prospects for Community action in the cultural sector' (COM(92)0149) and the Commission's relevant action in this sector,
- having regard to the Treaty on European Union signed at Maastricht on 17 February 1992 and, in particular, Article 3 (Title II) and Article 128 (Title IX) thereof on culture,
- having regard to its previous resolutions of 13 May 1974 on the protection of Europe's cultural heritage ⁽⁶⁾, of 8 March 1976 on Community action in the cultural sector ⁽⁷⁾, of 18 January 1979 on the Commission communication to the Council on Community action in the cultural sector ⁽⁸⁾, of 14 September 1982 on the protection of the architectural and archaeological heritage ⁽⁹⁾, of 17 November 1983 on strengthening Community action in the cultural sector ⁽¹⁰⁾, of 15 September 1988 on aid for the reconstruction of the Chiado district of Lisbon ⁽¹¹⁾, of 28 October 1988 on the conservation of Europe's architectural and archaeological heritage, ⁽¹²⁾ of 10 September 1991 on cultural relations between the Community and the countries of Central and Eastern Europe ⁽¹³⁾ and its opinions of 9 June 1992 on the proposal for a Council Regulation on the export of cultural goods ⁽¹⁴⁾ and of 11 June 1992 on the proposal for a Council Directive on the return of cultural objects unlawfully removed from the territory of a Member State ⁽¹⁵⁾,
- having regard to its resolutions of 19 January 1993 on the financial aspects of the proliferation of satellite bodies, and on the setting up and operation of specialized bodies and agencies ⁽¹⁶⁾;

⁽¹⁾ See Section 3.3 of the document adopted by the European Council at the Stuttgart Summit on 19 June 1983.

⁽²⁾ See Chapter 5 of the report submitted to the European Council by the ad hoc Committee on a People's Europe, SN/2536/3/85.

⁽³⁾ OJ No C 44, 26.2.1986, p. 2.

⁽⁴⁾ OJ No C 320, 13.12.1986, pp. 1, 2 and 3.

⁽⁵⁾ OJ No C 197, 27.7.1988, p. 1.

⁽⁶⁾ OJ No C 62, 30.5.1974, p. 5.

⁽⁷⁾ OJ No C 79, 5.4.1976, p. 6.

⁽⁸⁾ OJ No C 39, 12.2.1979, p. 50.

⁽⁹⁾ OJ No C 267, 11.10.1982, p. 25.

⁽¹⁰⁾ OJ No C 342, 19.12.1983, p. 127.

⁽¹¹⁾ OJ No C 262, 10.10.1988, p. 110.

⁽¹²⁾ OJ No C 309, 5.12.1988, p. 423.

⁽¹³⁾ OJ No C 267, 14.10.1991, p. 45.

⁽¹⁴⁾ OJ No C 176, 13.7.1992, p. 28.

⁽¹⁵⁾ OJ No C 176, 13.7.1992, p. 129.

⁽¹⁶⁾ Minutes of that Sitting, Part II, Item 9.

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- having regard to the Council of Europe's commitment and major contribution since the 1960s to the protection of heritage which led to the drafting in 1985 in Granada of the Convention on the Protection of Europe's Architectural Heritage,
 - having regard to the conclusions of the Council of Europe's third European Conference of Ministers responsible for cultural heritage, held in Malta on 16/17 January 1992, on the architectural and archaeological heritage, the development of pan-European cooperation on the cultural heritage, open to other regions in the world, the priorities of a pan-European project for the cultural heritage based on conservation, technical cooperation, training, sensitivity to the values of the cultural heritage, financing these measures and the conservation of the heritage in war situations,
 - having regard to the report drawn up by the Council of Europe on financing the protection of the architectural heritage (December 1991),
 - having regard to the International Charter on the Conservation and Restoration of Monuments and Sites, signed in Venice in May 1964,
 - having regard to the final resolution adopted at the international symposium on the protection of the Armenian architectural heritage on the protection, safeguarding and conservation of the Armenian architectural and cultural heritage (Strasbourg, 14 April 1990),
 - having regard to the report of the Committee on Culture, Youth, Education and the Media and the opinion of the Committee on Budgets (A3-0036/93),
- A. whereas, following the ratification of the Treaty on European Union, the legal basis for action in the cultural sector will be strengthened and new prospects will open up for a more unified and coherent approach to the protection of the cultural heritage,
- B. whereas, especially in this field, action programmes should be devised in accordance with the principle of subsidiarity and in close cooperation with those concerned,
- C. whereas the failure to adopt a coordinated approach owing to the lack of a legal basis and the limited resources allocated to the programmes have meant that the measures taken by the Commission, though in line with the guidelines put forward by the European Parliament in this field, are inadequate and have no real impact on society,
- D. whereas the above-mentioned Granada Convention, though not yet signed or ratified by all the Member States, is bringing about a natural process of convergence between national laws,
- E. whereas the cultural dimension is one important way of reconciling Man's day-to-day activities with all other aspects of life,
- F. whereas aspects specifically linked to the architectural heritage should not be dissociated from those linked to the protection of the cultural heritage in the broad sense,
- G. whereas by definition cultural assets 'bear witness to epochs and civilizations' (as referred to in Article 1 of the European Convention on the Protection of the Archaeological Heritage of 1969),
- H. whereas, from the cultural point of view, Europe is neither a geographical nor an administrative concept; whereas the European Community can not be considered in isolation from the countries of Central and Eastern Europe, with which it has had, and still has, deep-rooted and vital cultural and historical links,

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- I. having regard, moreover, to the especially critical situation facing the very rich cultural heritage of the countries of Central and Eastern Europe, owing to the increasing physical deterioration of the architectural heritage and large-scale illegal trafficking in works of art, which normally reach the market via the Community,
- J. whereas a knowledge and understanding of the cultural and architectural heritage is a fundamental element in defining one's own cultural identity, and whereas the clearer and more balanced that identity, the easier it is to relate and mix with other cultures, particularly those with strong affinities and close links,
- K. whereas most forms of cultural expression which have developed in Europe have had a national, and possibly regional, dimension and at the same time a transnational and European dimension,
- L. whereas the concept of European citizenship and identity is linked to an awareness of cultural interdependence and of the continuous interaction between the cultures of European nations and the capacity to identify and recognize the common elements of the various European cultural traditions, even in their most disparate forms,
- M. whereas the architectural environment in which people live to a large extent determines their notion of space and reality as well as their quality of life,
- N. whereas, if European cities are to develop harmoniously, the problems connected with the preservation of architectural heritage must be taken into account when new building work is planned, so that it is necessary to entrust the management and conservation of the heritage to specialists, architects and/or conservators/restorers with specific training of a high standard,
- O. whereas the conservation and restoration of the cultural heritage, both movable and immovable, is in practice 'in the hands' of restorers and whereas, despite numerous requests by national federations, this profession is not guaranteed in any Member State as regards either the level of training or access to the profession,
- P. whereas the extraordinary social mosaic created over time in the historic centres of our European cities is one of the great riches of our civilization and should therefore be protected,
- Q. aware that the conservation and protection of the cultural heritage is of vital historical, economic and social importance with regard not only to works of art but also to rural sites, industrial archaeology and 'minor' objects of social and historical significance,
- R. whereas an adequate knowledge and systematic cataloguing of the architectural heritage are an essential basis for any structural and general action in the field of culture, so that priorities can be defined, risk situations can be foreseen and efforts are not wasted,
- S. in the belief that conservation of sites entails not only physically safeguarding their environment but preserving all the links which enable the asset to bear witness to epochs or civilizations,
- T. whereas the theft of architectural assets and vandalism are, together with other factors, among the most serious causes of the deterioration of the architectural and cultural heritage, a heritage which can not be replaced,
- U. whereas, in the Member States, the protection and safeguarding of heritage is the responsibility of a wide variety of bodies (at central and/or regional administrative level), which generally work in an extremely decentralized and piecemeal fashion,
- V. whereas the current economic recession makes it more difficult to finance restoration and conservation measures, and whereas the setting-up of economic projects in the form of patronage and sponsorship should be facilitated and encouraged by legal and tax instruments at international level,

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- W. whereas the promotion of the architectural heritage represents a significant contribution to economic activity and job creation given that in certain Member States the financial impact of renovation schemes is greater than that of new building projects,
- X. whereas a significant proportion of the Community's architectural heritage, varying from one Member State to another, is in the hands of private owners or religious organizations, some of which can not protect them and are faced with insurmountable financial and tax problems,
- Y. whereas the principle of free access to the cultural heritage must be protected, guaranteed and extended to all sections of society and it should therefore be reconciled with a conception of cultural goods as being generally capable of producing at least some of the funding for their own protection and conservation,
- Z. whereas the protection and restoration of archaeological remains involve specific problems and questions which must be tackled in a homogeneous and coherent manner, given that these sites (prehistoric, Greek, Punic, Roman, Celtic, etc.) are to be found in various regions of Europe,
- AA. having regard to the deliberate destruction of the architectural heritage in war situations such as those currently affecting many towns in the former Yugoslavia, and the resulting terrible loss to civilization in some cases, such as in Dubrovnik, a Unesco-designated world monument,
1. Calls on the Commission to encourage and introduce every possible form of cooperation and consultation with the Council of Europe, both in drawing up and implementing programmes, while respecting the specific roles of each institution and avoiding duplication;
 2. Calls on the Commission to provide a clear and exhaustive assessment of all the measures which it finances in the field of conservation of the architectural heritage outside the scope of the European Historical Monuments and Sites Fund and to carry out its coordination and management role with even greater efficiency;
 3. Calls on the Commission to arrange for the funds currently allocated to the European Historical Monuments and Sites Fund to be converted into differentiated appropriations (over four years) so that they can benefit from the flexibility and continuity of a genuine multiannual cultural policy and to increase the financial resources allocated to protection of the heritage by adding a new 'defence of cultural heritage' dimension to the other Community policies;
 4. Calls on the Commission to promote initiatives, through special measures for undertakings, to preserve craft trades and activities which are essential to the proper restoration of the heritage, and at the same time promote cooperation with industrial sectors producing materials and advanced technology also employed in restoration work;
 5. Calls on the Commission to continue its efforts in the sphere of training in conservation-related crafts (DG X) and to examine the possibility of extending the scope of other Community training programmes to cover conservation;
 6. Calls on the Commission to study the situation of restorers in the various Member States, in close cooperation with representatives of the profession, so as to assess the possibility of proposing to the Council an organization of the profession of restorer which would provide for various levels of training in order to facilitate freedom of movement in the Single Market, and to render access to the profession more transparent, particularly so as to guarantee the standard of restoration work on the cultural heritage;
 7. Calls on the Commission to consider the possibility of signing the Granada Convention for the Protection of the Architectural Heritage on behalf of the European Community;

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8. Calls on the Commission to launch, in cooperation with Unesco and the Council of Europe, an action programme involving exemplary measures to protect the most important aspects of the cultural heritage in Eastern Europe and/or sites, such as Dubrovnik, damaged or destroyed as a result of war;

9. Calls, further, on the Commission to take urgent measures or steps in the context of cultural cooperation with the countries of Central and Eastern Europe or of the association agreements signed with a number of these countries to promote the rebuilding, restoration and integrated conservation of their cultural heritage, thereby at the same time fostering their economic, social and cultural development; such measures should include technical assistance, inventorization, training seminars (in fields such as technology, craftsmanship, the law and management) and exchanges between professionals, all in close cooperation with the Council of Europe;

10. Calls on the Commission to study the possibility of a mechanism at Community level which, in cooperation with the governments of the countries of Central and Eastern Europe, would facilitate exhaustive checks at common borders with a view to preventing the illegal export of works of art from those countries to the Community, and a mechanism for devolving powers or meeting commitments in the event of such assets being nonetheless illegally imported into the Community;

11. Calls on the Commission to assess the desirability of setting up networks of regional, national or international centres or institutes (many of which already exist), as scientific reference points, coordinated at European level by a European Heritage Observatory, with the following responsibilities:

- marshalling the available information and documentation in order to facilitate changes of information and experience and in order to identify any lacuna or duplication;
- providing legal advice on heritage legislation in Eastern European countries;
- assessing and improving prevention measures, in particular concerning pollution problems;

12. Calls on the Council to make a firm statement on the importance of the cultural dimension and the protection of the architectural and cultural heritage within the process of European integration and back this up by substantially increasing the resources allocated to this sector and encouraging major initiatives;

13. Calls on the Council to set aside time in 1993 to discuss with the relevant ministers the problems of heritage preservation, in particular to consider whether it is desirable to:

- develop a European listing system of monuments and sites on the basis of common definitions and identification criteria, having regard to discussions on the subject already taking place within the Commission;
- approximate the methods of inventory compilation, having regard to the work already done by the Council of Europe;
- draw up a list of stolen and damaged architectural assets to facilitate efforts to recover or restore them;
- define principles and priorities for Community action;

14. Calls on the Council to take carefully considered and concerted action at European level to list the remains of the concentration camps as part of the historical heritage of Europe and the world in order to preserve knowledge of the facts for future generations, and also in order to draw up a full inventory of archives of totalitarian repressive regimes, which are known only in distorted forms and are difficult of access;

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15. Calls on the Council, with the assistance of the Commission, to take all the necessary measures to promote, through tax incentives, credit facilities or other legal or administrative instruments, all forms of public and private patronage and partnership in projects for the conservation of the architectural and cultural heritage and, in cooperation with the Council of Europe, the EIB and the EBRD, to assess the feasibility of an international legal instrument;
 16. Calls on the Council to encourage the granting of tax incentives and credit facilities to private owners of cultural assets, non-profit-making organizations and NGOs active in this sphere;
 17. Calls on the Council, through the school curriculum, to encourage, promote and increase awareness of the cultural and architectural heritage as an element of identity and solidarity between peoples and to promote all forms of education and information on the cultural heritage through the media;
 18. Calls on the Council to obtain agreement between the Member States and those receiving Community funding on a set of restoration and conservation rules, mostly contained in the Venice Charter and the Granada Convention, the most important being:
 - (a) protection of works of art, historic items of social importance and rural sites,
 - (b) maintenance of a site's original features,
 - (c) maintenance of the urban or rural environment in which the object is situated, by means of an integrated preservation concept,
 - (d) rigour in historical research in order to avoid arbitrary restoration;
 - (e) respect for and protection of persons resident in urban and rural historic sites and the social mosaic which has developed on those sites, with incentives to guarantee their preservation,
 - (f) centralization and dissemination of documentation;
 19. Calls on those Member States which have not yet done so to ratify as soon as possible the 1970 Unesco Convention on the means of prohibiting and preventing the illicit import, export and transfer of ownership of cultural property;
 20. Calls on the Member States' national parliaments to sign and ratify the European Convention on the Conservation of the Architectural Heritage (Granada 1985) and the European Convention on the Protection of the Archaeological Heritage (Malta 1992);
 21. Calls on the Member States' national parliaments to continue and consolidate their efforts to catalogue monuments and sites with a view to increasing public awareness and enhancing the preservation of architectural heritage;
 22. Instructs its President to forward this resolution to the Commission, the Council, the governments and parliaments of the Member States and the Council of Europe.
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6. Environment in transboundary context ***PROPOSAL FOR A DECISION COM(92)0093 — C3-0202/92****Proposal for a Council decision concerning the conclusion, on behalf of the Community, of the convention on environmental impact assessment in a transboundary context**

The proposal was approved with the following amendments:

TEXT PROPOSED BY THE COMMISSION
OF THE EUROPEAN COMMUNITIES (*)

TEXT AMENDED
BY THE EUROPEAN PARLIAMENT

(Amendment No 1)

Recital -1 (new)

Having regard to the transversal and transboundary nature of environmental problems, as demonstrated by the major international conventions which have been signed on biodiversity, climate change, NOx pollution, etc.;

(Amendment No 2)

Recital 9a (new)

Whereas, in view of the improvements made by the Convention, in particular as regards the field of application, the post-project analysis procedure and the content of the assessment documentation, the Commission must take account of this Convention in its proposal for the amendment of Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment;

(Amendment No 3)

Recital 10a (new)

Whereas the question of deposition of the instruments of ratification should be settled by a decision of the representatives of the Member States meeting in the Council by means of a binding political undertaking;

(Amendment No 4)

Article 3, first paragraph

Member States shall take the necessary steps to ensure that the Community and the Member States deposit their instruments of ratification, acceptance or approval at the same time *if possible and no later than ...*

Member States shall take the necessary steps to ensure that the Community and the Member States deposit their instruments of ratification, acceptance or approval **as soon as possible and** at the same time.

(*) OJ No C 104, 24.4.1992, p. 5.

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TEXT PROPOSED BY THE COMMISSION
OF THE EUROPEAN COMMUNITIESTEXT AMENDED
BY THE EUROPEAN PARLIAMENT

(Amendment No 5)

*Article 3a (new)***Article 3a**

The Member States shall take steps to incorporate into their national legislation all the measures contained in this Convention, incorporating in particular the new proposals contained in the articles dealing with the field of application, the post-project analysis procedure and the content of the assessment documentation.

LEGISLATIVE RESOLUTION A3-0030/93

Legislative resolution embodying the opinion of the European Parliament on the Commission proposal for a Council decision concerning the conclusion, on behalf of the Community, of the convention on environmental impact assessment in a transboundary context

The European Parliament,

- having regard to the Commission proposal to the Council (COM(92)0093) ⁽¹⁾,
 - having been consulted by the Council pursuant to Article 130s of the EEC Treaty (C3-0202/92),
 - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection (A3-0030/93),
1. Approves the Commission proposal subject to Parliament's amendments and in accordance with the vote thereon;
 2. Calls on the Commission to amend its proposal accordingly, pursuant to Article 149(3) of the EEC Treaty;
 3. Asks to be consulted again should the Council intend to make substantial modifications to the Commission proposal;
 4. Instructs its President to forward this opinion to the Council and the Commission.

⁽¹⁾ OJ No C 104, 24.4.1992, p. 5.

7. Application of Community law**RESOLUTION A3-0038/93**

Resolution on Commission monitoring of the application of Community law (ninth report — 1991)

The European Parliament,

- having regard to the Treaty on European Union and the Declaration on the implementation of Community law contained in the Final Act in which the High Contracting Parties undertake to apply Community law in the same way as national law, asking the Commission to publish periodically a full report for the European Parliament and the Member States,

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- having regard to the resolutions of the General Affairs Council of 13 November 1991 on improving the Community's legal data bases, in particular Celex,
 - having regard to the report of the Sutherland working party on the operation of the internal market and the resolution of the Council of Ministers (Internal Market) of 10 November 1992,
 - having regard to the declarations of the European Council meeting in Birmingham on 16 October 1992 and in Edinburgh on 11/12 December 1992, and the resolutions on the simplification and application of Community law adopted by the meetings of the 'Consumer Affairs' Council of 3 and 11 November 1992, the 'Social Affairs' Council of 3 December 1992, the 'Environment' Council of 16 December 1992 and the 'Industry' Council of 24 November 1992,
 - having regard to the report of the Committee on Legal Affairs and Citizens' Rights and the opinion of the Committee on Petitions (A3-0038/93),
-
- A. having regard to Article 5 of the EEC Treaty which stipulates that Member States shall take all appropriate measures to ensure fulfilment of the obligations arising out of that Treaty,
 - B. having regard to the Commission's role as guardian of the Treaties,
 - C. having regard to the essential role conferred on the European Parliament by the Treaty on European Union as regards powers of inquiry (Article 138c) and its role as a special point of reference for citizens who are recognized as having the right to address petitions to it (Articles 8d and 138d) and to complain to the European Ombudsman (Article 138e),
 - D. having regard to the judgment of the Court of Justice of 19 November 1991 in Joined Case 6/90 (Francovich and Bonifaci v. Italian Republic) ⁽¹⁾ which recognizes the right of citizens to receive compensation in the event of damage caused by the failure to transpose Community Directives and to the similar judgment of the Italian Constitutional Court of 18 April 1991,
 - E. having regard to the satisfactory progress in transposing Community measures which entered into force in 1991 as noted in the ninth report on Commission monitoring of the application of Community law (COM(92)0136) ⁽²⁾ and the special reports such as those concerning the internal market ⁽³⁾ and the XXI report on competition policy ⁽⁴⁾,
 - F. having regard to the remarks of the representatives of the national parliaments,
 - G. having regard to the wide-ranging debates in 1992 between the general public and the national institutions on the transparency of the Community legislative process and its relationship to national law,
 - H. having regard to Parliament's request for the Council's rules of procedure to be amended to the effect that proceedings of the Council shall take place in public whenever it is acting in a legislative capacity,
 - I. whereas, with effect from 1 January 1993, the creation of an area without frontiers will bring citizens and business operators into daily contact with Community provisions and with national provisions that are mutually recognized on the basis of Community law,
 - J. having regard to its resolutions on subsidiarity, transparency and democracy and to the work of the Interinstitutional Conference on these issues,
 - K. having regard to the reports of the Court of Auditors, in particular the report on the application of Community legislation in the field of the environment,

⁽¹⁾ 1991 [ECR] p. 5357.

⁽²⁾ OJ No C 250, 28.9.1992, p. 1.

⁽³⁾ Seventh report from the Commission to the Council and the European Parliament (COM(92)0383).

⁽⁴⁾ SEC(92)0756.

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1. Considers that the attention of the other Community and national institutions should be drawn to the need to make substantial improvements to the Community decision-making process, the transposition of Community Directives into national law and opportunities for citizens to bring legal proceedings;

As regards the substance of the ninth annual report and specific Commission reports, in particular those concerning the internal market

2. Welcomes the fact that most of the measures provided for in the programme set out in the White Paper entitled 'Completing the internal market' have been taken and that the internal market was virtually completed by January 1993; urges, however, that further measures be adopted to complete the internal market, for instance as regards the abolition of checks at frontiers, indirect taxation, industrial property, the abolition of double taxation, and company law; calls, therefore, on the Danish Presidency to make a special effort to expedite progress in the above matters and, where possible, bring them to a conclusion;

3. Notes that the Commission has made considerable efforts to prevent infringements of Community law, as can be seen from the increase in the total number of reasoned opinions as provided for in Article 169 of the EEC Treaty, which rose from 251 in 1990 to 412 in 1991;

4. Deplores the fact that the application of Community environmental legislation in 1991 saw no improvement compared with 1990 and that certain provisions of Directives in force for over 10 years are continuing to go unheeded; urges the Member States to put the matter right and calls on the Commission not to slacken its efforts to ensure proper enforcement of Community environmental legislation, given the impact which the provisions in question will have on the well-being of the public.

5. Notes the high number of complaints lodged by members of the public who have sustained damage in an area covered by Community law; calls on the Commission to strengthen the means at its disposal with a view to ensuring that individual complaints are dealt with more rapidly and on a more regular basis (twice a year is insufficient); considers, furthermore, that the next report should contain information on:

- (a) the average time taken by the Commission to consider complaints;
- (b) the seriousness of the infringements (duration, number of persons affected, etc.);
- (c) the average time-lag between service of notice and the reasoned opinion;
- (d) the number of cases in which the infringement ceases before the reasoned opinion has been delivered;
- (e) the average interval between delivery of the reasoned opinion and the time when the infringement ceases (or when the Commission brings the matter before the Court of Justice);

6. Expresses disquiet at the refusal of certain Member States to enforce the rulings of the Court of Justice and notes with satisfaction that Article 171 of the EEC Treaty as amended by the Treaty on European Union allows the Court to impose penalties;

Development of Community law

7. Considers that, at the beginning of each year, bearing in mind the time-limits laid down in the Treaty and in existing laws and sectoral programmes, Parliament, the Council and the Commission should draw up and publish a legislative programme setting the legislative objectives to be achieved in the course of that year; Parliament would notify the national parliaments of this joint work programme (*inter alia* through contacts with parliamentary committees) at the beginning of the year in question;

8. Calls for the Community institutions, when choosing the legal instrument, to opt for Directives wherever it is not essential to lay down detailed rules; believes, however, once the degree of approximation of national laws so permits, that it would be desirable to consider whether the Directives might be converted into directly applicable Regulations with a view to establishing single legal texts in all parts of the Community;

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9. Considers, however, that implementation of the subsidiarity principle goes hand in hand with more rigorous monitoring by the Commission and Parliament to ensure correct transposition of Community law into national law, given that the Member States will enjoy a wider margin for manoeuvre;

10. Considers that, on the basis of the objectives and time-limits agreed upon, each institution should organize its work in such as way as to:

- facilitate the work of the other institutions,
- enable the public and the national parliaments to be informed of the progress of the various legislative procedures;

11. Calls for proposals for Council acts, acts subject to co-decision with Parliament, Commission acts and opinions thereon to be published in the *Official Journal of the European Communities* and, for information, in the equivalent publications of the Member States in time for anyone concerned by such legislation to formulate comments;

12. Calls for legislative proposals for Council acts or acts subject to co-decision by the Council and Parliament to be formulated in compliance with the principle of subsidiarity and to be supported by:

- a cost-benefit analysis,
- a progress report on existing Community (consolidated) law,
- an assessment of the Community resources needed,
- a description of the legislation in force in the Member States;

the Commission shall draw up its own acts as well as those delegated to it in compliance with those same principles;

13. Calls for Community provisions to be formally codified in accordance with the following procedures, for the purpose of greater transparency, where they are modified on more than one occasion or at any rate modified substantively:

- formal codification must be carried out on the basis of priorities laid down with one accord by the Council, Parliament, and the Commission when the annual legislative programme is adopted,
- where Parliament or the Council decide to modify existing rules, the proposal to codify them shall be considered under the procedure laid down by the legal basis stipulated in the Treaty,
- where Parliament and the Council do not intend to make changes to the substantive rules, the Commission shall be empowered to adopt the text; when drawing up the legislative programme, the Commission shall indicate the provisions it intends to codify without modifying the substantive rules and shall submit a general proposal under the powers delegated to it; these powers shall be delegated by the Council, possibly in respect of more than one measure, and by the Council and Parliament in a single joint decision in respect of acts subject to co-decision by them; this decision shall provide for the Commission to adopt codified texts within predetermined deadlines subject to the agreement of the Council and Parliament;

14. Calls for the Community institutions, in agreement with the Member States, to set up adequate information systems (including computerized data bases such as Celex, INFO92 or other new initiatives) aimed at providing national civil services and Community citizens with a clear description of existing Community legislation (including national legislation implementing Community law) and related case-law and administrative decisions;

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Transposition of Community law

15. Calls for the Community institutions, where so requested, to collaborate with the national institutions during the period of transposition of Community Directives in order to:

- consider possible problems relating to the national situation, and
- avoid discrepancies and contradictions;

the European Parliament shall maintain adequate contacts to this end with the national parliaments and the Commission with the national civil services;

16. Calls on the Member States, in the event of difficulties in meeting the deadlines set for the transposition of Community Directives, to consider temporary measures such as those permitted by Article 76 of the Italian Constitution or the UK 1972 European Communities Act;

17. Calls on each Member State, when transposing Community Directives, to inform its citizens, the other Member States and the Community institutions as soon as possible of:

- the national, regional or local regulations governing the matter in question,
- the authority responsible for implementing the measures,
- the time-scale for implementing the measures,
- the resources available at local, national and regional level,
- the administrative authority (regional, national or Community) to which complaints or appeals should be addressed;

18. Calls on the Member States and the Commission to establish a permanent framework for administrative cooperation consisting of a network of contacts involved in the application of Community legislation, in particular the laws relating to the internal market; calls on the Commission to submit at the earliest opportunity to the Council and the European Parliament a proposal which:

- sets out the principles and practical arrangements for such administrative cooperation,
- provides where appropriate for such principles to be enshrined in a binding institutional framework for administrative cooperation;

19. Points out that the ruling handed down by the Court of Justice on 19 November 1991 (Francovich and Bonifaci v. Italian Republic) is central to the correct transposition of Community Directives and hopes that it will prompt new awareness and serve to expedite the transposition of Directives into national legal systems; notes that by virtue of the ruling the Court of Justice has established the principle whereby the Member States are obliged, subject to certain conditions, to make restitution to persons who have sustained damage as a result of a failure to implement a Directive;

Safeguards provided by Community law

20. Calls on the Commission, in order to guarantee citizens of the Union comparable administrative and legal safeguards in areas falling within Community jurisdiction, to propose on the basis of Article 8e of the Treaty on European Union measures aimed at:

- simplifying the procedure for appeals to both administrative or judicial authorities and the Commission, for example in the case of contracts, by citizens and consumers' organizations,
- ensuring that national courts adopt preliminary measures;
- ensuring that citizens have appropriate financial assistance, whether in the form of legal aid or another legal assistance scheme, to enforce legal claims, on the basis of Article 8e of the Treaty on European Union;

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21. Calls on the Commission to draw up a recommendation whereby the Member States and their universities would stress to those working in the field of the law, in particular lawyers and magistrates, the importance of Community law; pending the entry into force of new provisions, believes that the Community should support national initiatives aimed at developing Community law through programmes such as Erasmus and Comett;

22. Calls on the Commission and the Court of Justice to step up collaboration on organizing advanced training courses and seminars on Community law aimed at judges and law scholars in the Member States;

23. Calls for fines and penalties to be decided on in the context of and in line with the spirit of the Community; calls for mechanisms to be introduced for cooperation between the Member States with a view to approximating the national penalty systems in line with the requirements of freedom of movement so that such movement does not take place primarily towards those Member States with less strict penalty systems;

*
* *
*

24. Instructs its President to forward this resolution to the Commission, the Council, the Court of Justice, the Court of Auditors and the governments and parliaments of the Member States.

8. Aeronautical research and technology

RESOLUTION A3-0426/92

Resolution on European aeronautical research and technology

The European Parliament,

- having regard to the motion for a resolution by Mr Linkohr on aviation research and European industrial policy (B3-1227/91),
 - having regard to Article 130f of the EEC Treaty,
 - having regard to Council Decisions 87/516/Euratom, EEC and 90/221/Euratom, EEC ⁽¹⁾ establishing the Framework Programme for Community Research and Technological Development,
 - having regard to the report on the independent evaluation of the pilot programme on aeronautical research and technology undertaken within the Brite-Euram programme,
 - having regard to the report of the Committee on Energy, Research and Technology and to the opinions of the Committee on Economic and Monetary Affairs and Industrial Policy and the Committee on Transport and Tourism (A3-0426/92),
- A. whereas concern has been expressed by those interested in the future of the aeronautical industry, particularly industrialists and workers in the industry, and by the users of aircraft as to the long-term development of the industry,
- B. considering that the aeronautical industry must satisfy in the coming years an increasing demand for transport capacity while taking account of profound structural changes in the markets for civil and military aircraft,
- C. whereas the GATT negotiations have focused on worldwide problems over competition in the aeronautical manufacturing industry,

⁽¹⁾ OJ No L 302, 24.10.1987, p. 1 and OJ No L 117, 8.5.1990, p. 28.

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- D. recognizing the threat of American domination and monopoly in the provision of long-range aircraft and the adverse consequences this would have throughout the world,
 - E. whereas the European aeronautical industry maintains that the Community's technology support efforts could be relevant to improving its competitiveness in the world market,
 - F. whereas the independent evaluation panel concluded that the Community should adopt a fully planned and integrated programme of aeronautical research and technological validation,
 - G. whereas a basic shift between the proportion of civil and defence related aeronautical research and technological development is taking place,
 - H. whereas the new situation in the Commonwealth of Independent States produces opportunities for European industry and also potential competition,
 - I. whereas duplication of technological effort which occurs in some national aeronautical research establishments is wasteful and divisive,
 - J. whereas, because of the nature of research and technological development, precompetitive research will very often include technical validation and near full-scale demonstration projects, since the adoption of particular components is often dependent on the viability of the aircraft for which they are designed,
 - K. whereas research and technological development in the aircraft industry in environmental and safety standards and the wellbeing of the consumer are of widespread advantage beyond the industry itself,
 - L. whereas the Member States, industries and national research centres have a shared responsibility to develop aeronautical technology in Europe, while taking into account public concern for protecting the environment, safety and the efficiency of air traffic control and promoting industrial competitiveness,
-
- 1. Believes that reinforcing the aeronautical manufacturing industry's worldwide competitive position will benefit the economy and the employment situation in the Community generally,
 - 2. Believes further that such strengthening of the technological base of the aeronautical manufacturing industry is the most effective way of reinforcing its competitive position and enabling it to develop regenerative technological capabilities over the long term,
 - 3. Believes that European aeronautical research and technology must be reinforced and intensified through in-depth cooperation in fundamental research, sectoral research and applied research, and through improved use of human resources and enhancement of their professional qualifications and skills,
 - 4. Believes that the principle of Community support for research and development, which should also include demonstration projects, is the best way of strengthening the competitiveness of the enterprises concerned;
 - 5. Believes that it is essential to encourage new mutually advantageous cooperation between European aeronautical companies, both in research and technology and in industrial development, for the production of components and aircraft which meet the requirements;
 - 6. Believes that collaborative projects between firms in Member States should be encouraged without however leading to rigidity in the industry, and multifarious cooperative arrangements must be encouraged which are tailored to the evolving demands in the European and world markets for aircraft of all types, engines and avionics,

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7. Believes that projects should therefore receive funding within the horizontal framework of the specific research programmes with integration of technologies needed for cross-disciplinary applications (energy, environment, new materials and information technologies);
8. Believes that it is also right to use Community funding not only to arrive at specific technological solutions and to promote cross-frontier cooperation but also to guide the use made of the results of research and development;
9. Believes that any Community funding should be on the basis of cross-frontier collaboration, shared cost — 50/50 — for precompetitive research and technology,
10. Believes that Community funding should be consistent with the Community's obligations under international agreements and that the Community should continue to seek the broadest multilateral application of international agreements regarding assistance to the aeronautic industry;
11. Believes it is essential to avoid a monopoly in world aircraft manufacture in any product area; therefore accepts that to avoid such a situation arising it may be necessary to undertake extra-Community joint ventures;
12. Calls on the Commission to facilitate cooperation with Eastern Europe in the form of joint ventures;
13. Requests the Commission to draw up, in consultation with national authorities, relevant industries and research organizations, proposals for a substantial dedicated strategic action in aeronautical research and technology acquisition, and to include appropriate provision for pursuit of such work within its proposal for the Fourth Framework programme;
14. Requests the Commission to include a proposal to establish a European Joint Aviation Authority for worldwide harmonisation and implementation of aviation Regulations, aircraft safety standards and certification;
15. Instructs its President to forward this resolution to the Commission, the Council and the parliaments of the Member States.

9. Fishery policy *

(a) PROPOSAL FOR A REGULATION COM(92)0213 — C3-0292/92

Proposal for a Council Regulation amending Regulation (EEC) No 3687/91 on the common organization of the market in fishery products and amending Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff

The proposal was approved with the following amendments:

TEXT PROPOSED BY THE COMMISSION
OF THE EUROPEAN COMMUNITIES (*)

TEXT AMENDED
BY THE EUROPEAN PARLIAMENT

(Amendment No 1)

Recital 3a (new)

Whereas surimi-based food preparations take various forms, and the consumer is often not informed or only

(*) OJ No C 158, 25.6.1992, p. 21.

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TEXT PROPOSED BY THE COMMISSION
OF THE EUROPEAN COMMUNITIESTEXT AMENDED
BY THE EUROPEAN PARLIAMENT

badly informed as to the nature of the product on offer;
whereas action should therefore be taken to ensure the
provision of appropriate information on these food pre-
parations, avoiding nomenclature which could be mis-
leading;

(Amendment No 2)

*Article 2a (new)***Article 2a**

The description given of food products containing surimi-based preparations on the packaging, the label or in the list of ingredients should explicitly include the term surimi, used as laid down in Directive No on the labelling of food products. When the surimi is flavoured so as to resemble an existing food product for which it is a substitute, the wording '....-flavoured surimi' must be used. The presentation or packaging of the product must neither call to mind the product for which it is a substitute, nor carry a representation of that product.

(Amendment No 3)

Annex, line 0304 90 05, second column 'Surimi'

Surimi

Unflavoured surimi base

LEGISLATIVE RESOLUTION A3-0009/93

Legislative resolution embodying the opinion of the European Parliament on the Commission proposal for a Council Regulation amending Regulation (EEC) No 3687/91 on the common organization of the market in fishery products and amending Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff

The European Parliament,

- having regard to the Commission proposal to the Council (COM(92)0213) ⁽¹⁾,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (C3-0292/92),
- having regard to the report of the Committee on Agriculture, Fisheries and Rural Development (A3-0009/93),

1. Approves the Commission proposal subject to Parliament's amendments and in accordance with the vote thereon;
2. Calls on the Council to notify Parliament should it intend to depart from the text approved by Parliament;

⁽¹⁾ OJ No C 158, 25.6.92, p. 21.

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3. Asks to be consulted again should the Council intend to make substantial modifications to the Commission proposal;
4. Instructs its President to forward this opinion to the Council and the Commission.

(b) PROPOSAL FOR A REGULATION COM(92)0289 — C3-0325/92

Proposal for a Council Regulation on the conclusion of the Protocol defining, for the period from 3 May 1992 to 2 May 1994, the fishing opportunities and financial compensation provided for in the Agreement between the European Economic Community and the Government of the People's Republic of Angola on fishing off Angola

The proposal was approved with the following amendments:

TEXT PROPOSED BY THE COMMISSION
OF THE EUROPEAN COMMUNITIES (*)

TEXT AMENDED
BY THE EUROPEAN PARLIAMENT

(Amendment No 1)

Recital 3a (new)

Whereas it is important to improve the information provided to Parliament and whereas the Commission should draw up a report on the state of implementation of the Agreement,

(Amendment No 2)

Article 2a (new)

Article 2a

During the last year in which the Protocol is in force and before the conclusion of any agreement renewing it, the Commission shall submit to the Council and Parliament a report on the implementation and conditions of execution of the Agreement.

(*) OJ No C 188, 25.7.1992, p. 9.

LEGISLATIVE RESOLUTION A3-0013/93

Legislative resolution embodying the opinion of the European Parliament on a Commission proposal for a Council Regulation on the conclusion of the Protocol defining, for the period from 3 May 1992 to 2 May 1994, the fishing opportunities and financial compensation provided for in the Agreement between the European Economic Community and the Government of the People's Republic of Angola on fishing off Angola

The European Parliament,

- having regard to the Commission proposal to the Council (COM(92)0289) (1),
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (C3-0325/92),

(*) OJ No C 188, 25.7.1992, p. 9.

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— having regard to the report of the Committee on Agriculture, Fisheries and Rural Development and the opinions of the Committee on Budgets and the Committee on Development and Cooperation (A3-0013/93),

1. Approves the Commission proposal subject to Parliament's amendments and in accordance with the vote thereon;
2. Calls on the Council to notify Parliament should it intend to depart from the text approved by Parliament;
3. Asks to be consulted again should the Council intend to make substantial modifications to the Commission proposal;
4. Instructs its President to forward this opinion to the Council and Commission.

(c) I. PROPOSAL FOR A REGULATION COM(92)0431 — C3-0469/92

Proposal for a Council Regulation on the conclusion of the agreement on fisheries between the European Economic Community and the Republic of Estonia

The proposal was approved with the following amendment:

TEXT PROPOSED BY THE COMMISSION
OF THE EUROPEAN COMMUNITIES (*)

TEXT AMENDED
BY THE EUROPEAN PARLIAMENT

(Amendment No 1)

Article 2a (new)

Article 2a

The Commission shall examine the practical possibilities for cooperation in the framework of the present agreement and shall forward to the Council a report which will include suggestions for implementation.

Upon the basis of this report and after having consulted the European Parliament, the Council shall give the Commission a mandate for negotiating the implementation protocols of the present agreement.

These protocols shall be adopted according to Article 43 of the Treaty.

(*) OJ No C 304, 21.11.1992, p. 8.

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LEGISLATIVE RESOLUTION A3-0012/93

Legislative resolution embodying the opinion of the European Parliament on the Commission proposal for a Council Regulation on the conclusion of the agreement on fisheries between the European Economic Community and the Republic of Estonia

The European Parliament,

- having regard to the Commission proposal to the Council (COM(92)0431) ⁽¹⁾,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (C3-0469/92),
- having regard to the report of the Committee on Agriculture, Fisheries and Rural Development and the opinion of the Committee on External Economic Relations (A3-0012/93),

1. Approves the Commission proposal subject to Parliament's amendment and in accordance with the vote thereon;
2. Calls on the Council to notify Parliament should it intend to depart from the text approved by Parliament;
3. Asks to be consulted again should the Council intend to make substantial modifications to the Commission proposals;
4. Instructs its President to forward this opinion to the Council and Commission.

⁽¹⁾ OJ No C 304, 21.11.1992, p. 8.

II. PROPOSAL FOR A REGULATION COM(92)0431 — C3-0470/92

Proposal for a Council Regulation on the conclusion of the agreement on fisheries between the European Economic Community and the Republic of Latvia

The proposal was approved with the following amendment:

TEXT PROPOSED BY THE COMMISSION
OF THE EUROPEAN COMMUNITIES (*)

TEXT AMENDED
BY THE EUROPEAN PARLIAMENT

(Amendment No 2)

Article 2a (new)

Article 2a

The Commission shall examine the practical possibilities for cooperation in the framework of the present agreement and shall forward to the Council a report which will include suggestions for implementation.

Upon the basis of this report and after having consulted the European Parliament, the Council shall give the Commission a mandate for negotiating the implementation protocols of the present agreement.

These protocols shall be adopted according to Article 43 of the Treaty.

(*) OJ No C 304, 21.11.1992, p. 12.

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LEGISLATIVE RESOLUTION A3-0012/93

Legislative resolution embodying the opinion of the European Parliament on the Commission proposal for a Council Regulation on the conclusion of the agreement on fisheries between the European Economic Community and the Republic of Latvia

The European Parliament,

- having regard to the Commission proposal to the Council (COM(92)0431) ⁽¹⁾,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (C3-0470/92),
- having regard to the report of the Committee on Agriculture, Fisheries and Rural Development and the opinion of the Committee on External Economic Relations (A3-0012/93),

1. Approves the Commission proposal subject to Parliament's amendments and in accordance with the vote thereon;
2. Calls on the Council to notify Parliament should it intend to depart from the text approved by Parliament;
3. Asks to be consulted again should the Council intend to make substantial modifications to the Commission proposals;
4. Instructs its President to forward this opinion to the Council and Commission.

⁽¹⁾ OJ No C 304, 21.11.1992, p. 12.

III. PROPOSAL FOR A REGULATION COM(92)0431 — C3-0471/92

Proposal for a Council Regulation on the conclusion of the agreement on fisheries between the European Economic Community and the Republic of Lithuania

The proposal was approved with the following amendment:

TEXT PROPOSED BY THE COMMISSION
OF THE EUROPEAN COMMUNITIES (*)

TEXT AMENDED
BY THE EUROPEAN PARLIAMENT

(Amendment No 3)

Article 2a (new)

Article 2a

The Commission shall examine the practical possibilities for cooperation in the framework of the present agreement and shall forward to the Council a report which will include suggestions for implementation.

Upon the basis of this report and after having consulted the European Parliament, the Council shall give the Commission a mandate for negotiating the implementation protocols of the present agreement.

These protocols shall be adopted according to Article 43 of the Treaty.

(*) OJ No C 304, 21.11.1992, p. 16.

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LEGISLATIVE RESOLUTION A3-0012/93

Legislative resolution embodying the opinion of the European Parliament on the Commission proposal for a Council Regulation on the conclusion of the agreement on fisheries between the European Economic Community and the Republic of Lithuania

The European Parliament,

- having regard to the Commission proposal to the Council (COM(92)0431) ⁽¹⁾,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (C3-0471/92),
- having regard to the report of the Committee on Agriculture, Fisheries and Rural Development and the opinion of the Committee on External Economic Relations (A3-0012/93),

1. Approves the Commission proposal subject to Parliament's amendments and in accordance with the vote thereon;
2. Calls on the Council to notify Parliament should it intend to depart from the text approved by Parliament;
3. Asks to be consulted again should the Council intend to make substantial modifications to the Commission proposals;
4. Instructs its President to forward this opinion to the Council and Commission.

⁽¹⁾ OJ No C 304, 21.11.1992, p. 16.

(d) PROPOSAL FOR A REGULATION COM(92)0012 — C3-0085/92

Proposal for a Council Regulation relating to the conclusion of the Protocol establishing, for the period 1 January 1992 to 30 September 1993, the fishing opportunities and the financial contribution provided for in the Agreement between the EEC and the Government of the People's Republic of Mozambique on fisheries relations

The proposal was approved with the following amendment:

TEXT PROPOSED BY THE COMMISSION
OF THE EUROPEAN COMMUNITIES

TEXT AMENDED
BY THE EUROPEAN PARLIAMENT

(Amendment No 1)

Article 2a (new)

Article 2a

During the final year the Protocol will be in force and before the conclusion of any agreement to have it renewed, the Commission shall submit a report to the Council and the European Parliament on the implementation of the Agreement.

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LEGISLATIVE RESOLUTION A3-0011/93

Legislative resolution embodying the opinion of the European Parliament on the proposal from the Commission to the Council for a Regulation relating to the conclusion of the Protocol establishing, for the period 1 January 1992 to 30 September 1993, the fishing opportunities and the financial contribution provided for in the Agreement between the EEC and the Government of the People's Republic of Mozambique on fisheries relations

The European Parliament,

- having regard to the Commission proposal to the Council (COM(92)0012),
 - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (C3-0085/92),
 - having regard to Article 61 of the United Nations Convention on the Law of the Sea,
 - having regard to the Lomé Convention,
 - having regard to the report of the Committee on Agriculture, Fisheries and Rural Development and the opinions of the Committee on Budgets and the Committee on Development and Cooperation (A3-0011/93),
1. Approves the Commission proposal subject to Parliament's amendment and in accordance with the vote thereon;
 2. Calls on the Council to notify Parliament should it intend to depart from the text approved by Parliament;
 3. Asks to be consulted again should the Council intend to make substantial modifications to the Commission proposal;
 4. Instructs its President to forward this opinion to the Council and Commission.

10. EEC/ECSC-Romania trade agreement *

PROPOSAL FOR A DECISION COM(92)0510 — 4218/93 — C3-0043/93

The proposal was approved.

LEGISLATIVE RESOLUTION A3-0045/93

Legislative resolution embodying the opinion of the European Parliament on the Commission proposal for a Council decision concerning the conclusion by the European Economic Community of the Interim Agreement between the European Economic Community and the European Coal and Steel Community, of the one part, and Romania, of the other part, on trade and trade-related matters

The European Parliament,

- having regard to Article 113 of the EEC Treaty,
- having regard to the draft trade agreement initialled by the Commission (COM(92)0510),
- having been consulted by the Council pursuant to the Solemn Declaration on European Union (C3-0043/93 — 4218/93),

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- having regard to its resolution of 18 April 1991 on a general outline for association agreements with the countries of Central and Eastern Europe ⁽¹⁾,
- having regard to the report of the Committee on External Economic Relations (A3-0045/93),

1. Approves the conclusion and entry into force of the Interim Agreement between the European Economic Community and the European Coal and Steel Community, of the one part, and Romania, of the other part, on trade and trade-related matters, in accordance with international public law and international practice;
2. Instructs its President to forward this opinion to the Council, Commission, and the governments of the Member States and of the Republic of Romania.

⁽¹⁾ OJ No C 129, 20.5.1991, p. 142.

11. Definitive discontinuation of milk production *

PROPOSAL FOR A REGULATION COM(92)0253 — C3-0449/92

Proposal amending the proposal for a Council Regulation setting compensation for reduction of individual milk reference quantities and for definitive discontinuation of milk production

The proposal was approved with the following amendments:

TEXT PROPOSED BY THE COMMISSION
OF THE EUROPEAN COMMUNITIES (*)

TEXT AMENDED
BY THE EUROPEAN PARLIAMENT

(Amendment No 1)

Title

Proposal *amending the proposal* for a Council Regulation setting compensation *for reduction of individual milk reference quantities and* for definitive discontinuation of milk production

Proposal for a Council Regulation setting **Community** compensation for definitive discontinuation of milk production

(Amendment No 2)

Preamble (new)

THE COUNCIL OF THE EUROPEAN COMMUNITIES

- having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,
- having regard to the proposal from the Commission,
- having regard to the opinion of the European Parliament,

(*) OJ No C 335, 18.12.1992, p. 52.

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TEXT PROPOSED BY THE COMMISSION
OF THE EUROPEAN COMMUNITIESTEXT AMENDED
BY THE EUROPEAN PARLIAMENT

(Amendment No 3)

INTRODUCTORY PHRASE AND POINT 1

The proposal is amended as follows:

1. *The following paragraph is inserted after the fifth paragraph:*

'Whereas the completion of the Single Market on 1 January 1993 supposes the abolition of trade barriers not only between the Member States of the Community in its composition at 31 December 1985 but also, as far as possible, between these Member States and Spain and Portugal; whereas the abolition makes it appropriate to step up efforts to restructure the milk sector in Portugal to enable it to face the increased competition from other Member States; whereas this intensification of efforts may be achieved by facilitating the reallocation of the reference quantities released;'

First recital

'Whereas the completion of the Single Market on 1 January 1993 supposes the abolition of trade barriers not only between the Member States of the Community in its composition at 31 December 1985 but also, as far as possible, between these Member States and Spain and Portugal; whereas the abolition makes it appropriate to step up efforts to restructure the milk sector in Portugal to enable it to face the increased competition from other Member States; whereas this intensification of efforts may be achieved by facilitating the repurchase of the reference quantities with a view to reallocating them pursuant to the provisions of Council Regulation (EEC) No 3950/92 ⁽¹⁾, of 28 December 1992, establishing an additional levy in the milk and milk products sector;

⁽¹⁾ OJ No L 405, 31.12.1992, p. 1.

(Amendment No 4)

POINT 2

2. *A second paragraph is inserted under Article 3. It reads as follows:*

'However, in Portugal, the quantity exceeding the level on which compensation as provided for in Article 1 is granted is reallocated to priority producers determined according to objective criteria.'

Article 1

Portugal shall grant producers, as defined in Article 9(c) of Regulation (EEC) No 3950/92, who undertake before 1 June 1993 to discontinue definitively milk production before 1 September 1993, compensation of ECU 17 per 100 kg per annum for a period of three years. To qualify, producers must have a reference quantity pursuant to Article 4 of Regulation (EEC) No 3950/92, either in respect of deliveries or in respect of direct sales.

Compensation shall be granted for the reference quantity to which a producer is entitled at the time when this Regulation enters into force.

The reference quantities released following application of this Regulation shall be added to the national reserve pursuant to Article 5 of Regulation (EEC) No 3950/92.

(Amendment No 5)

POINT 3

3. *Article 4 is replaced by the following wording:*

Article 4

'Community financing of the compensation provided for in Article 2 is, for the ninth, 10th and 11th 12-month periods, restricted to the reallocation requirements indicated in Article 3(1).'

Article 2

As an intervention measure, the Community shall participate in the financing of the compensation specified in Article 1 up to a maximum of 75 000 tonnes and a total amount of ECU 38,5 million payable in three annual instalments.

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TEXT PROPOSED BY THE COMMISSION
OF THE EUROPEAN COMMUNITIES

In Portugal, Community financing is increased by an overall amount of Green ECU 38 500 000 for the entire period set out in the first subparagraph with a view to the application of Article 3(2).'

TEXT AMENDED
BY THE EUROPEAN PARLIAMENT

The Commission shall, if necessary, adopt the rules for the application of this Article in accordance with the procedure provided for in Article 30 of Regulation (EEC) No 804/68.

(Amendment No 6)

SOLE PARAGRAPH a (new)

Article 3

This Regulation shall enter into force on 1 April 1993.

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

Done at Brussels,

For the Council

LEGISLATIVE RESOLUTION A3-0046/93

Legislative resolution embodying the opinion of the European Parliament on the Commission proposal amending the proposal for a Council Regulation setting compensation for reduction of individual milk reference quantities and for definitive discontinuation of milk production

The European Parliament,

- having regard to the Commission proposal to the Council (COM(92)0253) ⁽¹⁾,
- having been consulted by the Council pursuant to Article 149(3) of the EEC Treaty (C3-0449/92),
- having regard to the report of the Committee on Agriculture, Fisheries and Rural Development (A3-0422/92),
- having regard to the second report of the Committee on Agriculture, Fisheries and Rural Development (A3-0046/93),

1. Approves the Commission proposal subject to Parliament's amendments and in accordance with the vote thereon;
2. Calls on the Council to notify Parliament should it intend to depart from the text approved by Parliament;
3. Asks to be consulted again should the Council intend to make substantial modifications to the Commission proposal;
4. Instructs its President to forward this opinion to the Council and Commission.

⁽¹⁾ OJ No C 335, 18.12.1992, p. 52.

Friday, 12 February 1993

12. Processed tomato products ***PROPOSAL FOR A REGULATION COM(92)0474 — C3-0478/92 ⁽¹⁾****Proposal for a Council Regulation on the introduction of a limit to the granting of production aid for processed tomato products**

The proposal was approved with the following amendment ⁽²⁾:

TEXT PROPOSED BY THE COMMISSION
OF THE EUROPEAN COMMUNITIES (*)

TEXT AMENDED
BY THE EUROPEAN PARLIAMENT

(Amendment No 9)

Fourth recital

Whereas those quantities of fresh tomatoes should be broken down between the processing undertakings on the basis of the total quantities which they processed in the last three marketing years preceding the marketing year for which the aid is fixed;

Whereas those quantities of fresh tomatoes should be broken down between the **producers' associations** on the basis of the total quantities **placed on the market** in the last three marketing years preceding the marketing year for which the aid is fixed **or allocated to a joint trade organization made up of producers, canning firms and public bodies;**

⁽¹⁾ Dealt with in report A3-0047/93.

⁽²⁾ Parliament then rejected the draft legislative resolution.

(*) OJ No C 328, 12.12.1992, p. 6.

13. Statute of European Investment Bank**INTERIM RESOLUTION A3-0048/93**

Interim resolution embodying the opinion of the European Parliament on holding a conference of representatives of the governments of the Member States with a view to the adoption of an addition to the protocol on the statute of the European Investment Bank

The European Parliament,

- having regard to Article 236 of the EEC Treaty,
- having regard to the letter of 3 February 1993 from the Council seeking its opinion on the proposal for holding a conference of representatives of the governments of the Member States with a view to the adoption of an addition to the protocol on the statute of the European Investment Bank (C3-0036/93),
- having regard to Rule 75 of its Rules of Procedure,
- having regard to the opinion of the Committee on Budgets of 9 February 1993, the opinion of the Committee on Economic and Monetary Affairs and Industrial Policy of 8 February 1993 and the oral opinion of the Committee on Regional Policy, Regional Planning and Relations with Regional and Local Authorities,
- having regard to the interim report of the Committee on Institutional Affairs (A3-0048/93),

Friday, 12 February 1993

- A. whereas, on 3 February 1993, the Council consulted the European Parliament pursuant to Article 236 of the EEC Treaty and requested it to deliver its opinion in accordance with the urgent procedure, pursuant to Rule 75 of its Rules of Procedure, on a Commission proposal of 12 January 1993,
 - B. having regard to the conclusions of the European Council meeting in Edinburgh on 11 and 12 December 1992 proposing the setting up of a European Investment Fund,
 - C. whereas the Council could have acted with all speed in consulting the European Parliament as soon as possible, and in a spirit of close interinstitutional cooperation, once the Commission proposal had been adopted,
 - D. whereas the purpose of setting up the European Investment Fund is to encourage a revival in economic activity in Europe and, in particular, to strengthen the internal market and economic and social conditions and hence to combat unemployment through investments in major projects of Community importance,
 - E. whereas the statute of the European Investment Fund has not yet been finalized and can not yet be submitted to Parliament for its consideration,
1. Approves the holding of an intergovernmental conference with a view to the adoption of an addition to the protocol on the statute of the European Investment Bank, subject to detailed consideration at a later date, taking account of the views expressed by the committees requested for opinions and subject to the holding of an interinstitutional conference with a view to the adoption of a text agreed jointly by the three institutions;
 2. Instructs its President to forward this interim resolution to the Council, the Commission and the parliaments of the Member States.

14. Export refunds in milk products sector

RESOLUTION A3-0037/93

Resolution on the audit of export refunds paid to selected major traders in the milk products sector

The European Parliament,

- having regard to Special Report No 2/92 of the Court of Auditors on the audit of export refunds paid to selected major traders in the milk products sector ⁽¹⁾,
 - having regard to Rule 121 of its Rules of Procedure,
 - having regard to the motion for a resolution by Mr Vandemeulebroucke on the involvement of former customs officers in the Member States in combating fraud with Community money (B3-1344/92),
 - having regard to the report of the Committee on Budgetary Control (A3-0037/93),
1. Regrets that Parliament's consideration of Special Report 2/92 was delayed for nearly a year by the Court of Auditors' reluctance to communicate the audit findings underlying the report to Parliament, despite the long-established procedure for dealing with such texts in confidence;
 2. Notes:
 - (a) that two major European multinational trading companies accounted for over 10% of all export refunds in the dairy sector in 1989/90;

⁽¹⁾ OJ No C 101, 22.4.1992.

Friday, 12 February 1993

- (b) that, however, those companies had not been audited by their home country authorities for several years prior to the Court's audit;
- (c) that the irregularities uncovered by the Court involved a budgetary cost estimated at ECU 16 million at the least;
- (d) that the irregularities in question stemmed mainly from the complexity and/or incompleteness of relevant Community legislation and from failures in national controls;
- (e) that recoveries to date represent only a small proportion of the sums unduly paid out;
- (f) that the Court's decision to treat the identity of beneficiaries as confidential is not supported by the Commission and exposes beneficiaries to the risk of selective, non-accountable leaks without any right of reply;

3. Compliments the Court of Auditors on the quality of its audit of export refunds paid to major traders in the dairy sector and of the audit tools developed to that end;

4. Calls upon the Court:

- (a) to resume the practice of communicating its full audit findings to Parliament;
- (b) to keep the cases examined in Special Report 2/92 under review and to present further observations to the discharge authority if it considers the measures adopted by the Commission or by the Member States to be inadequate;
- (c) to continue its audit of beneficiaries of export refunds and to allocate sufficient resources to this work to permit its early extension to other major agricultural traders, notably in the cereals and beef sectors;

5. Calls upon the Commission:

- (a) to pursue its efforts to secure recovery of sums unduly paid out in the cases identified by the Court and to report to Parliament, on a quarterly basis, on the state of recoveries and on the penalties imposed in cases where fraud has been established;
- (b) to publicize through the media significant instances of conviction for fraud and of recovery of sums unduly paid out;
- (c) to bring forward without delay the necessary modifications to the rules on export refunds in the dairy sector;
- (d) to submit to Parliament in due course its report on the first two years of implementation of the new control Regulation (No 4045/89); the report should in particular examine whether the criteria applied by each Member State in selecting undertakings for scrutiny are compatible with objective risk factors, and should also examine the frequency of national audits of undertakings identified as 'high-risk';
- (e) in the meantime, to issue to Member States without delay its proposed guidance notes on the risk-analysis techniques to be applied in selecting undertakings for scrutiny;
- (f) to use all means at its disposal to secure the necessary degree of cooperation from the Member States concerned in bringing the cases highlighted by the Court to a satisfactory conclusion;
- (g) to submit a detailed follow-up report to Parliament by 31 May 1993;

6. Refutes the view advanced by certain national authorities that they are not responsible for the use made of pre-fixation certificates issued by them where all or part of the exports in question take place from locations outside their territorial jurisdiction;

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7. Calls upon the Commission's anti-fraud coordination unit (Uclaf) to use its new mission statement and the increased resources with which Parliament has endowed it to pursue the fight against fraud in this and other areas of the Community budget with maximum vigour and in close collaboration with the discharge authority and the Court of Auditors;
 8. Asks its Committee on Budgetary Control to review progress in this respect in the context of the 1994 budgetary procedure and, if necessary, to propose alternative institutional arrangements for enhancing the fight against fraud;
 9. Adheres to its conviction that flying squads must be set up to render more effective the fight against fraud on the Community budget;
 10. Notes that the Council conclusions of 23 November 1992 on the need for better tackling of fraud and irregularity were not accompanied by legislative or budgetary measures;
 11. Calls upon Member States to afford all cooperation to the Court in the preparation and execution of its audits of beneficiaries;
 12. Asks its Committee on Budgetary Control to keep this matter under close review and to report again to Parliament as necessary;
 13. Instructs its President to forward this resolution to the Commission, Council and Court of Auditors.
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Friday, 12 February 1993

ATTENDANCE REGISTER

12 February 1993

ADAM, ALBER, von ALEMANN, ALEXANDRE, ÁLVAREZ DE PAZ, AMARAL, ANASTASSOPOULOS, ANDREWS, APOLINÁRIO, ARBELOA MURU, AVGERINOS, BALFE, BANOTTI, BARTON, BEAZLEY P., BEIRÔCO, BERTENS, BETTINI, BIRD, BJØRNVIG, BLAK, BLANEY, BLOT, BOISSIÈRE, BOMBARD, BOWE, BREYER, BROK, BRU PURÓN, BUCHAN, CABEZÓN ALONSO, CANAVARRO, CANO PINTO, CARVALHO CARDOSO, CASINI, CASSIDY, CHANTERIE, CHRISTENSEN I., COATES, COLAJANNI, COLLINS, COLOM I NAVAL, COONEY, CORNELISSEN, COT, CRAMON DAIBER, CRAMPTON, CRAVINHO, CRAWLEY, da CUNHA OLIVEIRA, CUSHNAHAN, DALSASS, DALY, DAVID, DEFRAIGNE, DE GUCHT, DE MATTEO, de VRIES, DELCROIX, DEPREZ, DESAMA, DESMOND, DESSYLAS, DÍEZ DE RIVERA ICAZA, van DIJK, DILLEN, DINGUIRARD, DOMINGO SEGARRA, DONNELLY, DUARTE CENDÁN, DURY, ELLIOTT, EPHREMIDIS, ERNST de la GRAETE, ESCUDERO, ESTGEN, EWING, FALCONER, FERNÁNDEZ-ALBOR, FITZGERALD, FITZSIMONS, FONTAINE, FORD, FRIEDRICH, FRIMAT, FUCHS, FUNK, GALLENZI, GARCIA, GARCÍA AMIGO, GARCÍA ARIAS, GASOLIBA I BÖHM, GERAGHTY, GIL-ROBLES GIL-DELGADO, GLINNE, GOEDMAKERS, GÖRLACH, GONZALEZ ÁLVAREZ, GREEN, GRUND, GUTIÉRREZ DÍAZ, HABSBURG, HÄNSCH, HAPPART, HARRISON, HERMAN, HINDLEY, HOFF, HOLZFUSS, HOON, HOPPENSTEDT, HORY, HUGHES, HUME, INGLEWOOD, ISLER BÉGUIN, JARZEMBOWSKI, JENSEN, JUNKER, KELLETT-BOWMAN, KILLILEA, KLEPSCH, KÖHLER K.P., KOSTOPOULOS, KUHN, LAGAKOS, LALOR, LAMBRIAS, LANE, LANNOYE, LARIVE, LEMMER, LIVANOS, LLORCA VILAPLANA, LUCAS PIRES, LULLING, LUSTER, McCARTIN, McCUBBIN, McGOVAN, McMAHON, MAIBAUM, MARCK, MARTIN D., MARTIN S., MARTINEZ, MEDINA ORTEGA, MEGAHY, MENDES BOTA, MENRAD, MICHELINI, MORODO LEONCIO, MORRIS, MÜLLER Gü., MUNTINGH, NEUBAUER, NEWENS, NEWMAN, NEWTON DUNN, NIANIAS, NIELSEN, NORDMANN, ODDY, ONESTA, ONUR, OOMEN-RUIJTEN, PARTSCH, PATTERSON, PEREIRA, PETER, PETERS, PIERMONT, PIERROS, PISONI F., POLLACK, PONS GRAU, PORRAZZINI, PRAG, PRONK, PROUT, PUERTA, Van PUTTEN, RAFFIN, RAMÍREZ HEREDIA, READ, REDING, REYMANN, ROBLES PIQUER, RØNN, ROMEOS, ROMERA I ALCÁZAR, ROUMELIOTIS, RUIZ-GIMÉNEZ AGUILAR, SABY, SAMLAND, SÁNCHEZ GARCÍA, SANDBÆK, SANTOS, SARIDAKIS, SARLIS, SBOARINA, SCHLECHTER, SCHLEE, SCHLEICHER, SCHMIDBAUER, SCHODRUCH, SCHÖNHUBER, SEAL, SELIGMAN, SIERRA BARDAJÍ, SIMPSON B., SISÓ CRUELLAS, SMITH A., SONNEVELD, STAES, STAMOULIS, STAVROU, STEVENSON, STEWART, STEWART-CLARK, SUÁREZ GONZÁLEZ, TAURAN, TELKÄMPER, THEATO, THYSEN, TINDEMANS, TITLEY, TOMLINSON, TOPMANN, TSIMAS, TURNER, VALVERDE LÓPEZ, VAN HEMELDONCK, VAYSSADE, VÁZQUEZ FOUZ, VECCHI, VEIL, van VELZEN, VERDE I ALDEA, VERWAERDE, VOHRER, von der VRING, van der WAAL, WEST, WIJSENBEEK, WILSON, von WOGAU, WOLTJER, WURTZ, WYNN.

Observers from the former GDR

BEREND, GOEPEL, KAUFMANN, KERTSCHER, KLEIN, KOCH, KOSLER, SCHRÖDER, STOCKMANN, THIETZ, TILLICH.

Friday, 12 February 1993

ANNEX

Result of roll-call votes

(+) = For

(-) = Against

(O) = Abstention

(B3-0216/93)

Whole

(+)

ADAM, ALBER, ALEXANDRE, ANASTASSOPOULOS, ARBELOA MURU, AVGERINOS, BALFE, BARTON, BEAZLEY P., BETTINI, BOISSIÈRE, BOMBARD, van den BRINK, BUCHAN, CARVALHO CARDOSO, CASSIDY, COLAJANNI, COLOM I NAVAL, COONEY, da CUNHA OLIVEIRA, CUSHNAHAN, DALY, DE MATTEO, DESMOND, DÍEZ DE RIVERA ICAZA, ELLIOTT, ERNST de la GRAETE, EWING, FALCONER, FERNÁNDEZ-ALBOR, FITZGERALD, FONTAINE, FORD, FRIEDRICH, FRIMAT, FUCHS, FUNK, GARCIA, GASOLIBA I BÖHM, GERAGHTY, GIL-ROBLES GIL-DELGADO, GOEDMAKERS, GÖRLACH, GREEN, GUTIÉRREZ DÍAZ, HABSBURG, HARRISON, HERMAN, HINDLEY, INGLEWOOD, JARZEMBOWSKI, KELLETT-BOWMAN, LAGAKOS, LAMBRIAS, LANE, LANNOYE, LARIVE, LEMMER, LLORCA VILAPLANA, MARTIN D., McCARTIN, McCUBBIN, MEDINA ORTEGA, MENRAD, MORRIS, MÜLLER Gü., NEWENS, NEWMAN, NEWTON DUNN, NORDMANN, ONESTA, OOMEN-RUIJTEN, PARTSCH, PATTERSON, PEREIRA, PRAG, PROUT, RAFFIN, RAMÍREZ HEREDIA, READ, ROBLES PIQUER, ROMEOS, SÁNCHEZ GARCÍA, SARLIS, SCHLEICHER, SCHMIDBAUER, SELIGMAN, SIERRA BARDAJÍ, SIMPSON B., SISÓ CRUELLAS, SMITH A., SONNEVELD, STAVROU, STEWART, SUÁREZ GONZÁLEZ, THEATO, THYSSSEN, TITLEY, TOMLINSON, TURNER, VAN HEMELDONCK, VÁZQUEZ FOUZ, WEST, WHITE, WIJSENBECK, von WOGAU, WYNN.

(-)

GRUND.

(O)

DILLEN.

Bontempi report (A3-0038/93)

Whole

(+)

ADAM, ALBER, von ALEMANN, ANASTASSOPOULOS, AVGERINOS, BALFE, BANOTTI, BEAZLEY P., BERTENS, BETTINI, BOISSIÈRE, BOMBARD, van den BRINK, BUCHAN, CARVALHO CARDOSO, CASINI, CASSIDY, COLAJANNI, COLOM I NAVAL, COONEY, COT, da CUNHA OLIVEIRA, CUSHNAHAN, DALY, DE MATTEO, DESAMA, DESMOND, DÍEZ DE RIVERA ICAZA, van DIJK, DINGUIRARD, DOMINGO SEGARRA, DURY, ELLIOTT, ERNST de la GRAETE, ESTGEN, FALCONER, FERNÁNDEZ-ALBOR, FONTAINE, FORD, FRIEDRICH, FRIMAT, FUCHS, FUNK, GARCIA, GERAGHTY, GIL-ROBLES GIL-DELGADO, GOEDMAKERS, GONZALEZ ÁLVAREZ, GREEN, GUTIÉRREZ DÍAZ, HABSBURG, HARRISON, HERMAN, HINDLEY, HUME, INGLEWOOD, JARZEMBOWSKI, KELLETT-BOWMAN, KLEPSCH, LAGAKOS, LALOR, LANE, LANNOYE, LLORCA VILAPLANA, MARTIN D., McCARTIN, McCUBBIN, MEDINA ORTEGA, MEGAHY, MENDES BOTA, MENRAD, MORRIS, NEWENS, NEWMAN, NEWTON DUNN, NIELSEN, NORDMANN, ONESTA, OOMEN-RUIJTEN, PARTSCH, PATTERSON, PEREIRA, PIERROS, PRAG, PRONK, PROUT, RAFFIN, RAMÍREZ HEREDIA, ROBLES PIQUER, ROMEOS, ROMERA I ALCÁZAR, SÁNCHEZ GARCÍA, SCHLECHTER, SCHLEICHER, SCHMIDBAUER, SELIGMAN, SIERRA BARDAJÍ, SIMPSON B., SISÓ CRUELLAS, SMITH A., SONNEVELD, STEWART, STEWART-CLARK, SUÁREZ GONZÁLEZ, THYSSSEN, TITLEY, TOMLINSON, TURNER, VAN HEMELDONCK, VAYSSADE, VÁZQUEZ FOUZ, VEIL, WEST, WHITHE, von WOGAU, WYNN.

(-)

GRUND.

Friday, 12 February 1993

*Ortiz Climent report (A3-0045/93)**Whole*

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von ALEMANN, BALFE, BANOTTI, BOISSIÈRE, BOMBARD, CARVALHO CARDOSO, CRAMPTON, da CUNHA OLIVEIRA, de VRIES, DEFRAIGNE, DÍEZ DE RIVERA ICAZA, EWING, FERNÁNDEZ-ALBOR, FONTAINE, FORD, GALLENZI, GARCÍA AMIGO, GIL-ROBLES GIL-DELGADO, GÖRLACH, GREEN, GUTIÉRREZ DÍAZ, HERMAN, HERMANS, HUGHES, HUME, KELLETT-BOWMAN, LAGAKOS, LANE, MARCK, MARTIN D., McCUBBIN, McGOVAN, MEDINA ORTEGA, MICHELINI, NEWENS, NIELSEN, ODDY, OOMEN-RUIJTEN, PATTERSON, PIERROS, REDING, ROBLES PIQUER, ROMERA I ALCÁZAR, SCHLECHTER, SELIGMAN, SIERRA BARDAJÍ, SMITH A., SMITH L., SONNEVELD, SUÁREZ GONZÁLEZ, TOMLINSON, VÁZQUEZ FOUZ.

(-)

DE MATTEO, DEPREZ, FUNK, HABSBURG, LULLING, MENRAD, SCHLEICHER, WIJSENBECK, von WOGAU.

(O)

KLEPSCH, PARTSCH, PRAG.

*Vázquez Fouz report (A3-0047/93)**Request for referral back to committee*

(+)

BARTON, BETTINI, BIRD, CRAMPTON, DÍEZ DE RIVERA ICAZA, FALCONER, GÖRLACH, GREEN, HORY, LANE, McCUBBIN, McGOVAN, MEDINA ORTEGA, PARTSCH, POLLACK, SIERRA BARDAJÍ, SIMPSON B., SMITH L., TITLEY, VAYSSADE, VÁZQUEZ FOUZ, WHITE.

(-)

ALBER, APOLINÁRIO, CANAVARRO, CARVALHO CARDOSO, da CUNHA OLIVEIRA, DEFRAIGNE, ESTGEN, FERNÁNDEZ-ALBOR, FONTAINE, FUNK, GARCIA, GARCÍA AMIGO, HABSBURG, HERMAN, KELLETT-BOWMAN, MARCK, NIELSEN, OOMEN-RUIJTEN, PATTERSON, PIERROS, PRAG, PRONK, REYMANN, SÁNCHEZ GARCÍA, SELIGMAN, SONNEVELD.

(O)

BOISSIÈRE, GUTIÉRREZ DÍAZ, JARZEMBOWSKI.

Resolution

(+)

APOLINÁRIO, CANAVARRO, CARVALHO CARDOSO, da CUNHA OLIVEIRA, ESTGEN, FERNÁNDEZ-ALBOR, FONTAINE, FUNK, GARCIA, GARCÍA AMIGO, HABSBURG, HERMAN, KELLETT-BOWMAN, LANE, MARCK, OOMEN-RUIJTEN, PATTERSON, PRAG, PROUT, REDING, REYMANN, SELIGMAN, SONNEVELD, SUÁREZ GONZÁLEZ.

(-)

BALFE, BARTON, BIRD, COLLINS, CRAMPTON, DAVID, DÍEZ DE RIVERA ICAZA, FALCONER, FORD, GOEDMAKERS, GÖRLACH, GREEN, GUTIÉRREZ DÍAZ, HORY, HUME, McCUBBIN, McGOVAN, MEDINA ORTEGA, MORRIS, ODDY, POLLACK, PONS GRAU, SABY, SIERRA BARDAJÍ, SIMPSON B., SMITH A., TOMLINSON, VAYSSADE, VÁZQUEZ FOUZ, WHITE, WILSON.

(O)

BETTINI, BOISSIÈRE.
