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*Key to symbols used*

*	Consultation procedure
** I	Cooperation procedure: first reading
** II	Cooperation procedure: second reading
***	Assent procedure
*** I	Codecision procedure: first reading
*** II	Codecision procedure: second reading
*** III	Codecision procedure: third reading
(The type of procedure is determined by the legal basis proposed by the Commission)	

*Information relating to voting time*

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

*Abbreviations used for Parliamentary Committees*

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

*Abbreviations used for Political Groups*

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

Wednesday 2 May 2001

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

2001-2002 SESSION

Sittings of 2 and 3 May 2001  
PAUL-HENRI SPAAK BUILDING — BRUSSELS

(2002/C 27 E/01)

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

IN THE CHAIR: Mrs FONTAINE

*President***1. Resumption of session**

The sitting opened at 15.00.

**2. Approval of Minutes of previous sitting**

The Minutes of the previous sitting were approved.

**3. Membership of Parliament**

The President announced that she had received written notification of Mr Laignel's resignation which had taken effect from 5 April 2001.

Pursuant to Rule 8 and Article 12(2)(2) of the Act concerning the election of the representatives of the European Parliament, Parliament established this vacancy and informed the relevant Member State accordingly.

**4. Interpretation of the Rules of Procedure**

The President announced, pursuant to Rule 180(3), the following interpretation of Article 3 to Annex I, as given by the Committee on Constitutional Affairs which had been asked for its opinion on the application of this provision:

'The register may be open to the public for inspection electronically'.

Wednesday 2 May 2001

If this interpretation was not contested by a political group or at least thirty-two Members (Rule 180(4)) before the Minutes of this sitting had been approved, it would be considered adopted. If contested, it would be put to the vote in Parliament.

## 5. Follow-up to Parliament opinions and resolutions

The Commission communication on the follow-up made by the Commission to opinions and resolutions adopted by the European Parliament at its January I and II 2001 sessions (Document SP (2001) 550) had been distributed.

## 6. Documents received

The President had received the following texts:

(a) *from the Council and/or the Commission:*

- Proposal for a Council regulation amending Regulation (EC) No 2549/2000 establishing additional technical measures for the recovery of the stock of cod in the Irish Sea (ICES Division VIIa) (COM(2001) 165 — C5-0140/2001 — 2001/0083(CNS))  
referred to responsible: PECH  
legal basis: Article 37 EC
- Recommendation of the European Central Bank of 1 March 2001 for a Council regulation concerning an amendment to Council Regulation (EC) No 2531/98 of 23 November 1998 concerning the application of minimum reserves by the European Central Bank (BCE(2001)2 — C5-0141/2001 — 2001/0805(CNS))  
referred to responsible: ECON
- Council of the European Union: Initiative of the Kingdom of Sweden with a view to the adoption of a Council decision adjusting the basic salaries and allowances applicable to Europol staff (7494/2001 — C5-0142/2001 — 2001/0806(CNS))  
referred to responsible: LIBE  
opinion: BUDG
- Communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions: Creating a Safer Information Society by Improving the Security of Information Infrastructures and Combating Computer-related Crime — e-Europe 2002 (COM(2000) 890 — C5-0143/2001 — 2001/2070(COS))  
referred to responsible: LIBE  
opinion: ECON, JURI, ITRE, CULT
- Proposal for a Council regulation on the conclusion of the Protocol setting out the fishing opportunities and financial contribution provided for in the Agreement between the European Economic Community and the Islamic Federal Republic of the Comoros on fishing off the Comoros for the period from 28 February 2001 to 27 February 2004 (COM(2001) 173 — C5-0144/2001 — 2001/0088(CNS))  
referred to responsible: PECH  
opinion: BUDG, DEVE  
legal basis: Article 37 EC, Article 300(2) and 300(3)(1) EC
- Commission of the European Communities: Green Paper: Towards a European strategy for the security of energy supply (COM(2000) 769 — C5-0145/2001 — 2001/2071(COS))  
referred to responsible: ITRE  
opinion: ECON, JURI, ENVI, RETT
- Communication from the Commission to the Council and the European Parliament: Europe and Space: Turning to a new chapter (COM(2000) 597 — C5-0146/2001 — 2001/2072(COS))  
referred to responsible: ITRE  
opinion: AFET, BUDG, RETT



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- Report from the Commission: State of Implementation of Council Directive 93/104/EC of 23 November 1993 concerning certain aspects of the organisation of working time ('Working Time Directive') (COM(2000) 787 — C5-0147/2001 — 2001/2073(COS))  
referred to      responsible: EMPL  
                         opinion: PECH, RETT, FEMM
- Proposal for the transfer of appropriations 4/2001 between Chapters in Section III — Commission — Part B — of the General Budget for the European Union for the financial year 2001 (SEC(2001) 596 — C5-0148/2001 — 2001/2074(GBD))  
referred to      responsible: BUDG
- Opinion of the Council on transfer of appropriations 02/2001 between Chapters in Section III — Commission — Part B — of the General Budget for the European Union for the financial year 2001 (C5-0149/2001 — 2001/2064(GBD))  
referred to      responsible: BUDG
- Opinion of the Council on transfer of appropriations 03/2001 between Chapters in Section III — Commission — Part B — of the General Budget for the European Union for the financial year 2001 (C5-0150/2001 — 2001/2065(GBD))  
referred to      responsible: BUDG
- Communication from the Commission to the Council and the European Parliament: e-Learning — Designing tomorrow's education (COM(2001) 172 — C5-0151/2001 — 2000/2337(COS))  
referred to      responsible: CULT  
                         opinion: BUDG, FEMM
- Proposal for a Council regulation amending Regulation (EC) No 1267/1999 establishing an Instrument for Structural Policies for Pre-Accession (COM(2001) 110 — C5-0152/2001 — 2001/0058(CNS))  
referred to      responsible: CONT  
                         opinion: RETT  
legal basis:      Article 308 EC
- Draft supplementary and amending budget No 2 for the financial year 2001 — Section II — Council (7460/2001 — C5-0153/2001 — 2001/2026(BUD))  
referred to      responsible: BUDG  
                         opinion: AFET, All committees concerned
- Proposal for the transfer of appropriations 5/2001 between Chapters in Section III — Commission — Part B — of the General Budget for the European Union for the financial year 2001 (SEC(2001) 655 — C5-0154/2001 — 2001/2075(GBD))  
referred to      responsible: BUDG
- Proposal for the transfer of appropriations 6/2001 between Chapters in Section III — Commission — Part B — of the General Budget for the European Union for the financial year 2001 (SEC(2001) 656 — C5-0155/2001 — 2001/2076(GBD))  
referred to      responsible: BUDG
- Proposal for the transfer of appropriations 7/2001 between Chapters in Section III — Commission — Part B — of the General Budget for the European Union for the financial year 2001 (SEC(2001) 657 — C5-0156/2001 — 2001/2077(GBD))  
referred to      responsible: BUDG
- Proposal for a Council and Commission decision on the signing on behalf of the European Community, of the Stabilisation and Association Agreement between the European Communities and its Member States and the former Yugoslav Republic of Macedonia (6726/2001 — C5-0157/2001 — 2001/0049(AVC))  
referred to      responsible: AFET  
                         opinion: ITRE  
legal basis:      Articles 310, 300(2) subparagraph 1 and 300(3) subparagraph 2 EC, Article 9 ECSC

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- Proposal for a European Parliament and Council directive on the supplementary supervision of credit institutions, insurance undertakings and investment firms in a financial conglomerate and amending Council Directives 73/239/EEC, 79/267/EEC, 92/49/EEC, 92/96/EEC, 93/6/EEC and 93/22/EEC, and Directives 98/78/EC and 2000/12/EC of the European Parliament and the Council (COM(2001) 213 — C5-0159/2001 — 2001/0095(COD))  
referred to      responsible: ECON  
                         opinion: JURI  
legal basis:      Article 47(2) EC
- Proposal for the transfer of appropriations 8/2001 between Chapters in Section III — Commission — Part B — of the General Budget for the European Union for the financial year 2001 (SEC(2001) 659 — C5-0160/2001 — 2001/2079(GBD))  
referred to      responsible: BUDG
- Proposal for the transfer of appropriations 9/2001 between Chapters in Section III — Commission — Part B — of the General Budget for the European Union for the financial year 2001 (SEC(2001) 660 — C5-0161/2001 — 2001/2078(GBD))  
referred to      responsible: BUDG
- Proposal for a Council directive amending Council Directive 2000/29/EC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (COM(2001) 183 — C5-0162/2001 — 2001/0090(CNS))  
referred to      responsible: AGRI  
                         opinion: ENVI  
legal basis:      Article 37 EC
- Proposal for a Council directive amending Directives 66/401/EEC, 66/402/EEC and 66/403/EEC on the marketing of fodder plant seed, cereal seed and seed potatoes (COM(2001) 186 — C5-0163/2001 — 2001/0089(CNS))  
referred to      responsible: AGRI  
                         opinion: ENVI  
legal basis:      Article 37 EC
- Opinion of the Commission on the European Parliament's amendments to the Council's common position concerning the proposal for a European Parliament and Council directive on the limitation of emissions of certain pollutants into the air from large combustion plants amending the Commission proposal in accordance with Article 250(2) of the Treaty (COM(2001) 222 — C5-0164/2001 — 1998/0225(COD))  
referred to      responsible: ENVI  
legal basis:      Article 175(1) EC
- Amended proposal for a Council decision establishing the measures necessary for the implementation of the Protocol, annexed to the Treaty of Nice, on the financial consequences of the expiry of the ECSC Treaty and on the Research Fund for Coal and Steel (COM(2001) 121 — C5-0165/2001 — 2001/0061(CNS))  
referred to      responsible: BUDG  
                         opinion: CONT, ITRE
- Amended proposal for a Council decision laying down multiannual financial guidelines for managing the assets of the 'ECSC in liquidation' and, on completion of the liquidation, the 'Assets of the Coal and Steel Research Fund' (COM(2001) 121 — C5-0166/2001 — 2000/0363(CNS))  
referred to      responsible: BUDG  
                         opinion: CONT, ITRE
- Amended proposal for a Council decision laying down the multiannual technical guidelines for the research programme of the 'Coal and Steel Research Fund' (COM(2001) 121 — C5-0167/2001 — 2000/0364(CNS))  
referred to      responsible: ITRE  
                         opinion: BUDG, CONT

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- Commission opinion on the European Parliament's amendments to the Council common position concerning the proposal for a European Parliament and Council directive relating to special provisions for vehicles used for the carriage of passengers comprising more than eight seats in addition to the driver's seat and amending Council Directives 70/156/EEC and 97/27/EC (COM(2001) 217 — C5-0168/2001 — 1997/0176(COD))  
     referred to           responsible: JURI  
                             referred to Committees asked for opinions at first reading: ECON, RETT  
     legal basis:       Article 95 EC
- Commission recommendation for the 2001 Broad Guidelines of the Economic Policies of the Member States and the Community (COM(2001) 224 — C5-0169/2001 — 2001/2081(COS))  
     referred to           responsible: ECON  
                             opinion: EMPL  
     legal basis:       Article 99(2) EC
- Commission opinion on the European Parliament's amendments to the Council common position concerning the proposal for European Parliament and Council directive on national emission ceilings for certain atmospheric pollutants amending the proposal of the Commission (COM(2001) 243 — C5-0170/2001 — 1999/0067(COD))  
     referred to           responsible: ENVI  
     legal basis:       Article 175(1) EC

(b) *from the Court of Auditors:*

- Court of Auditors: Special Report No 3/1999 on the management and control of interest-rate subsidies by the Commission, with the Commission's replies (C5-0158/2001 — 2001/2015(COS))  
     referred to           responsible: CONT  
                             opinion: ITRE

(c) *from Parliamentary Committees:*(ca) *reports:*

- Report on the European Court of Auditors' Special Report 11/2000 on the support scheme for olive oil, accompanied by the Commission's replies (RCC0011/00 — C5-0009/2001 — 2001/2001(COS)) — Committee on Budgetary Control  
     Rapporteur: Mr Casaca  
     (A5-0114/2001)
- Report 1 on the Next Generation Internet: the need for an EU research initiative — 2000/2102(INI)) — Committee on Industry, External Trade, Research and Energy  
     Rapporteur: Mr Harbour  
     (A5-0116/2001)
- Report on the Commission communication to the Council and the European Parliament on availability of veterinary medicinal products (COM(2000) 806 — C5-0105/2001 — 2001/2054(COS)) — Committee on the Environment, Public Health and Consumer Policy  
     Rapporteur: Mrs Doyle  
     (A5-0119/2001)
- \* Report
  1. on the Initiative by the Government of the French Republic with a view to adopting a Council Decision on the protection of the euro against counterfeiting (5551/2001 — C5-0054/2001 — 2001/0804(CNS));
  2. on the Council position on a draft Council Regulation laying down measures necessary for the protection of the euro against counterfeiting (6281/2001 — C5-0084/2001 — 2000/0208(CNS));

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3. the Council position on a draft Council Regulation extending the effects of Regulation (EC) No .../2001 laying down measures necessary for the protection of the euro against counterfeiting to those Member States which have not adopted the euro as their single currency (6281/2001 – C5-0084/2001 – 2000/0208(CNS)) – Committee on Citizens' Freedoms and Rights, Justice and Home Affairs  
Rapporteur: Mrs Cederschiöld  
(A5-0120/2001)
- \* Report
  1. on the initiative of the Kingdom of Sweden with a view to the adoption of a Council decision on the transmission of samples of illegal narcotic substances (14008/2000 – C5-0734/2000 – 2000/0826(CNS));
  2. on the initiative of the Kingdom of Sweden with a view to the adoption of a Council decision on the transmission of samples of illegal narcotic substances (14007/2000 – C5-0737/2000 – 2000/0825(CNS)) – Committee on Citizens' Freedoms and Rights, Justice and Home Affairs  
Rapporteur: Mrs Cederschiöld  
(A5-0121/2001)
- Report on the report from the Commission on the implementation of Council Regulation (EEC) No 3911/92 on the export of cultural goods and Council Directive 93/7/EEC on the return of cultural objects unlawfully removed from the territory of a Member State (COM(2000) 325 – C5-0509/2000 – 2000/2246(COS)) – Committee on Culture, Youth, Education, the Media and Sport  
Rapporteur: Mr Aparicio Sánchez  
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- Report on the request for waiver of the immunity of Mr Peter Sichrovsky (2000/2237(IMM)) – Committee on Legal Affairs and the Internal Market  
Rapporteur: Mr Zimeray  
(A5-0123/2001)
- Report on the request for waiver of the immunity of Mr Johannes Voggenhuber (2000/2238(IMM)) – Committee on Legal Affairs and the Internal Market  
Rapporteur: Mr Zimeray  
(A5-0124/2001)
- \*\*\* I Report on the proposal for a European Parliament and Council regulation on the animal-health requirements applicable to non-commercial movement of pet animals (COM(2000) 529 – C5-0477/2000 – 2000/0221(COD)) – Committee on the Environment, Public Health and Consumer Policy  
Rapporteur: Mrs Jillian Evans  
(A5-0125/2001)
- Report on the request for waiver of the immunity of Mrs Elisabeth Jeggle (2001/2031(IMM)) – Committee on Legal Affairs and the Internal Market  
Rapporteur: Mr McCormick  
(A5-0126/2001)
- Report on the annual assessment of the implementation of stability and convergence programmes – 2001/2009(INI)) – Committee on Economic and Monetary Affairs  
Rapporteur: Mr Katiforis  
(A5-0127/2001)
- Report on the proposal for a Council Regulation amending Council Regulation (EC) No 2820/98 applying a multiannual scheme of generalised tariff preferences for the period 1 July 1999 to 31 December 2001 so as to extend duty-free access without any quantitative restrictions to products originating in the least developed countries (COM(2000) 561 – C5-0136/2001 – 2000/0239(COS)) – Committee on Development and Cooperation  
Rapporteur: Mr Miranda  
(A5-0128/2001)

Wednesday 2 May 2001

- \* Report on the proposal for a Council Regulation on the conclusion of the Fourth Protocol laying down the conditions relating to fishing provided for in the Agreement on fisheries between the European Economic Community, on the one hand, and the Government of Denmark and the local Government of Greenland, on the other (COM(2000) 865 — C5-0028/2001 — 2000/0348(CNS)) — Committee on Fisheries  
Rapporteur: Mrs Langenhagen  
(A5-0129/2001)
- \*\*\* I Report on the proposal for a European Parliament and Council directive amending Directives 78/660/EEC and 83/349/EEC as regards the valuation rules for the annual and consolidated accounts of certain types of companies (COM(2000) 80 — C5-0106/2000 — 2000/0043(COD)) — Committee on Legal Affairs and the Internal Market  
Rapporteur: Lord Inglewood  
(A5-0130/2001)
- \*\*\* I Report on the proposal for a European Parliament and Council directive amending Council Directive 70/220/EEC concerning measures to be taken against air pollution by emissions from motor vehicles (Hughes procedure) (COM(2000) 487 — C5-0453/2000 — 2000/0211(COD)) — Committee on the Environment, Public Health and Consumer Policy  
Rapporteur: Mr Lange  
(A5-0131/2001)
- \*\*\* Recommendation on the proposal for a Council and Commission decision on the conclusion of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part (6727/1/2000-6726/2001 — COM(2000) 90 — C5-0157/2001 — 2001/0049(AVC)) — Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy  
Rapporteur: Mr Swoboda  
(A5-0132/2001)

(cb) *recommendations for second reading:*

- \*\*\*II Recommendation on the second reading concerning the common position adopted by the Council relating to the proposal for a European Parliament and Council recommendation on mobility within the Community for students, persons undergoing training, young volunteers, teachers and trainers (13258/1/2000 — C5-0029/2001 — 2000/0021(COD)) — Committee on Culture, Youth, Education, the Media and Sport  
Rapporteur: Mr Robert Evans  
(A5-0115/2001)
- \*\*\*II Recommendation on the second reading on the common position adopted by the Council, with a view to adopting a European Parliament and Council regulation laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (14780/1/2000 — C5-0048/2001 — 1998/0323(COD)) — Committee on the Environment, Public Health and Consumer Policy  
Rapporteur: Mrs Roth-Behrendt  
(A5-0118/2001)

(d) *Members, motions for resolutions (Rule 48):*

- Garriga Polledo on a European wills register B5-0033/2001  
referred to responsible: JURI
- Staes, Jillian Evans, Knörr Borràs, Maes, Bautista Ojeda, Hudghton, Nogueira, Román, MacCormick, Ortuondo Larrea and Eurig Wyn on the protection and direct political representation of linguistic minorities in Friuli-Venezia Giulia, a region with a special statute (B5-0034/2001)  
referred to responsible: LIBE  
opinion: CULT

Wednesday 2 May 2001

## 7. Texts of agreements forwarded by the Council

The President had received from the Council certified true copies of the following documents:

- Proces-Verbal of rectification of the Convention of Accession of the Kingdom of Denmark, of Ireland and of the United Kingdom of Great Britain and Northern Ireland to the Convention on jurisdiction and enforcement of judgements in civil and commercial matters and to the Protocol on its interpretation by the Court of Justice;
- Protocol to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part, on conformity assessment and acceptance of industrial products (PECA);
- Memorandum of understanding between the European Community and the Democratic Socialist Republic of Sri Lanka on arrangements in the area of market access for textile and clothing products initialled in Brussels on 5 December 2000;
- Agreement in the form of an exchange of letters between the European Community and Romania on reciprocal preferential trade concessions for certain wines and spirits.

## 8. Order of business

The President announced that the order of business had been established (*Item 11 of the Minutes of 2 April 2001*).

She had received a number of proposals for changes which had been given to Members.

- *Wednesday 2 May*
  - The Commission statement would be on the partnership with the UN in the areas of development and humanitarian issues and would be made by Mr Nielson.
  - The Committee on Legal Affairs had adopted a report by Mr MacCormick on the request for waiver of the immunity of Mrs Jeggle. Pursuant to Rule 6(6), this report would automatically be placed at the head of the agenda, after the report by Mr Zimeray on the request for waiver of the immunity of Mr Voggenhuber.

The following spoke:

- MacCormick, on the application of Rule 6(6);
  - Wurtz who regretted, on behalf of the GUE/NGL Group, that the hunger strikes in Turkish prisons were not on the agenda; the President announced that the Council would not be able to deal with this issue before the next part-session;
  - Swoboda and Poettering on behalf of the PPE-DE Group, who, in reply to the question raised by Mr Wurtz, called for the Council to attend all Parliament sessions (The President replied that she had already spoken with the Council on this matter), Cohn-Bendit and Wurtz.
- 
- *Thursday 3 May*
    - As the report by Lord Inglewood on company accounts (A5-0130/2001) (*Item 65 of the Agenda*) had only been adopted on 24 April, the debate could be kept on the agenda but the vote could be held over until the next part-session. The deadline for tabling amendments would be Thursday 10 May at 12.00. Parliament agreed to this proposal;
    - The report by Mr Colom i Naval on the adjustment of financial perspective (A5-0110/2001), which had been referred back to committee on the basis of Rule 144(1) on 3 April 2001 (*Item 14 of the Minutes of that date*), was put to the vote at voting time.

Wednesday 2 May 2001

**The following raised points of order:**

- Corbett, who stated, in reference to the exchange of views of 12 March 2001 on the request for waiver of Parliamentary immunity of Mr Berlusconi (*Item 11 of the Minutes of that date*) and to the recent decisions of the Conference of Presidents in this respect, that this was now a matter of urgency and called for a guarantee that the fact-finding mission to the Spanish authorities decided on by the Conference of Presidents be carried out quickly and that a deadline be set.

The President gave the following information:

1. The document summarising all the requests for waiver of immunity made since the direct elections to the European Parliament by universal suffrage, requested by Mr Barón Crespo, confirmed that all requests, except Portuguese requests and one Spanish request where there had been some doubt, had always passed through governments;
  2. The Conference of Presidents had taken the following decisions:
    - The Committee on Constitutional Affairs was asked to draw up a substantive document on how requests for waiver of immunity should be dealt with and on the possible need to modify Parliament's Rules of Procedure; Mr Napolitano, Chairman of this Committee, had agreed to take on this task and would appoint a rapporteur tomorrow;
    - The President would write again to the Spanish Minister of Foreign Affairs calling for a prompt investigation of this issue; this letter would be made available to Members;
    - The President had been asked to appoint a Member to follow this case and had accordingly appointed Mrs Garaud who, for personal reasons, had been unable to travel to Spain.
  3. The judge of the Spanish Supreme Court made an identical request to the Council of Europe which had been transmitted via the Spanish governmental authorities; the President considered that these different ways of dealing with the issue only added to her doubts, and confirmed her belief that she had acted correctly while waiting for the official information to be provided.
- On the same subject Poettering, on behalf of the PPE-DE Group, Hautala, on behalf of the Verts/ALE, Frassoni, in reply to Mr Poettering, Barón Crespo, on behalf of the PSE Group, Palacio Vallelersundi, Chairman of the Committee on Legal Affairs, MacCormick, Manisco, Corbett, Wurtz, on behalf of the GUE/NGL Group, Cox, on behalf of the ELDR Group, and Tajani;
  - Butel on the recent floods in the Somme region. The President replied that this would most likely be on the agenda at the next part-session under topical and urgent debate;
  - Lynne on the sentencing by the Belgian courts under a fast-track procedure, and new legal proceedings brought last month against Mark Forrester, one of her constituents, for his part in acts of violence during Euro 2000; she considered that these procedures went against the European Convention on Human Rights and the European Charter of Fundamental Rights and called for the President's support; The President suggested she speak with the Chairman of the Committee on Petitions;
  - Scallon on the need to make the text of the Nice Treaty available to the Irish electorate with a view to the upcoming referendum which must be held on this issue; The President would investigate how this could be made possible;

IN THE CHAIR: Mr FRIEDRICH

*Vice-President*

**9. Partnership with the UN in the areas of development and humanitarian issues** (Commission statement)

Mr Nielson, Member of the Commission, made a statement on the partnership with the UN in the areas of development and humanitarian issues.

**Wednesday 2 May 2001**

The following put questions to Mr Nielson who replied in groups of three: Howitt, Deva, Thors, Maes, Miranda, Khanbhai, Kinnock, Corrie, Sauquillo Pérez del Arco, Maij-Weggen and Bowis.

The President closed this item.

### **10. Request for waiver of immunity of Mr Sichrovsky (debate)**

Mr Zimeray introduced his report, drawn up on behalf of the Committee on Legal Affairs and the Internal Market, on a request that Mr Sichrovsky's immunity be waived (2000/2237(IMM)) (A5-0123/2001).

The following spoke: Zappalà, on behalf of the PPE-DE Group and Berger, on behalf of the PSE Group.

The President closed the debate.

Vote: *Minutes of 3.5.2001, Item 7.*

### **11. Request for waiver of immunity of Mr Voggenhuber (debate)**

Mr Zimeray introduced his report, drawn up on behalf of the Committee on Legal Affairs and the Internal Market, on the request that Mr Voggenhuber's immunity be waived (2000/2238(IMM)) (A5-0124/2001).

IN THE CHAIR: Mr DAVID W. MARTIN

*Vice-President*

The following spoke: Zappalà, on behalf of the PPE-DE Group, Berger, on behalf of the PSE Group and Hautala, on behalf of the Verts/ALE Group.

The President closed the debate.

Vote: *Minutes of 3.5.2001, Item 8.*

### **12. Request for waiver of immunity of Mrs Jeggle (debate)**

Mr MacCormick introduced his report, drawn up on behalf of the Committee on Legal Affairs and the Internal Market, on the request for waiver of the immunity of Mrs Elisabeth Jeggle (2001/2031(IMM)) (A5-0126/2001).

The following spoke: Zappalà, on behalf of the PPE-DE Group and Zimeray, on behalf of the PSE Group.

The President closed the debate.

Vote: *Minutes of 3.5.2001, Item 9.*

### **13. Public access to documents \*\*\*I (debate)**

Mr Cashman introduced his report, drawn up on behalf of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs, on a proposal for a European Parliament and Council regulation on public access to documents of the European Parliament, the Council and the Commission (COM(2000) 30 — C5-0057/2000 — 2000/0032(COD)) (A5-0318/2000).

Draftsman of the opinion ('Enhanced Hughes' procedure): Mrs Maij-Weggen (AFCO)  
Draftsman of the opinion ('Hughes' procedure): Mrs Hautala (JURI)

The following spoke: Maij-Weggen, draftsman of the opinion of the AFCO Committee, Hautala, draftsman of the opinion of the JURI Committee, Lejon, President-in-Office of the Council, Barnier, Member of the Commission, Cederschiöld, on behalf of the PPE-DE Group, and Van den Berg, on behalf of the PSE Group.



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IN THE CHAIR: Mr COLOM i NAVAL

*Vice-President*

The following spoke: Wiebenga, on behalf of the ELDR Group, Buitenweg, on behalf of the Verts/ALE Group, Frahm, on behalf of the GUE/NGL Group, Krarup, on behalf of the EDD Group, Raschhofer, Non-attached Member, Theato, Andersson, Watson, Chairman of the LIBE Committee, Schörling, Sjöstedt, Bonde, Pirker, Hans-Peter Martin, Malmström, Seppänen, Blokland, Ford, Thors, Thorning-Schmidt, Andreasen, Maij-Weggen, and Cashman, rapporteur, who made a personal statement in response to Mr Krarup's remarks.

The President closed the debate.

Vote: *Minutes of 3.5.2001, Item 12.*

## 14. Official welcome

The President welcomed to the official gallery a delegation from the National Assembly of the former Yugoslav Republic of Macedonia (FYROM).

## 15. EC-FYROM Agreement \*\*\* (debate)

Mr Swoboda introduced a recommendation, drawn up on behalf of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy, on a proposal for a Council and Commission decision on the conclusion of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part (6727/1/2001 – 6726/2001 – COM(2001) 90 – C5-0157/2001 – 2001/0049(AVC)) (A5-0132/2001).

IN THE CHAIR: Mr MARINHO

*Vice-President*

The following spoke: Pack, President of the Delegation for Relations with South-East Europe, on behalf of the PPE-DE Group, Volcic, on behalf of the PSE Group, Wurtz, on behalf of the GUE/NGL Group, Queiró, on behalf of the UEN Group, Dupuis, TDI Group, Belder, on behalf of the EDD Group, Oostlander, Wiersma, Papayannakis, Collins, Katiforis, Korakas, and Wallström, Member of the Commission.

The President closed the debate.

Vote: *Minutes of 3.5.2001, Item 14.*

## 16. Nuclear safety fifteen years after Chernobyl accident (statement followed by debate)

Mrs Wallström, Member of the Commission, made a statement on nuclear safety fifteen years after the Chernobyl accident and on its health consequences.

The following spoke: Mombaur, on behalf of the PPE-DE Group, Adam, on behalf of the PSE Group, Schörling, on behalf of the Verts/ALE Group, Meijer, on behalf of the GUE/NGL Group, Kronberger, Non-attached Member, Flemming, Wiersma, Isler Béguin, Trakatellis, Jillian Evans, and Wallström.

The President had received motions for resolutions pursuant to Rule 37(2) from the following Members:

- Suominen, Fiori, Chichester and Florenz, on behalf of the PPE-DE Group, on the problem of nuclear safety fifteen years after the Chernobyl accident, and its health consequences (B5-0321/2001);
- McNally and Roth-Behrendt, on behalf of the PSE Group, on nuclear safety fifteen years after the Chernobyl accident (B5-0322/2001);

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- Sjöstedt, Papayannakis, González Álvarez, Meijer, Di Lello Finuoli, Kaufmann and Manisco, on behalf of the GUE/NGL Group, on nuclear safety fifteen years after the Chernobyl accident (B5-0323/2001);
- Olsson and Maaten, on behalf of the ELDR Group, on nuclear safety fifteen years after the Chernobyl accident (B5-0324/2001);
- Lannoye, Ahern and Turmes, on behalf of the Verts/ALE Group, on nuclear safety fifteen years after the Chernobyl accident (B5-0325/2001).

The President closed the debate.

Vote: Minutes of 3.5.2001, *Item 17*.

*(The sitting was suspended at 20.25 and resumed at 21.00.)*

IN THE CHAIR: Mr IMBENI

*Vice-President*

### **17. Protection of euro against counterfeiting \* (debate)**

Mrs Cederschiöld introduced her report, drawn up on behalf of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs, on:

1. Initiative by the Government of the French Republic with a view to adopting a Council decision on the protection of the euro against counterfeiting (5551/2001 — C5-0054/2001 — 2001/0804(CNS)),
2. Draft Council regulation laying down measures necessary for the protection of the euro against counterfeiting (Council position) (6281/2001 — C5-0084/2001 — 2000/0208(CNS)),
3. Draft Council Regulation extending the effects of Regulation (EC) No .../2001 laying down measures necessary for the protection of the euro against counterfeiting to those Member States which have not adopted the euro as their single currency (Council position) (6281/2001 — C5-0084/2001 — 2000/0208(CNS)) (A5-0120/2001).

The following spoke: Hernández Mollar, on behalf of the PPE-DE Group, Cashman, on behalf of the PSE Group, Berthu, Non-attached Member, Coelho, Ford, and Schreyer, Member of the Commission.

The President closed the debate.

Vote: Minutes of 3.5.2001, *Item 15*.

### **18. Transmission of samples of illegal substances — Forensic profiling analysis of synthetic drugs \* (debate)**

Mrs Cederschiöld introduced her report, drawn up on behalf of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs, on Initiatives of the Kingdom of Sweden with a view to the adoption of:

1. a Council decision on the transmission of samples of illegal narcotic substances (14008/2000 — C5-0734/2000 — 2000/0826(CNS)),
2. a Council decision establishing a system of special forensic profiling analysis of synthetic drugs (14007/2000 — C5-0737/2000 — 2000/0825(CNS)) (A5-0121/2001).

The following spoke: Pirker, on behalf of the PPE-DE Group, Ilka Schröder, on behalf of the Verts/ALE Group, Sörensen, and Vitorino, Member of the Commission.

The President closed the debate.

Vote: Minutes of 3.5.2001, *Item 16*.

Wednesday 2 May 2001

**19. Prevention of transmissible spongiform encephalopathies \*\*\*II (debate)**

The next item was a recommendation for second reading, drawn up on behalf of the Committee on the Environment, Public Health and Consumer Policy, on a common position adopted by the Council with a view to adopting a European Parliament and Council regulation laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (14780/1/2000 — C5-0048/2001 — 1998/0323(COD)) (A5-0118/2001).

The following spoke: Whitehead, first to apologise for Mrs Roth-Behrendt's absence, and then in the debate, on behalf of the PSE Group, Doyle, on behalf of the PPE-DE Group, Paulsen, on behalf of the ELDR Group, Auroi, on behalf of the Verts/ALE Group, Corbey, Pesälä, González Álvarez, on behalf of the GUE/NGL Group, Korhola, and Byrne, Member of the Commission.

The President closed the debate.

Vote: Minutes of 3.5.2001, *Item 11*.

**20. Animal-health requirements for movement of pets \*\*\*I (debate)**

Mrs Jillian Evans introduced her report, drawn up on behalf of the Committee on the Environment, Public Health and Consumer Policy, on a proposal for a European Parliament and Council regulation on the animal-health requirements applicable to non-commercial movement of pet animals (COM(2000) 529 — C5-0477/2000 — 2000/0221(COD)) (A5-0125/2001).

The following spoke: Arvidsson, on behalf of the PPE-DE Group, Whitehead, on behalf of the PSE Group, Davies, on behalf of the ELDR Group, Doyle, and Byrne, Member of the Commission.

The President closed the debate.

Vote: Minutes of 3.5.2001 *Item 13*.

**21. Veterinary medicinal products (debate)**

Mrs Doyle introduced her report, drawn up on behalf of the Committee on the Environment, Public Health and Consumer Policy, on a communication from the Commission to the Council and the European Parliament: Availability of veterinary medicinal products (COM(2000) 806 — C5-0105/2001 — 2001/2054(COS)) (A5-0119/2001).

The following spoke: McKenna, and Liikanen, Member of the Commission.

The President closed the debate.

Vote: Minutes of 3.5.2001, *Item 18*.

**22. Agenda for next sitting**

The President referred Members to the document 'Agenda' (PE 303.030/OJJE.)

**23. Closure of sitting**

The sitting closed at 23.10.

Julian Priestley  
Secretary-General

Alonso José Puerta  
Vice-President

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Wednesday 2 May 2001

## ATTENDANCE REGISTER

the following signed:

Abitbol, Adam, Agag Longo, Ainardi, Alavanos, Almeida Garrett, Alyssandrakis, Andersson, Andreasen, Andrews, Andria, Aparicio Sánchez, Arvidsson, Atkins, Attwooll, Auroi, Averoff, Avilés Perea, Ayuso González, Bakopoulos, Baltas, Banotti, Barón Crespo, Bastos, Bautista Ojeda, Bayrou, Beazley, Belder, Berend, Berenguer Fuster, Berès, van den Berg, Berger, Berlato, Bernié, Berthu, Bethell, Bigliardo, Blak, Blokland, Bodrato, Böge, Bösch, von Boetticher, Bonde, Bordes, Boudjenah, Bourlanges, Bouwman, Bowe, Bowis, Bradbourn, Breyer, Brok, Brunetta, Buitenweg, Bushill-Matthews, Busk, Butel, Callanan, Camisón Asensio, Campos, Camre, Carlotti, Carlsson, Carnero González, Carrilho, Casaca, Cashman, Caudron, Caullery, Cauquil, Caveri, Cederschiöld, Celli, Cercas, Cerdeira Morterero, Cesaro, Ceyhun, Chichester, Clegg, Cocilovo, Coelho, Cohn-Bendit, Collins, Colom i Naval, Corbett, Cornillet, Corrie, Costa Paolo, Costa Neves, Coûteaux, Cox, Crowley, Cunha, Cushnahan, van Dam, Damião, Darras, Dary, Daul, Davies, De Clercq, Decourrière, Dehousse, Dell'Alba, Deprez, De Rossa, De Sarnez, Désir, Deva, De Veyrac, Di Lello Finuoli, Dillen, Dimitrakopoulos, Doorn, Dover, Doyle, Duff, Duin, Dupuis, Dybkjær, Ebner, Echerer, Elles, Eriksson, Esclopé, Esteve, Ettl, Evans Jillian, Evans Jonathan, Evans Robert J.E., Färm, Farage, Fatuzzo, Fava, Ferber, Fernández Martín, Ferreira, Ferrer, Ferri, Fiebigler, Figueiredo, Fiori, Fitzsimons, Flautre, Flemming, Fleisch, Florenz, Folias, Fontaine, Ford, Formentini, Foster, Fourtou, Fraga Estévez, Frahm, Fraisse, Frassoni, Friedrich, Fruteau, Gahler, Gallagher, Garaud, García-Margallo y Marfil, García-Orcyón Tormo, Garot, Garriga Polledo, Gasòliba i Böhm, de Gaulle, Gawronski, Gebhardt, Gemelli, Ghilardotti, Gill, Gillig, Glante, Glase, Goebbels, Goepel, Görlach, Gollnisch, Gomolka, González Álvarez, Goodwill, Gorostiaga Atxalandabaso, Graefe zu Baringdorf, Graça Moura, Gröner, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Guy-Quint, Haarder, Hänsch, Hager, Hannan, Hansenne, Harbour, Hatzidakis, Hautala, Hazan, Heaton-Harris, Hedkvist Petersen, Helmer, Hermange, Herzog, Honeyball, Hortefeux, Howitt, Hudghton, Hughes, Huhne, van Hulten, Hulthén, Hume, Hyland, Iivari, Imbeni, Inglewood, Isler Béguin, Izquierdo Collado, Jarzembowski, Jean-Pierre, Jeggler, Jensen, Jöns, Jonckheer, Jové Peres, Junker, Karamanou, Karas, Karlsson, Katiforis, Kaufmann, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kindermann, Kinnock, Kirkhope, Klamt, Klab, Knolle, Koch, Konrad, Korakas, Korhola, Koukiadis, Koulourianos, Krarup, Kratsa-Tsagaropoulou, Kreissl-Dörfler, Krivine, Kronberger, Kuhne, van der Laan, Lage, Lagendijk, Laguiller, Lalumière, Lamassoure, Lambert, Lang, Lange, Langen, Langenhagen, Laschet, Lavarra, Lechner, Lehne, Leinen, Le Pen, Linkohr, Lipietz, Lisi, Lombardo, Lucas, Lulling, Lynne, Maat, Maaten, McAvan, McCarthy, McCartin, McCormick, McKenna, McMillan-Scott, McNally, Madelin, Maij-Weggen, Malliori, Malmström, Manders, Manisco, Mann Erika, Mann Thomas, Mantovani, Marchiani, Marinho, Marinos, Marques, Marset Campos, Martens, Martin David W., Martin Hans-Peter, Martin Hugues, Martinez, Martínez Martínez, Mastorakis, Mathieu, Mauro, Mayer Hans-Peter, Mayer Xaver, Medina Ortega, Meijer, Mendiluce Pereiro, Menéndez del Valle, Mennea, Menrad, Miguélez Ramos, Miller, Mombaur, Montfort, Moraes, Moreira Da Silva, Morgantini, Morillon, Müller Emilia Franziska, Müller Rosemarie, Mulder, Murphy, Musotto, Myller, Napoletano, Napolitano, Naranjo Escobar, Nassauer, Newton Dunn, Nicholson, Niebler, Nisticò, Nobilia, Nogueira Román, Novelli, Obiols i Germà, Ojeda Sanz, Olsson, Onesta, Oomen-Ruijten, Oostlander, Ortuondo Larrea, O'Toole, Paasilinna, Pacheco Pereira, Paciotti, Pack, Paisley, Palacio Vallelersundi, Papayannakis, Parish, Patakis, Patrie, Paulsen, Peijs, Pérez Álvarez, Pérez Royo, Perry, Pesälä, Piecyk, Piétrasanta, Pirker, Pittella, Plooi-j-van Gorsel, Podestà, Poettering, Pohjamo, Poignant, Pomés Ruiz, Poos, Prets, Procacci, Pronk, Provan, Puerta, Purvis, Queiró, Quisthoudt-Rowohl, Rack, Radwan, Randzio-Plath, Rapkay, Raschhofer, Raymond, Read, Redondo Jiménez, Ribeiro e Castro, Ries, Riis-Jørgensen, Ripoll y Martínez de Bedoya, Rocard, Rod, Rodríguez Ramos, de Roo, Rothe, Rothley, Roure, Rovsing, Rübig, Ruffolo, Rutelli, Sacconi, Sacrédeus, Saïfi, Sakellariou, Salafranca Sánchez-Neyra, Sánchez García, Sandbæk, Sanders-ten Holte, Santer, Santkin, Sartori, Sauquillo Pérez del Arco, Scallon, Scapagnini, Scheele, Schierhuber, Schleicher, Schmid Herman, Schmidt, Schmitt, Schnellhardt, Schörfling, Schröder Ilka, Schröder Jürgen, Schroedter, Schulz, Schwaiger, Segni, Seguro, Seppänen, Sichrovsky, Simpson, Sjøstedt, Skinner, Smet, Sörensen, Sommer, Sornosa Martínez, Souchet, Souladakis, Sousa Pinto, Speroni, Staes, Stauner, Stenmarck, Stenzel, Sterckx, Stevenson, Stockmann, Stockton, Sudre, Sumberg, Suominen, Swoboda, Sylla, Tajani, Tannock, Terrón i Cusí, Theato, Thomas-Mauro, Thorning-Schmidt, Thors, Thyssen, Titley, Torres Marques, Trakatellis, Trentin, Tsatsos, Turchi, Turmes, Uca, Vachetta, Väyrynen, Vairinhos, Valdivielso de Cué, Valenciano Martínez-Orozco, Van Bremept, Vander Taelen, Vanhecke, Van Lancker, Van Orden, Varela Suanzes-Carpegna, Vatanen, Vattimo, van Velzen, Viceconte, Vidal-Quadras Roca, Villiers, Vinci, Virrankoski, Voggenhuber, Volcic, Wallis, Walter, Watson, Watts, Weiler, Wenzel-Perillo, Westendorp y Cabeza, Whitehead, Wiebenga, Wieland, Wiersma, Wijkman, von Wogau, Wuermeling, Wuori, Wurtz, Wynn, Zabell, Zacharakis, Zappalà, Zimeray, Zimmerling, Zissener, Zorba, Zrihen

Thursday 3 May 2001

(2002/C 27 E/02)

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

IN THE CHAIR: Mr PUERTA

*Vice-President***1. Opening of sitting**

The sitting opened at 09.00.

**2. Approval of Minutes of previous sitting**

The Minutes of the previous sitting were approved.

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The following spoke:

- Wurtz, who recalled that that day was the 11th International Day of the Freedom of the Press, and underlined that Parliament should take the opportunity to reaffirm its commitment to the freedom of the press (the President took note of the remarks);
- González Álvarez, who called on the President of Parliament to contact the President of Colombia and the institutions of the European Union to draw their attention to the violence suffered by the Afro-Colombian community and to avoid a worsening of the situation (the President confirmed that he would forward the request to the President of Parliament).

**3. Transfer of appropriations**

The Committee on Budgets had considered proposal for transfer of appropriations No 1/2001 (C5-0088/2001 — SEC(2001) 339).

The committee decided, pursuant to Article 26(5)(b) of the Financial Regulation, to authorise the transfer in its entirety:

FROM:

Chapter 11 Staff in active employment

— Item 1100 Basic salaries	CA/PA	— 6 500 €
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TO:

Chapter 12 Allowances and miscellaneous contributions on final cessation of service

— Item 1210 Allowances for staff retired in the interests of the service under Articles 41 and 50 of the Staff Regulations	CA/PA	3 000 €
— Article 123 Sickness cover	CA/PA	100 €
— Item 1290 Weightings	CA/PA	3 400 €

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\*      \*

The Committee on Budgets had considered proposal for transfer of appropriations No 2/2001 (C5-0114/2001 — SEC(2001) 450).

**Thursday 3 May 2001**

Having noted the Council's opinion, the committee decided, pursuant to Article 26(5)(b) of the Financial Regulation, to authorise the transfer in accordance with the following breakdown:

## FROM:

## Chapter B0-40 Provisional Appropriations

- |  |    |                |
|--|----|----------------|
| — Article B5-334 Promotion of the European digital presence in global networks | CA | - 15 000 000 € |
|--|----|----------------|

## TO:

## Chapter B5-33 Promotion of an Information Society — Measures to assist citizens

- |  |    |              |
|--|----|--------------|
| — Article B5-334 Promotion of the European digital presence in global networks | CA | 15 000 000 € |
|--|----|--------------|

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The Committee on Budgets had considered proposal for transfer of appropriations No 3/2001 (C5-0115/2001 — SEC(2001) 451).

Having noted the Council's opinion, the committee decided, pursuant to Article 26(5)(b) of the Financial Regulation, to authorise the transfer in accordance with the following breakdown:

## FROM:

## Chapter B0-40 Provisional Appropriations

- |  |    |                |
|--|----|----------------|
| — Item B7-4036 Implementation of measures to promote social and economic development in Turkey | CA | - 45 000 000 € |
|--|----|----------------|

## TO:

## Chapter B7-40 Cooperation with Mediterranean Third Countries

- |  |    |              |
|--|----|--------------|
| — Item B7-4036 Implementation of measures to promote social and economic development in Turkey | CA | 45 000 000 € |
|--|----|--------------|

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The Committee on Budgets had considered proposal for transfer of appropriations No 4/2001 (C5-0148/2001 — SEC(2001) 596).

After noting the Council's opinion, the committee decided, pursuant to Article 26(5)(b) of the Financial Regulation, to authorise the transfer in accordance with the following breakdown:

## FROM:

## Chapter B0-40 Provisional appropriations

- |  |    |                |
|--|----|----------------|
| — Article B7-671 Rapid reaction facility   | CA | - 18 000 000 € |
|  | PA | - 11 000 000 € |
| — Article B7-671A Rapid reaction facility — Expenditure on administrative management | CA | - 2 000 000 €  |
|  | PA | - 2 000 000 €  |

## TO:

## Chapter B7-67 Rapid reaction facility

- |  |    |              |
|--|----|--------------|
| — Article B7-671 Rapid reaction facility   | CA | 18 000 000 € |
|  | PA | 11 000 000 € |
| — Article B7-671A Rapid reaction facility — Expenditure on administrative management | CA | 2 000 000 €  |
|  | PA | 2 000 000 €  |

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#### 4. Stability and convergence programmes (debate)

Mr Katiforis introduced his report, drawn up on behalf of the Committee on Economic and Monetary Affairs, on the annual assessment of the implementation of the stability and convergence programmes (Article 99(4) of the EC Treaty) (A5-0127/2001).

The following spoke: Von Wogau, on behalf of the PPE-DE Group, Randzio-Plath, Chairman of the ECON Committee, on behalf of the PSE Group, Gasdöliba i Böhm, on behalf of the ELDR Group, McCormick, on behalf of the Verts/ALE Group, Herzog, on behalf of the GUE/NGL Group, Gallagher, on behalf of the UEN Group, Blokland, on behalf of the EDD Group, Ilgenfritz, Non-attached Member, Karas, De Rossa, Olle Schmidt, Herman Schmid, Thomas Mann, Bordes, Villiers, and Solbes Mira, Member of the Commission.

The President closed the debate.

Vote: *Item 19.*

IN THE CHAIR: Mr WIEBENGA

*Vice-President*

#### 5. Next Generation Internet (debate)

Mr Harbour introduced his report, drawn up on behalf of the Committee on Industry, External Trade, Research and Energy, on the second internet generation: the need for an EU research initiative (2000/2102(INI)) (A5-0116/2001).

The following spoke: Erika Mann, on behalf of the PSE Group, Plooi-van Gorsel, on behalf of the ELDR Group, Ilka Schröder, on behalf of the Verts/ALE Group, Hyland, on behalf of the UEN Group, Belder, on behalf of the EDD Group, Ford, Thors, McCormick and Bolkestein, Member of the Commission.

The President closed the debate.

Vote: *Item 20.*

#### 6. Company accounts \*\*\*I (debate)

Lord Inglewood introduced his report, drawn up on behalf of the Committee on Legal Affairs and the Internal Market, on the proposal for a European Parliament and Council directive amending Directives 78/660/EEC and 83/349/EEC as regards the valuation rules for the annual and consolidated accounts of certain types of companies (COM(2000) 80 – C5-0106/2000 – 2000/0043(COD)) (A5-0130/2001).

The following spoke: Berenguer Fuster, on behalf of the PSE Group and Bolkestein, Member of the Commission.

The President closed the debate.

Vote: *Next part-session in Strasbourg*

*(The sitting was suspended at 10.50, awaiting voting time and resumed at 11.00.)*

IN THE CHAIR: Mr ONESTA

*Vice-President*

The following spoke:

- Krivine, who announced that the United States Embassy in Brussels had informed him that his visa had been blocked for political reasons and had advised him to cancel the visit he was due to make to Washington with the Delegation of Coordinators of the Temporary Committee on 'Echelon'; he considered it scandalous that the United States Government should be able to decide on the membership of a Parliament delegation and called on the Bureau of Parliament to take the matter up with the US authorities (the President undertook to do so);

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- Heaton-Harris, who drew attention to the problems faced by children in secondary education in his constituency in search of school places; he asked that the President of Parliament write to the British Government to draw attention to the fact that this situation was at variance with the Charter of Fundamental Rights (the President took note of his remarks and said he was sure that the matter would be referred to the competent authorities);
- Gawronski, who condemned the press conference organised that morning by Mr Vattimo to present a book which he considered defamatory towards an Italian Parliamentarian; he asked who had authorised the press conference (the President undertook to look into the matter);
- McKenna on Mr Krivine's remarks;
- Bigliardo, who referred to the hunger strike by Mrs Bonino and other members of his group in Italy to ensure freedom of information during the election campaign, and asked that Parliament set up an observatory in connection with this matter;
- Vattimo on Mr Gawronski's remarks;
- Gorostiaga Atxalandabaso, who asked the Bureau for details of how Parliament's premises were being used in connection with the election campaign for the elections in the Basque country.

## **VOTING TIME**

### **7. Request for waiver of immunity of Mr Peter Sichrovsky (vote)**

Report: Zimeray — A5-0123/2001  
(Simple majority)

PROPOSAL FOR A DECISION:

Parliament adopted the decision (*Item 1 of Texts Adopted*).

### **8. Request for waiver of immunity of Mr Johannes Voggenhuber (vote)**

Report: Zimeray — A5-0124/2001  
(Simple majority)

PROPOSAL FOR A DECISION:

Parliament adopted the decision (*Item 2 of Texts Adopted*).

### **9. Request for waiver of immunity of Mrs Elisabeth Jeggle (vote)**

Report: McCormick — A5-0126/2001  
(Simple majority)

PROPOSAL FOR A DECISION:

Parliament adopted the decision (*Item 3 of Texts Adopted*).

### **10. Adjustment of financial perspective (vote)**

Report: Colom i Naval — A5-0110/2001  
(Simple majority; qualified majority and 3/5 of the votes cast required for paragraph 1 (paragraph 18 of the Inter-institutional Agreement and Article 272(4), of the Treaty))

PROPOSAL FOR A RESOLUTION:

*Amendments adopted:* 7 to 11 collectively;

*Amendments ruled inadmissible:* 1 to 6



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*Separate votes:* paragraph 1: adopted

Parliament adopted the resolution (*Item 4 of 'Texts Adopted'*).

## **11. Prevention of transmissible spongiform encephalopathies \*\*\*II (vote)**

Recommendation for 2nd reading Roth-Behrendt — A5-0118/2001  
(*Qualified majority*)

COMMON POSITION OF THE COUNCIL 14780/1/2000 — C5-0048/2001 — 1998/0323(COD):

Pursuant to Rule 80(5), Mr Bolkestein, Member of the Commission, stated the latter's position on the amendments.

*Amendments rejected:* 1; 2

*Separate votes:* amendments 1 (ELDR, PSE); 2 (PSE, Verts/ALE);

The President declared the common position approved (*Item 5 of 'Texts Adopted'*).

## **12. Public access to documents \*\*\*I (vote)**

Report: Cashman — A5-0318/2000  
(*Simple majority*)

PROPOSAL FOR A REGULATION COM(2000) 30 — C5-0057/2000 — 2000/0032(COD):

*Amendments adopted:* 81 to 87, 89 to 92, 94, 96 to 101, 103 to 105 and 107 to 119 collectively; 88; 93; 95 by RCV (GUE/NGL); 102; 106

*Separate votes:* amendments 88, 93 (GUE/NGL); 102 (Verts/ALE); 106 (GUE/NGL, Verts/ALE)

Parliament approved the Commission proposal as amended by RCV (PSE) (*Item 6 of 'Texts Adopted'*).

DRAFT LEGISLATIVE RESOLUTION:

Parliament adopted the legislative resolution by RCV (GUE/NGL, PSE, Verts/ALE) (*Item 6 of 'Texts Adopted'*).

## **13. Animal-health requirements for movement of pets \*\*\*I (vote)**

Report: Jillian Evans — A5-0125/2001  
(*Simple majority*)

PROPOSAL FOR A REGULATION COM(2000) 529 — C5-0477/2000 — 2000/0221(COD):

*Amendments adopted:* 1 to 5, 8 to 13 and 15 collectively; 6 and 7 (1st part), 6 and 7 (2nd part) by RCV (PPE-DE), 6 and 7 (3rd part) by RCV (PPE-DE), 6 and 7 (4th part); 14 by EV (253 for, 233 against, 11 abstentions)

*Amendments merged:* 6 and 7

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*The following spoke:*

Mr Arvidsson pointed out that amendment 4 differed from the text adopted in committee; he then proposed an oral amendment to amendment 14, seeking to insert the word 'ferret' in part A of Annex 1 and to delete it in part B. The President established that more than 12 Members were opposed to voting on the oral amendment which was therefore not put to the vote.

*Separate votes:* amendment 14 (PPE-DE)

*Split votes:*

Amendements 6 and 7 (PPE-DE):

1st part: 1st paragraph

2nd part: 2nd paragraph

3rd part: 3rd paragraph

4th part: 4th and 5th paragraphs

Parliament approved the Commission proposal as amended (*Item 7 of Texts Adopted*).

The following spoke: Swoboda on Mr Arvidsson's remarks concerning amendment 4, and Arvidsson who explained on those remarks.

DRAFT LEGISLATIVE RESOLUTION:

Parliament adopted the legislative resolution (*Item 7 of Texts Adopted*).

#### **14. EC-FYROM Agreement \*\*\* (vote)**

Recommendation: Swoboda — A5-0132/2001  
(*Simple majority*)

DRAFT LEGISLATIVE RESOLUTION (assent procedure)

Parliament adopted the legislative resolution and thereby gave its assent (*Item 8 of Texts Adopted*).

#### **15. Protection of euro against counterfeiting \* (vote)**

Report: Cederschiöld — A5-0120/2001  
(*Simple majority*)

1. INITIATIVE 5551/2001 — C5-0054/2001 — 2001/0804(CNS):

*Amendments adopted:* 1 to 18 collectively;

Parliament approved the initiative as amended (*Item 9 of Texts Adopted*).

DRAFT LEGISLATIVE RESOLUTION:

Parliament adopted the legislative resolution (*Item 9 of Texts Adopted*).

2. COUNCIL POSITION 6281/2001 — C5-0084/2001 — 2000/0208(CNS) (Member States in euro zone):

*Amendments adopted:* 19, 20 and 23 to 28 collectively; 21

*Amendment not put to the vote (Rule 140(1)(d)):* 22

*Separate vote:* amendment 21 (ELDR)

Parliament approved the Council position as amended (*Item 9 the Texts Adopted*).

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DRAFT LEGISLATIVE RESOLUTION:

Parliament adopted the legislative resolution (*Item 9 of Texts Adopted*).

3. COUNCIL POSITION 6281/2001 — C5-0084/2001 — 2000/0208(CNS) (Member States outside euro zone):

Parliament approved the Council position (*Item 9 of Texts Adopted*).

DRAFT LEGISLATIVE RESOLUTION:

Parliament adopted the legislative resolution (*Item 9 of Texts Adopted*).

## **16. Transmission of samples of illegal substances — Forensic profiling analysis of synthetic drugs \*** (vote)

Report: Cederschiöld — A5-0121/2001  
(Simple majority)

1. INITIATIVE 14008/2000 — C5-0734/2000 — 2000/0826(CNS):

*Amendments adopted:* 1 to 22 collectively

Parliament approved the initiative as amended (*Item 10 of Texts Adopted*).

DRAFT LEGISLATIVE RESOLUTION:

Parliament adopted the legislative resolution (*Item 10 of Texts Adopted*).

2. INITIATIVE 14007/2000 — C5-0737/2000 — 2000/0825(CNS):

*Amendments adopted:* 23 to 51 collectively

Parliament approved the Commission initiative as amended (*Item 10 of Texts Adopted*).

DRAFT LEGISLATIVE RESOLUTION:

Parliament adopted the legislative resolution (*Item 10 of Texts Adopted*).

## **17. Chernobyl** (vote)

Motions for resolutions B5-0321, 0322, 0323, 0324 and 0325/2001  
(Simple majority)

MOTION FOR A RESOLUTION RC B5-0321/2001 (replacing B5-0321, 0322, 0323, 0324 and 0325/2001)

tabled by the following Members:

Chichester and Florenz, on behalf of the PPE-DE Group

McNally and Roth-Behrendt, on behalf of the PSE Group

Maaten and Olsson, on behalf of the ELDR Group

Ahern, on behalf of the Verts/ALE Group

Papayannakis, Sjöstedt and González Álvarez, on behalf of the GUE/NGL Group

(The UEN Group had also signed the joint motion.)

*Amendments rejected:* 1; 2; 3; 4; 5

Parliament adopted the resolution (*Item 11 of Texts Adopted*).

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### 18. Veterinary medicinal products (vote)

Report: Doyle — A5-0119/2001  
(Simple majority)

MOTION FOR A RESOLUTION:

Separate votes: paragraph 3 (Verts/ALE): adopted

Parliament adopted the resolution (*Item 12 of Texts Adopted*).

### 19. Stability and convergence programmes (vote)

Report: Katiforis — A5-0127/2001  
(Simple majority)

MOTION FOR A RESOLUTION:

Amendments adopted: 1; 3; 4

Amendments rejected: 2 by EV (202 for, 253 against, 24 abstentions)

Split votes:

Paragraph 4 (PPE-DE):  
1st part: up to 'public investment': adopted  
2nd part: remainder: rejected by EV (175 for, 245 against, 68 abstentions)

Parliament adopted the resolution (*Item 13 of Texts Adopted*).

### 20. Next Generation Internet (vote)

Report: Harbour — A5-0116/2001  
(Simple majority)

MOTION FOR A RESOLUTION:

Parliament adopted the resolution (*Item 14 of Texts Adopted*).

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Explanations of vote:

The following Members gave oral explanations of vote:

- Recommendation for 2nd reading: Roth Behrendt — A5-0095/2001  
Ortuondo Larrea, Fatuzzo
- Report: Cashman — A5-0318/2000  
Fatuzzo
- Report: Jillian Evans — A5-0125/2001  
Fatuzzo
- Recommendation: Swoboda — A5-0132/2001  
Fatuzzo
- Report: Cederschiöld — A5-0120/2001  
Fatuzzo
- Report: Doyle — A5-0119/2001  
Fatuzzo
- Report: Katiforis — A5-0127/2001  
Fatuzzo, Radwan
- Report: Harbour — A5-0116/2001  
Fatuzzo

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The following Members registered to make written explanations of vote:

- Recommendation for 2nd reading Roth Behrendt — A5-0095/2001  
Graefe zu Baringdorf, on behalf of the Verts/ALE Group
- Report: Cashman — A5-0318/2000  
Schörling, on behalf of the Verts/ALE Group, Meijer, Sacrédeus, Frahm, Herman Schmid, Eriksson, Sjöstedt, Seppänen, Laguiller, Cauquil, Bordes
- Report: Jillian Evans — A5-0125/2001  
Bernier
- Recommendation: Swoboda — A5-0132/2001  
Meijer, Krivine, Vachetta, Laguiller, Cauquil, Bordes
- Report: Cederschiöld — A5-0120/2001  
Ilka Schöder, on behalf of the Verts/ALE Group, Souchet, Caudron, Berthu, Kirkhope
- Report: Cederschiöld — A5-0121/2001  
Crowley, on behalf of the UEN Group, Swiebel
- Joint Motion for a resolution RC B5-0321/2001: Chernobyl  
Krivine, Vachetta
- Report: Doyle — A5-0119/2001  
Patakis
- Report: Katiforis — A5-0127/2001  
Krivine, Vachetta, Figueiredo, Alyssandrakis
- Report: Harbour — A5-0116/2001  
Caudron, Laguiller, Cauquil, Bordes

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#### *Corrections to votes*

The following Members had intended to vote as follows:

- Report: Cashman — A5-0318/2000
  - Proposal for a regulation as amended  
for: Ford, Kauppi, Barón Crespo  
against: Elisabeth Schroedter, Eurig Wyn
  - Draft legislative resolution  
for: Kauppi, Barón Crespo  
against: Elisabeth Schroedter
- Report: Jillian Evans — A5-0125/2001
  - amendments 6 and 7, second and third parts  
for: Hans-Peter Martin

#### **END OF VOTING TIME**

### **21. Referral to committees — Authorisation of own-initiative reports**

#### **Referral to committees**

BUDG Committee asked for opinions on:

- Proposal for a European Parliament and Council regulation amending Article 21 of Council Regulation (EC) No 1292/96 on food-aid policy and food-aid management and special operations in support of food security (COM(2001) 1 — C5-0007/2001- 2001/0005(COD))  
(Committee responsible: DEVE)

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- Proposal for a Council regulation establishing a facility providing medium-term financial assistance for member states' balances of payments (COM(2001) 113 — C5-0121/2001 — 2001/0062(CNS))  
(Committee responsible: ECON)

JURI Committee asked for opinions on:

- relations between the European Parliament and national parliaments in the context of European integration (INI 012023)  
(Committee responsible: AFCO)
- demarcation of competences between the European Union and the Member States (INI 012024)  
(Committee responsible: AFCO)
- legal personality of the European Union (INI 012021)  
(Committee responsible: AFCO)

EMPL Committee asked for opinion on:

- environmental policy and sustainable development: preparation of Gothenburg European Council (INI 002322)  
(Committee responsible: ENVI, already asked for opinion: ECON)

**Authorisation of own-initiative report**

AGRI Committee on:

- rural development in the framework of Agenda 2000 — interim assessment in the European Union and the candidate countries  
(INI 012041)

DEVE Committee on:

- access to education for children in developing countries  
(INI 012030)

**22. Forwarding of texts adopted during the sitting**

The President informed Parliament, pursuant to Rule 148(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 texts that had just been adopted forthwith to the bodies named therein.

**23. Dates for next sittings**

The President announced that the next sittings would be held from 14 to 17 May 2001.

**24. Adjournment of session**

The session was adjourned.

The sitting closed at 11.50.

Julian Priestley  
*Secretary-General*

Nicole Fontaine  
*President*

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## ATTENDANCE REGISTER

The following signed:

Abitbol, Adam, Agag Longo, Ainardi, Alavanos, Almeida Garrett, Alyssandrakis, Andersson, Andreasen, Andrews, Andria, Aparicio Sánchez, Atkins, Attwooll, Auroi, Averoff, Avilés Perea, Ayuso González, Bakopoulos, Baltas, Banotti, Barón Crespo, Bastos, Bautista Ojeda, Bayrou, Beazley, Berend, Berenguer Fuster, Berès, van den Berg, Berger, Berlato, Bernié, Berthu, Bethell, Bigliardo, Blak, Blokland, Bodrato, Böge, Bösch, von Boetticher, Bordes, Boudjenah, Bourlanges, Bouwman, Bowis, Bradbourn, Breyer, Brok, Brunetta, Buitenweg, van den Burg, Bushill-Matthews, Busk, Butel, Callanan, Camisón Asensio, Campos, Camre, Carlotti, Carlsson, Carnero González, Carrilho, Casaca, Cashman, Caudron, Caullery, Cauquil, Caveri, Cederschiöld, Celli, Cercas, Cerdeira Morterero, Ceyhun, Chichester, Clegg, Cocilovo, Coelho, Cohn-Bendit, Collins, Colom i Naval, Corbett, Corbey, Cornillet, Corrie, Costa Paolo, Costa Raffaele, Costa Neves, Coûteaux, Cox, Crowley, Cunha, Cushnahan, van Dam, Damião, Darras, Dary, Daul, Davies, De Clercq, Dehousse, Dell'Alba, Deprez, De Rossa, De Sarnez, Deva, De Veyrac, Di Lello Finuoli, Dillen, Dimitrakopoulos, Doorn, Dover, Doyle, Duff, Duhamel, Duin, Dupuis, Dybkjær, Ebner, Echerer, Elles, Eriksson, Esclopé, Esteve, Ettl, Evans Jillian, Evans Jonathan, Evans Robert J.E., Färm, Farage, Fatuzzo, Fava, Ferber, Fernández Martín, Ferreira, Ferrer, Fiebiger, Figueiredo, Fiori, Fitzsimons, Flautre, Flemming, Flesch, Fontaine, Ford, Formentini, Foster, Fourtou, Fraga Estévez, Frahm, Fraise, Friedrich, Fruteau, Gahler, Gahrton, Gallagher, Garaud, García-Orcoyen Tormo, Garot, Garriga Polledo, Gasóliba i Böhm, de Gaulle, Gawronski, Gebhardt, Gemelli, Ghilardotti, Gill, Gillig, Gil-Robles Gil-Delgado, Glante, Glase, Goebbels, Goepel, Gollnisch, Gomolka, González Álvarez, Goodwill, Gorostiaga Atxalandabaso, Graefe zu Baringdorf, Graça Moura, Gröner, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Guy-Quint, Haarder, Hänsch, Hager, Hannan, Hansenne, Harbour, Hatzidakis, Haug, Hazan, Heaton-Harris, Hedkvist Petersen, Helmer, Hernández Mollar, Herzog, Hieronymi, Hoff, Honeyball, Hortefeux, Howitt, Hudghton, Hughes, Huhne, van Hulten, Hulthén, Hume, Hyland, Iivari, Ilgenfritz, Imbeni, Inglewood, Isler Béguin, Izquierdo Collado, Jarzembowski, Jean-Pierre, Jeggel, Jensen, Jöns, Jonckheer, Jové Peres, Junker, Karamanou, Karas, Karlsson, Katiforis, Kaufmann, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kindermann, Kinnock, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korakas, Korhola, Koukiadis, Koulourianos, Krarup, Kratsa-Tsagaropoulou, Krehl, Kreissl-Dörfler, Krivine, Kronberger, Kuhne, van der Laan, Lage, Lagendijk, Laguiller, Lalumière, Lamassoure, Lambert, Lang, Lange, Langen, de La Perrière, Laschet, Lavarra, Lechner, Lehne, Leinen, Le Pen, Linkohr, Lisi, Lucas, Ludford, Lulling, Lund, Lynne, Maat, Maaten, McAvan, McCarthy, McCartin, McCormick, McKenna, McMillan-Scott, McNally, Maij-Weggen, Malliori, Malmström, Manders, Manisco, Mann Erika, Mann Thomas, Marchiani, Marinos, Marques, Marset Campos, Martelli, Martin David W., Martin Hans-Peter, Martinez, Martínez Martínez, Mastorakis, Mathieu, Mauro, Mayer Hans-Peter, Mayer Xaver, Medina Ortega, Meijer, Méndez de Vigo, Menéndez del Valle, Mennea, Menrad, Miguélez Ramos, Miller, Miranda, Mombaur, Montfort, Moraes, Moreira Da Silva, Morgantini, Morillon, Müller Emilia Franziska, Müller Rosemarie, Mulder, Murphy, Musotto, Myller, Napolitano, Napolitano, Naranjo Escobar, Newton Dunn, Nicholson, Niebler, Nisticò, Nogueira Román, Obiols i Germà, Ojeda Sanz, Olsson, Onesta, Oomen-Ruijten, Oostlander, Ortuondo Larrea, O'Toole, Paasilinna, Pacheco Pereira, Paciotti, Pack, Paisley, Palacio Vallelersundi, Papayannakis, Parish, Patakis, Patrie, Paulsen, Peijs, Pérez Álvarez, Pérez Royo, Pesälä, Piecyk, Piétrasanta, Pirkker, Pisticchio, Pittella, Plooi-van Gorsel, Podestà, Poettering, Pohjamo, Pomés Ruiz, Poos, Posselt, Prets, Procacci, Pronk, Purvis, Queiró, Rack, Radwan, Randzio-Plath, Rapkay, Raschhofer, Raymond, Read, Redondo Jiménez, Ribeiro e Castro, Ries, Riis-Jørgensen, Ripoll y Martínez de Bedoya, Rocard, Rod, Rodríguez Ramos, de Roo, Rothe, Rothley, Roure, Rovsing, Rübig, Rühle, Ruffolo, Rutelli, Sacconi, Sacrédeus, Saïfi, Sakellariou, Salafranca Sánchez-Neyra, Sánchez García, Sandbæk, Sanders-ten Holte, Santer, Santkin, Sauquillo Pérez del Arco, Scallon, Scapagnini, Scheele, Schierhuber, Schleicher, Schmid Gerhard, Schmid Herman, Schmidt, Schmitt, Schnellhardt, Schöring, Schröder Ilka, Schröder Jürgen, Schroedter, Schulz, Schwaiger, Segni, Seguro, Seppänen, Sichrovsky, Simpson, Sjöstedt, Skinner, Sörensen, Sommer, Sornosa Martínez, Souchet, Souladakakis, Sousa Pinto, Speroni, Staes, Stauner, Stenmarck, Stenzel, Sterckx, Stevenson, Stockmann, Stockton, Sturdy, Sudre, Sumberg, Suominen, Wiebel, Swoboda, Sylla, Tannock, Terrón i Cusí, Theato, Theorin, Thomas-Mauro, Thorning-Schmidt, Thors, Thyssen, Titley, Torres Marques, Trakatellis, Trentin, Tsatsos, Turmes, Uca, Vachetta, Väyrynen, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Vander Taelen, Vanhecke, Van Orden, Varela Suanzes-Carpegna, Vatanen, Vattimo, van Velzen, Vidal-Quadras Roca, Vinci, Virrankoski, Voggenhuber, Volcic, Wallis, Walter, Watson, Watts, Weiler, Wenzel-Perillo, Westendorp y Cabeza, Whitehead, Wiebenga, Wieland, Wiersma, Wijkman, von Wogau, Wuermeling, Wuori, Wurtz, Wyn, Wynn, Zabell, Zacharakis, Zappalà, Zimeray, Zimmerling, Zissener, Zorba, Zrihen

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**RESULT OF ROLL-CALL VOTES**

**For technical reasons, it was not possible to record the names of Members concerning Amendment 95 to the Cashman report**

(Members voting: 496 - For: 370 - Against: 115 - Abstentions: 11)

**Cashman report A5-0318/2000****Commission proposal****For: 388****EDD:** Belder, Blokland, van Dam

**ELDR:** Andreasen, Attwooll, Busk, Caveri, Clegg, Costa Paolo, Cox, Davies, De Clercq, Duff, Dybkjær, Esteve, Flesch, Formentini, Gasòliba i Böhm, Haarder, Huhne, Jensen, Ludford, Lynne, Maaten, Malmström, Manders, Mennea, Mulder, Newton Dunn, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Ries, Sánchez García, Sanders-ten Holte, Schmidt, Sterckx, Thors, Väyrynen, Virrankoski, Wallis, Watson, Wiebenga

**NI:** Hager, Ilgenfritz, Sichrovsky

**PPE-DE:** Agag Longo, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Bastos, Bayrou, Beazley, Berend, Bethell, Bodrato, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Carlsson, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Costa Raffaele, Costa Neves, Cunha, Daul, Deprez, De Sarnez, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Fiori, Florenz, Folias, Foster, Fourtou, Fraga Estévez, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Hatzidakis, Helmer, Hieronymi, Hortefeux, Jarzembowski, Jean-Pierre, Jeggle, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Maij-Weggen, Mann Thomas, Marinos, Marques, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Moreira Da Silva, Morillon, Müller Emilia Franziska, Naranjo Escobar, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Pacheco Pereira, Pack, Palacio Vallelersundi, Peijs, Pérez Álvarez, Pirker, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Saïfi, Salafranca Sánchez-Neyra, Santer, Sartori, Scallon, Scapagnini, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vidal-Quadras Roca, Villiers, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, Berès, van den Berg, Berger, Blak, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Caudron, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Darras, Dary, Dehousse, De Rossa, Duhamel, Duin, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Hulthén, Iivari, Imbeni, Izquierdo Collado, Jöns, Junker, Karamanou, Karlsson, Katiforis, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, Malliori, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Moraes, Müller Rosemarie, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roure, Sacconi, Sakellariou, Santkin, Scheele, Schulz, Seguro, Simpson, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Westendorp y Cabeza, Wiersma, Wynn, Zimeray, Zorba, Zrihen

**TDI:** Bigliardo, Dillen, de Gaulle, Gollnisch, Lang, Le Pen, Martinez, Speroni, Vanhecke

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

**Against: 87****EDD:** Abitbol, Bernié, Bonde, Butel, Coûteaux, Esclopé, Krarup, Sandbæk**ELDR:** van der Laan



Thursday 3 May 2001

**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bordes, Boudjenah, Cauquil, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Marset Campos, Meijer, Miranda, Morgantini, Papayannakis, Patakis, Puerta, Schmid Herman, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

**NI:** Gorostiaga Atxalandabaso

**TDI:** Dell'Alba, Dupuis

**UEN:** Camre

**Verts/ALE:** Auroi, Bautista Ojeda, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Echerer, Evans Jillian, Flautre, Frasson, Gahrton, Graefe zu Baringdorf, Hautala, Hudghton, Isler Béguin, Lagendijk, Lambert, Lucas, MacCormick, McKenna, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schröder Ilka, Schroedter, Sörensen, Staes, Turmes, Vander Taelen, Voggenhuber, Wuori

**Abstention: 12**

**EDD:** Farage

**NI:** Berthu, Garaud, Kronberger, de La Perriere, Montfort, Raschhofer, Souchet, Thomas-Mauro

**PPE-DE:** Heaton-Harris, Sacrédeus

**Verts/ALE:** Jonckheer

**Cashman report A5-0318/2000**

**Legislative resolution**

**For: 400**

**EDD:** Belder, Blokland, van Dam

**ELDR:** Andreasen, Attwooll, Busk, Caveri, Clegg, Costa Paolo, Cox, Davies, De Clercq, Duff, Dybkjær, Esteve, Flesch, Formentini, Gasòliba i Böhm, Haarder, Huhne, Jensen, Ludford, Lynne, Maaten, Malmström, Manders, Mennea, Mulder, Newton Dunn, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Riis-Jørgensen, Sánchez García, Sanders-ten Holte, Schmidt, Sterckx, Thors, Väyrynen, Virrankoski, Wallis, Watson, Wiebenga

**GUE/NGL:** Fraisse

**NI:** Hager, Ilgenfritz, Sichrovsky

**PPE-DE:** Agag Longo, Andria, Atkins, Avilés Perea, Ayuso González, Bastos, Bayrou, Beazley, Berend, Bethell, Bodrato, Böge, von Boetticher, Boursanges, Bowis, Bradbourn, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Carlsson, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Costa Raffaele, Costa Neves, Cunha, Daul, Deprez, De Sarnez, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Fiori, Florenz, Folias, Foster, Fourtou, Fraga Estévez, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcóy Tormo, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Maij-Weggen, Mann Thomas, Marinos, Marques, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Moreira Da Silva, Morillon, Müller Emilia Franziska, Naranjo Escobar, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Pacheco Pereira, Pack, Palacio Vallelersundi, Parish, Peijs, Pérez Álvarez, Pirker, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Saïfi, Salafranca Sánchez-Neyra, Santer, Sartori, Scallan, Scapagnini, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vidal-Quadras Roca, Villiers, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

**Thursday 3 May 2001**

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, Berès, van den Berg, Berger, Blak, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Caudron, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Damião, Darras, Dary, Dehousse, De Rossa, Duhamel, Duin, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Hulthén, Iivari, Imbeni, Izquierdo Collado, Jöns, Junker, Karamanou, Karlsson, Katiforis, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Miguélez Ramos, Müller Rosemarie, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Rothe, Rothley, Roure, Sacconi, Sakellariou, Santkin, Scheele, Schmid Gerhard, Schulz, Seguro, Simpson, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stockmann, Swiebel, Swoboda, Terrón i Cusi, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Westendorp y Cabeza, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

**TDI:** Bigliardo, Dillen, de Gaulle, Gollnisch, Lang, Le Pen, Martinez, Speroni, Vanhecke

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

**Against: 85**

**EDD:** Abitbol, Bernié, Bonde, Butel, Coûteaux, Esclopé, Krarup, Sandbæk

**ELDR:** van der Laan

**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bordes, Boudjenah, Cauquil, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Marset Campos, Meijer, Miranda, Morgantini, Papayannakis, Patakis, Puerta, Schmid Herman, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

**NI:** Gorostiaga Atxalandabaso

**TDI:** Dell'Alba, Dupuis

**Verts/ALE:** Auroi, Bautista Ojeda, Bouwman, Breyer, Buitenweg, Celli, Echerer, Evans Jillian, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Hautala, Hudghton, Isler Béguin, Lagendijk, Lambert, Lucas, McCormick, McKenna, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schröder Ilka, Schroedter, Sörensen, Staes, Turmes, Vander Taelen, Voggenhuber, Wuori, Wyn

**Abstention: 12**

**EDD:** Farage

**NI:** Berthu, Garaud, Kronberger, de La Perriere, Montfort, Raschhofer, Souchet, Thomas-Mauro

**PPE-DE:** Sacrédeus

**UEN:** Camre

**Verts/ALE:** Jonckheer

**Jillian Evans report A5-0125/2001  
Amendments 6 and 7, 2nd part**

**For: 407**

**EDD:** Bonde, Butel, Krarup, Sandbæk

**ELDR:** Andreasen, Attwooll, Busk, Caveri, Clegg, Costa Paolo, Cox, Davies, De Clercq, Duff, Dybkjær, Esteve, Flesch, Formentini, Gasòliba i Böhm, Haarder, Huhne, Jensen, van der Laan, Ludford, Lynne, Maaten, Malmström, Manders, Mennea, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Sánchez García, Sanders-ten Holte, Schmidt, Sterckx, Thors, Väyrynen, Virrankoski, Watson, Wiebenga

Thursday 3 May 2001

**GUE/NGL:** Ainardi, Boudjenah, Fiebigler, Figueiredo, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Miranda, Sylla, Wurtz

**NI:** Berthu, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, de La Perriere, Raschhofer, Sichrovsky, Souchet, Thomas-Mauro

**PPE-DE:** Agag Longo, Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Bastos, Bayrou, Beazley, Berend, Bethell, Bodrato, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Carlsson, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Costa Raffaele, Costa Neves, Cunha, Daul, Deprez, De Sarnez, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Fiori, Florenz, Folias, Foster, Fourtou, Fraga Estévez, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hortefeux, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klab, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Maij-Weggen, Mann Thomas, Marinos, Marques, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Moreira Da Silva, Morillon, Müller Emilia Franziska, Naranjo Escobar, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Pacheco Pereira, Pack, Palacio Vallelersundi, Parish, Peijs, Pérez Álvarez, Pirker, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Saïfi, Salafranca Sánchez-Neyra, Santer, Sartori, Scallan, Scapagnini, Schleicher, Schmitt, Schnellhardt, Schröder Jürgen, Schwaiger, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vidal-Quadras Roca, Villiers, Wenzel-Perillo, Wieland, Wijkman, Wiermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Blak, Bösch, Bowe, van den Burg, Campos, Carnero González, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Damião, De Rossa, Duin, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Garot, Gebhardt, Ghilardotti, Gill, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Hedkvist Petersen, Hoff, Honeyball, Howitt, Hughes, van Hulten, Hulthén, Iivari, Imbeni, Izquierdo Collado, Jöns, Junker, Karamanou, Karlsson, Katiforis, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Moraes, Müller Rosemarie, Murphy, Myller, Napolitano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Randzio-Plath, Rapkay, Read, Rodríguez Ramos, Rothe, Rothley, Sacconi, Sakellariou, Santkin, Scheele, Seguro, Simpson, Sornosa Martínez, Souladakis, Sousa Pinto, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Westendorp y Cabeza, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

**TDI:** Bigliardo

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

### **Against: 79**

**EDD:** Abitbol, Belder, Bernié, Blokland, Coûteaux, van Dam, Esclopé

**GUE/NGL:** Alavanos, Alyssandrakis, Bakopoulos, Di Lello Finuoli, Eriksson, Frahm, Koulourianos, Manisco, Marset Campos, Meijer, Morgantini, Papayannakis, Patakis, Puerta, Schmid Herman, Seppänen, Uca, Vachetta, Vinci

**PSE:** Carlotti, Caudron, Darras, Duhamel, Fruteau, Gillig, Guy-Quint, Hazan, Rocard, Roure

**TDI:** Dell'Alba, de Gaulle, Gollnisch, Lang, Le Pen, Martinez, Speroni

**Verts/ALE:** Auroi, Bautista Ojeda, Bouwman, Breyer, Buitenweg, Celli, Echerer, Evans Jillian, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Hautala, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lucas, MacCormick, McKenna, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schröder Ilka, Staes, Turmes, Vander Taelen, Voggenhuber, Wuori, Wyn

Thursday 3 May 2001

**Abstention: 11**

**EDD:** Farage

**GUE/NGL:** Bordes, Cauquil, Krivine, Laguiller

**NI:** Garaud, Montfort

**PSE:** Carrilho, Dary

**TDI:** Dillen, Vanhecke

**Jillian Evans report A5-0125/2001**

**Amendments 6 and 7, 3rd part**

**For: 479**

**EDD:** Bonde, Krarup, Sandbæk

**ELDR:** Andreassen, Attwooll, Busk, Caveri, Clegg, Costa Paolo, Cox, Davies, De Clercq, Duff, Dybkjær, Esteve, Flesch, Formentini, Gasòliba i Böhm, Haarder, Huhne, Jensen, van der Laan, Ludford, Lynne, Maaten, Malmström, Manders, Mennea, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Sánchez García, Sanders-ten Holte, Schmidt, Sterckx, Thors, Väyrynen, Virrankoski, Watson, Wiebenga

**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bordes, Boudjenah, Cauquil, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Fraise, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Marset Campos, Meijer, Miranda, Morgantini, Papayannakis, Patakis, Puerta, Schmid Herman, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

**NI:** Garaud, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Montfort, Raschhofer, Sichrovsky, Souchet

**PPE-DE:** Agag Longo, Almeida Garrett, Andria, Atkins, Averoff, Avilés Perea, Ayuso González, Bastos, Bayrou, Beazley, Berend, Bethell, Bodrato, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Costa Raffaele, Costa Neves, Cunha, Daul, Deprez, De Sarnez, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Fiori, Florenz, Folias, Foster, Fourtou, Fraga Estévez, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hortefeux, Inglewood, Jarzembowski, Jean-Pierre, Jeggle, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klab, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Maij-Weggen, Mann Thomas, Marinos, Marques, Mauro, Mayer Hans-Peter, Mayer Xaver, Méndez de Vigo, Menrad, Mombaur, Moreira Da Silva, Morillon, Müller Emilia Franziska, Naranjo Escobar, Nicholson, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Pacheco Pereira, Pack, Palacio Vallelersundi, Parish, Peijs, Pérez Álvarez, Pirker, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Rack, Radwan, Redondo Jiménez, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Saïfi, Salafranca Sánchez-Neyra, Santer, Sartori, Scallon, Scapagnini, Schleicher, Schmitt, Schnellhardt, Sommer, Stauner, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vidal-Quadras Roca, Villiers, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

**PSE:** Adam, Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Blak, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Caudron, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Damião, Darras, Dary, Dehousse, De Rossa, Duhamel, Duin, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, Hughes, van Hulten, Hulthén, Iivari, Imbeni, Izquierdo Collado, Jöns, Junker, Karamanou, Karlsson, Katiforis, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Moraes, Müller Rosemarie, Myller, Napoletano, Napolitano, Obiols i Germà, O'Toole, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Randzio-Plath, Rapkay,

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Rodríguez Ramos, Rothley, Roure, Sacconi, Sakellariou, Santkin, Scheele, Schmid Gerhard, Schulz, Seguro, Simpson, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stockmann, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Westendorp y Cabeza, Whitehead, Wiersma, Wynn, Zimeray, Zorba, Zrihen

**TDI:** Bigliardo, Dillen, de Gaulle, Gollnisch, Lang, Le Pen, Martinez, Speroni, Vanhecke

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

**Verts/ALE:** Auroi, Bautista Ojeda, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Echerer, Evans Jillian, Flautre, Frassoni, Gahrton, Graefe zu Baringdorf, Hautala, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lucas, McCormick, McKenna, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schröder Ilka, Schroedter, Sörensen, Staes, Turmes, Vander Taelen, Voggenhuber, Wuori, Wyn

**Against: 14**

**EDD:** Abitbol, Belder, Bernié, Blokland, Butel, Coûteaux, van Dam, Esclopé

**PPE-DE:** Arvidsson, Carlsson, Cederschiöld, Grönfeldt Bergman, Stenmarck

**PSE:** Rocard

**Abstention: 7**

**EDD:** Farage

**NI:** Berthu, de La Perriere, Thomas-Mauro

**PSE:** Carrilho

**TDI:** Dell'Alba, Dupuis

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## TEXTS ADOPTED

### 1. Request for waiver of immunity of Mr Sichrovsky

A5-0123/2001

#### European Parliament decision on the request for waiver of the immunity of Mr Peter Sichrovsky (2000/2237(IMM))

*The European Parliament,*

- having received a request for waiver of the immunity of Mr Peter Sichrovsky, forwarded by Mr Weis, Judge at the Vienna Criminal Court, on 12 September 2000 and announced in plenary sitting on 5 October 2000,
- having heard Mr Sichrovsky, in accordance with Rule 6(3) of its Rules of Procedure,
- having regard to Articles 9 and 10 of the Protocol on the Privileges and Immunities of the European Communities of 8 April 1965, and to Article 4(2) of the Act concerning the Election of Representatives to the European Parliament by direct universal suffrage of 20 September 1976,
- having regard to the judgments of the Court of Justice of the European Communities of 12 May 1964 and 10 July 1986 <sup>(1)</sup>,
- having regard to Article 57 of the Austrian Constitution,
- having regard to Rule 6 of its Rules of Procedure,
- having regard to the report of the Committee on Legal Affairs and the Internal Market (A5-0123/2001),

1. Decides not to waive the parliamentary immunity of Mr Sichrovsky;
2. Instructs its President immediately to forward this decision and the report of its committee to the appropriate authority of the Republic of Austria.

<sup>(1)</sup> See Case 101/63: Wagner v. Fohrmann and Krier [1964] ECR 397 and Case 149/85: Wybot v. Faure [1986] ECR 2403.

### 2. Request for waiver of immunity of Mr Voggenhuber

A5-0124/2001

#### European Parliament decision on the request for waiver of the immunity of Mr Johannes Voggenhuber (2000/2238(IMM))

*The European Parliament,*

- having received a request for waiver of the immunity of Mr Johannes Voggenhuber, forwarded by Judge Bruno Weis of the Vienna Criminal Court, on 12 September 2000 and announced in plenary sitting on 5 October 2000,
- having heard Mr Johannes Voggenhuber pursuant to Rule 6(3) of its Rules of Procedure, which requested the waiver of his parliamentary immunity,

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- having regard to Articles 9 and 10 of the Protocol on the Privileges and Immunities of the European Communities of 8 April 1965, and to Article 4(2) of the Act concerning the Election of Representatives to the European Parliament by direct universal suffrage of 20 September 1976,
- having regard to the judgments of the Court of Justice of the European Communities of 12 May 1964 and 10 July 1986<sup>(1)</sup>,
- having regard to Article 57 of the Austrian Constitution,
- having regard to Rule 6 of its Rules of Procedure,
- having regard to the report of the Committee on Legal Affairs and the Internal Market (A5-0124/2001),

1. Decides not to waive the immunity of Mr Johannes Voggenhuber;
2. Instructs its President immediately to forward this decision and the report of its committee to the appropriate authority of the Republic of Austria.

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<sup>(1)</sup> See Case 101/63: Wagner v. Fohrmann and Krier [1964] ECR 397 and Case 149/85: Wybot v. Faure [1986] ECR 2403.

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### **3. Request for waiver of immunity of Mrs Elisabeth Jeggle**

**A5-0126/2001**

**European Parliament decision on the request for waiver of the immunity of Mrs Elisabeth Jeggle (2001/2031(IMM))**

*The European Parliament,*

- having received a request from Münsingen District Court for waiver of the immunity of Mrs Elisabeth Jeggle, forwarded by the German Federal Ministry of Justice on 12 January 2001 and announced in plenary sitting on 12 February 2001,
- having heard Mrs Elisabeth Jeggle pursuant to Rule 6(3) of its Rules of Procedure, who has requested waiver of her parliamentary immunity,
- having regard to Article 10 of the Protocol on the Privileges and Immunities of the European Communities of 8 April 1965, and to Article 4(2) of the Act concerning the election of the representatives of the European Parliament by direct universal suffrage of 20 September 1976,
- having regard to the judgments of the Court of Justice of the European Communities of 12 May 1964 and 10 July 1986<sup>(1)</sup>,
- having regard to Article 46 of the German Basic Law,
- having regard to Rule 6 of its Rules of Procedure,
- having regard to the report of the Committee on Legal Affairs and the Internal Market (A5-0126/2001),

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<sup>(1)</sup> See Case 101/63: Wagner v. Fohrmann and Krier [1964] ECR 397 and Case 149/85: Wybot v. Faure [1986] ECR 2403.

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1. Decides to waive the immunity of Mrs Elisabeth Jeggle;
  2. Instructs its President immediately to forward this decision and the report of its committee to the appropriate authority of the Federal Republic of Germany.
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#### 4. Adjustment of financial perspective \*

A5-0110/2001

**European Parliament resolution on the proposal for a European Parliament and Council decision on the adjustment of the financial perspective to take account of implementation (presented by the Commission to Parliament and the Council in accordance with paragraphs 16-18 of the Inter-institutional Agreement of 6 May 1999) (COM(2001) 149 – C5-0117/2001 – 2001/0075(ACI))**

*The European Parliament,*

- having regard to the Commission proposal (COM(2001) 149 – C5-0117/2001),
- having regard to the results of the trialogue of 29 March 2001,
- having regard to the Interinstitutional Agreement of 6 May 1999 on budgetary discipline and improvement of the budgetary procedure <sup>(1)</sup>,
- having regard to the report of the Committee on Budgets and the opinions of the Committee on Employment and Social Affairs and the Committee on Agriculture and Rural Development (A5-0110/2001),

A. whereas the Commission proposal to adjust the financial perspective only concerns commitment appropriations,

1. Recalls the obligation on the Commission, under point 16 of the Interinstitutional Agreement, to present proposals for adjustments to appropriations for payments which it considers necessary when every year it makes the technical adjustment to the financial perspective; notes that the purpose of this facility is for the Commission, together with the budgetary authority, to ensure an orderly progression of payment appropriations in relation to commitment appropriations;
2. Asks the Commission to make up any shortfall in the allocation for Community initiatives and innovative measures for the period 2000-2006 which might result from implementation of the 2000 budget;
3. Calls for a discussion to take place between the institutions in order to assess the budgetary and financial implications of the timetable for enlargement as it results from the current state of the accession negotiations;
4. Approves the joint decision attached and instructs its President to have it published in the Official Journal (L series);
5. Instructs its President to forward this resolution, including the annex, to the Council and Commission.

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<sup>(1)</sup> OJ C 172, 18.6.1999, p. 1.



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## ANNEX

**Decision of the European Parliament and of the Council  
on the adjustment of the financial perspective to take account of the conditions of implementation***THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,*

Having regard to the Treaty establishing the European Community,

Having regard to paragraphs 16 to 18 of the Interinstitutional Agreement of 6 May 1999 on budgetary discipline and improvement of the budgetary procedure<sup>(1)</sup>,

Having regard to the proposal from the Commission<sup>(2)</sup>,

Acting in accordance with the voting rules laid down in the fifth subparagraph of Article 272(9) of the Treaty,

Whereas:

1. The financial perspective for 2000-2006 must be adjusted to take account of the implementation of the budget in 2000.
2. As a result of a delay in the adoption of certain programmes relating to structural operations, € 6 152,3 million of the allocation provided for the Structural Funds could not be committed in 2000 nor carried over to 2001. Under paragraph 17 of the Interinstitutional Agreement, this amount must be transferred to subsequent financial years by increasing the corresponding expenditure ceilings for appropriations for commitments.
3. The 2000 budget outturn does not show any need for an adjustment to the overall ceiling for appropriations for payments at this stage. The situation in this respect will be reviewed at each future adjustment exercise,

HAVE ADOPTED THIS DECISION:

## Article 1

The annual ceilings for appropriations for commitments in the Structural Funds subheading of heading 2 of the financial perspective shall be raised by the following amounts, expressed in € million in current prices.

2002	2003	2004	2005	2006
870	1 178	1 642	1 396	1 067

## Article 2

The financial perspective for EU-15 and the financial framework for EU-21, after the technical adjustment for 2002 in line with movements in GNP and prices and the adjustments covered by this Decision, are attached.

Done at Brussels, [...]

For the European Parliament

For the Council

The President

The President

[...]

[...]

<sup>(1)</sup> OJ C 172, 18.6.1999, p. 1.

<sup>(2)</sup> OJ C [...], [...], p. [...].

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Table 1:  
Financial perspective EU-15 adjusted to 2002 prices  
after adjustment (for implementation) in 2001

(€ millions)

Appropriations for commitments	Current prices			2002 prices			
	2000	2001	2002	2003	2004	2005	2006
<b>1. Agriculture</b>	<b>41 738</b>	<b>44 530</b>	<b>46 587</b>	<b>46 449</b>	<b>45 377</b>	<b>44 497</b>	<b>44 209</b>
CAP (not including rural development)	37 352	40 035	41 992	41 843	40 761	39 870	39 572
Rural development and accompanying measures	4 386	4 495	4 595	4 606	4 616	4 627	4 637
<b>2. Structural operations</b>	<b>32 678</b>	<b>32 720</b>	<b>33 638</b>	<b>33 308</b>	<b>32 998</b>	<b>32 735</b>	<b>31 955</b>
Structural funds	30 019	30 005	30 849	30 519	30 316	30 053	29 278
Cohesion fund	2 659	2 715	2 789	2 789	2 682	2 682	2 677
<b>3 Internal policies <sup>(1)</sup></b>	<b>6 031</b>	<b>6 272</b>	<b>6 558</b>	<b>6 676</b>	<b>6 793</b>	<b>6 910</b>	<b>7 038</b>
<b>4. External action</b>	<b>4 627</b>	<b>4 735</b>	<b>4 873</b>	<b>4 884</b>	<b>4 895</b>	<b>4 905</b>	<b>4 916</b>
<b>5. Administration <sup>(2)</sup></b>	<b>4 638</b>	<b>4 776</b>	<b>5 012</b>	<b>5 119</b>	<b>5 225</b>	<b>5 332</b>	<b>5 439</b>
<b>6. Reserves</b>	<b>906</b>	<b>916</b>	<b>676</b>	<b>426</b>	<b>426</b>	<b>426</b>	<b>426</b>
Monetary reserve	500	500	250				
Emergency aid reserve	203	208	213	213	213	213	213
Guarantee reserve	203	208	213	213	213	213	213
<b>7. Pre-accession aid</b>	<b>3 174</b>	<b>3 240</b>	<b>3 328</b>	<b>3 328</b>	<b>3 328</b>	<b>3 328</b>	<b>3 328</b>
Agriculture	529	540	555	555	555	555	555
Pre-accession structural instrument	1 058	1 080	1 109	1 109	1 109	1 109	1 109
PHARE (applicant countries)	1 587	1 620	1 664	1 664	1 664	1 664	1 664
<b>Total appropriations for commitments</b>	<b>93 792</b>	<b>97 189</b>	<b>100 672</b>	<b>100 190</b>	<b>99 042</b>	<b>98 133</b>	<b>97 311</b>
<b>Total appropriations for payments</b>	<b>91 322</b>	<b>94 730</b>	<b>100 078</b>	<b>100 795</b>	<b>97 645</b>	<b>95 789</b>	<b>95 217</b>
Appropriations for payments as percentage of GNP	1,10 %	1,09 %	1,10 %	1,08 %	1,02 %	0,97 %	0,95 %
<b>Available for accession (appropriations for payments)</b>			<b>4 397</b>	<b>7 125</b>	<b>9 440</b>	<b>12 146</b>	<b>15 097</b>
Agriculture			1 698	2 154	2 600	3 109	3 608
Other expenditure			2 699	4 971	6 840	9 037	11 489
<b>Ceiling, appropriations for payments</b>	<b>91 322</b>	<b>94 730</b>	<b>104 475</b>	<b>107 920</b>	<b>107 085</b>	<b>107 935</b>	<b>110 314</b>
Ceiling, payments as percentage of GNP	1,12 %	1,11 %	1,14 %	1,15 %	1,12 %	1,10 %	1,09 %
Margin for unforeseen expenditure	0,15 %	0,16 %	0,13 %	0,12 %	0,15 %	0,17 %	0,18 %
<b>Own resources ceiling</b>	<b>1,27 %</b>	<b>1,27 %</b>	<b>1,27 %</b>	<b>1,27 %</b>	<b>1,27 %</b>	<b>1,27 %</b>	<b>1,27 %</b>

<sup>(1)</sup> In accordance with Article 2 of Decision 182/1999/EC of the European Parliament and of the Council and Article 2 of Council Decision 1999/64/Euratom (OJ L 26, 1.2.1999, p. 1 and p. 34), € 11 510 million at current prices is available for research over the period 2000-2002.

<sup>(2)</sup> The expenditure on pensions included under the ceiling for this heading is calculated net of staff contributions to the pension scheme, up to a maximum of € 1 000 million at 1999 prices for the period 2000-2006.

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Table 2:  
Financial framework EU-21 adjusted to 2002 prices  
after adjustment (for implementation) in 2001

(€ millions)

Appropriations for commitments	Current prices			2002 prices			
	2000	2001	2002	2003	2004	2005	2006
<b>1. Agriculture</b>	<b>41 738</b>	<b>44 530</b>	<b>46 587</b>	<b>46 449</b>	<b>45 377</b>	<b>44 497</b>	<b>44 209</b>
CAP (not including rural development)	37 352	40 035	41 992	41 843	40 761	39 870	39 572
Rural development and accompanying measures	4 386	4 495	4 595	4 606	4 616	4 627	4 637
<b>2. Structural operations</b>	<b>32 678</b>	<b>32 720</b>	<b>33 638</b>	<b>33 308</b>	<b>32 998</b>	<b>32 735</b>	<b>31 955</b>
Structural funds	30 019	30 005	30 849	30 519	30 316	30 053	29 278
Cohesion fund	2 659	2 715	2 789	2 789	2 682	2 682	2 677
<b>3. Internal policies <sup>(1)</sup></b>	<b>6 031</b>	<b>6 272</b>	<b>6 558</b>	<b>6 676</b>	<b>6 793</b>	<b>6 910</b>	<b>7 038</b>
<b>4. External action</b>	<b>4 627</b>	<b>4 735</b>	<b>4 873</b>	<b>4 884</b>	<b>4 895</b>	<b>4 905</b>	<b>4 916</b>
<b>5. Administration <sup>(2)</sup></b>	<b>4 638</b>	<b>4 776</b>	<b>5 012</b>	<b>5 119</b>	<b>5 225</b>	<b>5 332</b>	<b>5 439</b>
<b>6. Reserves</b>	<b>906</b>	<b>916</b>	<b>676</b>	<b>426</b>	<b>426</b>	<b>426</b>	<b>426</b>
Monetary reserve	500	500	250				
Emergency aid reserve	203	208	213	213	213	213	213
Guarantee reserve	203	208	213	213	213	213	213
<b>7. Pre-accession aid</b>	<b>3 174</b>	<b>3 240</b>	<b>3 328</b>	<b>3 328</b>	<b>3 328</b>	<b>3 328</b>	<b>3 328</b>
Agriculture	529	540	555	555	555	555	555
Pre-accession structural instrument	1 058	1 080	1 109	1 109	1 109	1 109	1 109
PHARE (applicant countries)	1 587	1 620	1 664	1 664	1 664	1 664	1 664
<b>8. Enlargement</b>			<b>6 851</b>	<b>9 588</b>	<b>12 327</b>	<b>15 075</b>	<b>17 813</b>
Agriculture			1 698	2 154	2 600	3 109	3 608
Structural operations			3 980	6 187	8 405	10 612	12 819
Internal policies			778	810	842	874	906
Administration			395	437	480	480	480
<b>Total appropriations for commitments</b>	<b>93 792</b>	<b>97 189</b>	<b>107 523</b>	<b>109 778</b>	<b>111 369</b>	<b>113 208</b>	<b>115 124</b>
<b>Total appropriations for payments</b>	<b>91 322</b>	<b>94 730</b>	<b>104 475</b>	<b>107 920</b>	<b>107 085</b>	<b>107 935</b>	<b>110 314</b>
of which: enlargement			4 397	7 125	9 440	12 146	15 097
Appropriations for payments as percentage of GNP	1,10 %	1,09 %	1,10 %	1,11 %	1,07 %	1,05 %	1,05 %
Margin for unforeseen expenditure	0,17 %	0,18 %	0,17 %	0,16 %	0,20 %	0,22 %	0,22 %
<b>Own resources ceiling</b>	<b>1,27 %</b>	<b>1,27 %</b>	<b>1,27 %</b>	<b>1,27 %</b>	<b>1,27 %</b>	<b>1,27 %</b>	<b>1,27 %</b>

<sup>(1)</sup> In accordance with Article 2 of Decision 182/1999/EC of the European Parliament and of the Council and Article 2 of Council Decision 1999/64/Euratom (OJ L 26, 1.2.1999, p. 1 and p. 34), € 11 510 million at current prices is available for research over the period 2000-2002.

<sup>(2)</sup> The expenditure on pensions included under the ceiling for this heading is calculated net of staff contributions to the pension scheme, up to a maximum of € 1 000 million at 1999 prices for the period 2000-2006.

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## 5. Prevention of transmissible spongiform encephalopathies \*\*\*II

A5-0118/2001

**European Parliament legislative resolution on the common position adopted by the Council with a view to the adoption of a regulation of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies (14780/1/2000 – C5-0048/2001 – 1998/0323(COD))**

(Codecision procedure: second reading)

*The European Parliament,*

- having regard to the Council common position (14780/1/2000 – C5-0048/2001) <sup>(1)</sup>,
  - having regard to its position at first reading <sup>(2)</sup> on the Commission proposal to Parliament and the Council (COM(1998) 623) <sup>(3)</sup>,
  - having regard to the amended Commission proposal (COM(2000) 824),
  - having regard to Article 251(2) of the EC Treaty,
  - having regard to Rule 78 of its Rules of Procedure,
  - having regard to the recommendation for second reading of the Committee on the Environment, Public Health and Consumer Policy (A5-0118/2001),
1. Approves the common position;
  2. Notes that the act is adopted in accordance with the common position;
  3. Instructs its President to sign the act with the President of the Council pursuant to Article 254(1) of the EC Treaty;
  4. Instructs its Secretary-General duly to sign the act and, in agreement with the Secretary-General of the Council, to have it published in the Official Journal of the European Communities,
  5. Instructs its President to forward its position to the Council and Commission.

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<sup>(1)</sup> OJ C 88, 19.3.2001, p. 1.

<sup>(2)</sup> OJ C 59, 23.2.2001, p. 93.

<sup>(3)</sup> OJ C 45, 19.2.1999, p. 2.

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## 6. Public access to documents of the European Parliament, the Council and the Commission \*\*\*I

A5-0318/2000

**Proposal for a European Parliament and Council regulation regarding public access to European Parliament, Council and Commission documents (COM(2000) 30 – C5-0057/2000 – 2000/0032(COD))**

The proposal was approved with the following compromise amendments:

TEXT PROPOSED  
BY THE COMMISSION <sup>(1)</sup>

AMENDMENTS  
BY PARLIAMENT

### Compromise Amendment 81

#### Recital 2

(2) Openness enables citizens to participate more closely in the decision-making process and guarantees that the administration enjoys greater legitimacy and is more effective and more accountable *vis-à-vis* the citizen in a democratic system.

(2) Openness enables citizens to participate more closely in the decision-making process and guarantees that the administration enjoys greater legitimacy and is more effective and more accountable **to** the citizen in a democratic system.

**Openness contributes to strengthening the principles of democracy and respect for fundamental rights as laid down in Article 6 of the Treaty on European Union and in the Charter of Fundamental Rights of the European Union.**

*(This text replaces Amendments 2, 3, 4, 5 and 7 adopted on 16 November 2000).*

### Compromise Amendment 82

#### Recital 3

(3) The conclusions of the European Councils held at Birmingham, Edinburgh and Copenhagen stressed the need to introduce greater transparency into the work of the Union institutions. *Following these conclusions, the institutions launched a series of initiatives aimed at improving the transparency of the decision-making process by targeting information and communication measures more effectively and adopting rules on public access to documents.*

(3) The conclusions of the European **Council meetings** held at Birmingham, Edinburgh and Copenhagen stressed the need to introduce greater transparency into the work of the Union institutions. **This Regulation consolidates the initiatives that the institutions have already taken with a view to improving** the transparency of the decision-making process.

*(This text replaces Amendment 8 adopted on 16 November 2000).*

### Compromise Amendment 83

#### Recital 4

(4) The purpose of this Regulation is to *widen* access to documents *as far as possible, in line with the principle of openness. It puts into practice the right of access to documents and lays down the general principles and limits on such access in accordance with Article 255(2) of the EC Treaty.*

(4) The purpose of this Regulation is to **give the fullest possible effect to the right of public** access to documents and **to lay** down the general principles and limits on such access in accordance with Article 255(2) of the Treaty.

*(This text replaces Amendment 10 adopted on 16 November 2000).*

<sup>(1)</sup> OJ C 177 E, 27.6.2000, p. 70.

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Compromise Amendment 84

*Recital 5*

(5) Since the question of access to documents is not covered by provisions of the ECSC and Euratom Treaties, this Regulation *will apply to documents* concerning the activities covered by those two Treaties. *This was confirmed by Declaration No 41 attached to the Final Act of the Treaty of Amsterdam.*

(5) Since the question of access to documents is not covered by provisions of the ECSC and Euratom Treaties, **the European Parliament, the Council and the Commission should, in accordance with Declaration No 41 attached to the Final Act of the Treaty of Amsterdam, draw guidance from this Regulation as regards documents** concerning the activities covered by those two Treaties.

Compromise Amendment 85

*Recital 5a (new)*

**(5a) Wider access should be granted to documents in cases where the institutions are acting in their legislative capacity, including under delegated powers, while at the same time preserving the effectiveness of the institutions' decision-making process. Such documents should be made directly accessible to the greatest possible extent.**

*(This text replaces Amendment 13 adopted on 16 November 2000).*

Compromise Amendment 86

*Recital 6*

(6) *Under* Articles 28(1) and 41(1) of the Treaty on European Union, the right of access also applies to documents relating to the common foreign and security policy and to police and judicial cooperation in criminal matters.

(6) **In accordance with** Articles 28(1) and 41(1) of the Treaty on European Union, the right of access also applies to documents relating to the common foreign and security policy and to police and judicial cooperation in criminal matters. **Each institution should respect its security rules.**

Compromise Amendment 87

*Recital 6a (new)*

**(6a) In order to ensure the full application of this Regulation to all activities of the Union, all agencies established by the institutions should apply the principles laid down in this Regulation.**

*(This text replaces Amendments 11 and 59 adopted on 16 November 2000).*

Compromise Amendment 88

*Recital 6b (new)*

**(6b) On account of their highly sensitive content, certain documents should be given special treatment. Arrangements for informing the European Parliament of the content of such documents should be made through inter-institutional agreement.**

*(This text replaces Amendment 6 adopted on 16 November 2000).*

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BY THE COMMISSIONAMENDMENTS  
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## Compromise Amendment 89

## Recital 7

(7) In order to bring about greater openness in the work of the institutions *and in line with current national legislation in most of the Member States*, access to documents should *be extended to include all documents held* by the European Parliament, the Council and the Commission.

(7) In order to bring about greater openness in the work of the institutions, access to documents should **be granted** by the European Parliament, the Council and the Commission **not only to documents drawn up by the institutions, but also to documents received by them. In this context, it is recalled that Declaration No 35 attached to the Final Act of the Treaty of Amsterdam provides that a Member State may request the Commission or the Council not to communicate to third parties a document originating from that State without its prior agreement.**

(This text replaces Amendment 12 adopted on 16 November 2000).

## Compromise Amendment 90

## Recital 8

(8) *The principles laid down by this Regulation are to be without prejudice to the specific rules applicable to access to documents, in particular those directly concerning persons with a specific interest.*

**Deleted**

(This text replaces Amendment 14 adopted on 16 November 2000).

## Compromise Amendment 91

## Recital 9

(9) *The public interest and certain individual interests should be protected by way of a system of exceptions. Examples of these interests should be given in each case so that the system may be as transparent as possible. The institutions should also be entitled to protect their internal documents which express individual opinions or reflect free and frank discussions and provision of advice as part of internal consultations and deliberations.*

(9) **In principle, all documents of the institutions should be accessible to the public. However, certain public and private** interests should be protected by way of exceptions. The institutions should be entitled to protect their internal consultations and deliberations **where necessary to safeguard their ability to carry out their tasks. In assessing the exceptions, the institutions should take account of the principles in Community legislation concerning the protection of personal data, in all areas of Union activities.**

(This text replaces Amendments 15, 33 and 60 adopted on 16 November 2000).

## Compromise Amendment 92

## Recital 9 a (new)

**(9a) All rules concerning access to documents of the institutions should be in conformity with this Regulation.**

(This text replaces Amendment 14 and Amendment 26, paragraphs 2 and 2a and Amendment 58 adopted on 16 November 2000).

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## Compromise Amendment 93

## Recital 10

(10) In order to ensure that the right of access is fully observed, the present two-stage administrative procedure, with the possibility of court proceedings or complaints to the Ombudsman, should be maintained, whilst the principle should be introduced whereby at the confirmatory stage no response is treated as a positive response.

(10) In order to ensure that the right of access is fully **respected**, a two-stage administrative procedure **should apply**, with the **additional** possibility of court proceedings or complaints to the Ombudsman.

(This text replaces Amendment 16 adopted on 16 November 2000).

## Compromise Amendment 94

## Recital 11

(11) Each institution should take the measures necessary to inform the public about the new provisions in force; furthermore, to make it easier for citizens to exercise their rights arising from this Regulation, each institution should provide access to a register of documents.

(11) Each institution should take the measures necessary to inform the public about the new provisions in force **and to train their staff to assist citizens exercising their rights under this Regulation.** In order to make it easier for citizens to exercise their rights, each institution should provide access to a register of documents.

(This text replaces Amendments 9, 17, 18 and 19 adopted on 16 November 2000).

## Compromise Amendment 95

## Recital 12

(12) Even though it is neither the object nor the effect of this Regulation to amend existing national legislation on access to documents, it is nevertheless clear that, by virtue of the principle of loyalty which governs relations between the Community institutions and the Member States, Member States should take care not to hamper the proper application of this Regulation.

(12) Even though it is neither the object nor the effect of this Regulation to amend national legislation on access to documents, it is nevertheless clear that, by virtue of the principle of **loyal cooperation** which governs relations between the Community institutions and the Member States, Member States should take care not to hamper the proper application of this Regulation **and should respect the security rules of the institutions.**

(This text replaces Amendment 20 adopted on 16 November 2000).

## Compromise Amendment 96

## Recital 12a (new)

**(12a) This Regulation is without prejudice to existing rights of access to documents for Member States, judicial authorities or investigative bodies.**

(This text replaces parts of Amendments 27 and 73, paragraphs 2, 3 and 5 adopted on 16 November 2000).

## Compromise Amendment 97

## Recital 13

(13) In accordance with Article 255(3) of the EC Treaty, each institution lays down specific provisions regarding access to its documents in its rules of procedure. Failing such provisions, this Regulation cannot be applicable. This Regulation and the provisions giving effect to it will replace Council Decision 93/731/EC of

(13) In accordance with Article 255(3) of the Treaty, each institution lays down specific provisions regarding access to its documents in its rules of procedure. Council Decision 93/731/EC of 20 December 1993 on public access to Council documents **as amended**, Commission Decision 94/90/ECSC,



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20 December 1993 on public access to Council documents, Commission Decision 94/90/ECSC, EC, Euratom of 8 February 1994 on public access to Commission documents *and* European Parliament Decision 97/632/EC, ECSC, Euratom of 10 July 1997 on public access to European Parliament documents.

EC, Euratom of 8 February 1994 on public access to Commission documents, European Parliament Decision 97/632/EC, ECSC, Euratom of 10 July 1997 on public access to European Parliament documents, **and the rules on confidentiality of Schengen documents should therefore, if necessary, be modified or be repealed.**

*(This text replaces Amendment 22 adopted on 16 November 2000).*

## Compromise Amendment 98

## Article -1 (new)

**Article -1****Purpose**

**The purpose of this Regulation is:**

- (a) **to define the principles, conditions and limits on grounds of public or private interest governing the right of access to European Parliament, Council and Commission (hereinafter 'the institutions') documents provided for in Article 255 of the Treaty in such a way as to ensure as wide access to documents as possible,**
- (b) **to establish rules ensuring the easiest possible exercise of this right, and**
- (c) **to promote good administrative practice on access to documents.**

*(This text replaces Amendment 24 and the second paragraph of Amendment 25 adopted on 16 November 2000).*

## Compromise Amendment 99

## Articles 1 and 2

## Article 1

*General principle and beneficiaries*

Any citizen of the Union, and any natural or legal person residing or having its registered office in a Member State, *shall have the right to the widest possible access to the documents of the institutions within the meaning of this Regulation, without having to cite reasons for their interest, subject to the exceptions laid down in Article 4.*

## Article 2

*Scope*

1. This Regulation shall apply to all documents held by *the institutions*, that is to say, documents drawn up *by them* or received *from third parties* and in *their* possession.

## Article 1

**Beneficiaries and scope**

1. Any citizen of the Union, and any natural or legal person residing or having its registered office in a Member State, **has a right of access to documents of the institutions, subject to the principles, conditions and limits defined in this Regulation.**

2. **The institutions may under the same conditions grant access to documents to any natural or legal person not residing or not having its registered office in a Member State.**

3. This Regulation shall apply to all documents held by **an institution**, that is to say, documents drawn up or received **by it** and in **its** possession, **in all areas of activity of the European Union.**

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*Access to documents from third parties shall be limited to those sent to the institution after the date on which this Regulation becomes applicable.*

2. *This Regulation shall not apply to documents already published or accessible to the public by other means.*

*It shall not apply where specific rules on access to documents exist.*

**4. Without prejudice to Articles 4 and 6a, documents shall be made accessible to the public either following a written application or directly in electronic form or through a register. In particular, documents drawn up or received in the course of a legislative procedure shall be made directly accessible in accordance with Article 9a.**

**5. Sensitive documents as defined in Article 6a(1) shall be subject to special treatment in accordance with that Article.**

**6. This Regulation shall be without prejudice to rights of public access to documents held by the institutions which might follow from instruments of international law or acts of the institutions implementing them.**

*(This text replaces Amendment 26 (paragraph 1), Amendment 25 (paragraphs 1 and 3), Amendment 27 (paragraph 1) and Amendment 29 (paragraphs 1-3), Amendment 27 (paragraph 4) and Amendment 21 adopted on 16 November 2000).*

## Compromise Amendment 100

## Article 3

For the purposes of this Regulation:

- (a) 'document' shall mean any content whatever its medium (written on paper or stored in electronic form or as a sound, visual or audiovisual recording); *only administrative documents shall be covered, namely documents concerning a matter relating to the policies, activities and decisions falling within the institution's sphere of responsibility, excluding texts for internal use such as discussion documents, opinions of departments, and excluding informal messages;*
- (b) 'institutions' shall mean the European Parliament, the Council and the Commission;
- (c) 'European Parliament' shall mean Parliament bodies (and in particular the Bureau and the Conference of Presidents), Parliamentary Committees, the political groups and departments;
- (d) 'Council' shall mean the various configurations and bodies of the Council (and in particular the Permanent Representatives Committee and the working parties), the departments and the committees set up by the Treaty or by the legislator to assist the Council;
- (e) 'Commission' shall mean the Members of the Commission as a body, the individual Members and their private offices, the Directorates-General and departments, the representations and delegations, committees set up by the Commission and committees set up to help it exercise its executive powers;

For the purposes of this Regulation:

- (a) 'document' shall mean any content whatever its medium (written on paper or stored in electronic form or as a sound, visual or audiovisual recording) concerning a matter relating to the policies, activities and decisions falling within the institution's sphere of responsibility;

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- (f) 'third party' shall mean any natural or legal person, or any entity outside the institution, including the Member States, other Community *and* non-Community institutions and bodies and non-member *countries*.

- (f) 'third party' shall mean any natural or legal person, or any entity outside the institution **concerned**, including the Member States, other Community **or** non-Community institutions and bodies and non-Member **States**.

*A list of the committees referred to in points (d) and (e) of the first paragraph shall be drawn up as part of the rules giving effect to this Regulation, as provided for in Article 10.*

*(This text replaces Amendment 28 adopted on 16 November 2000).*

## Compromise Amendment 101

## Article 4

The institutions shall refuse access to *documents* where disclosure *could significantly* undermine the protection of:

- (a) the public interest *and in particular*:
- public security,
  - defence and international relations,
  - *relations between and/or with the Member States or Community or non-Community institutions,*
  - *financial or economic interests,*
  - *monetary stability,*
  - *the stability of the Community's legal order,*
  - *court proceedings,*
  - *inspections, investigations and audits,*
  - *infringement proceedings, including the preparatory stages thereof,*
  - *the effective functioning of the institutions;*
- (b) privacy *and the individual, and in particular*:
- *personnel files,*
  - *information, opinions and assessments given in confidence with a view to recruitments or appointments,*
  - *an individual's personal details or documents containing information such as medical secrets which, if disclosed, might constitute an infringement of privacy or facilitate such an infringement;*
- (c) commercial *and industrial secrecy or the economic interests of a specific natural or legal person and in particular*:
- *business and commercial secrets,*
  - *intellectual and industrial property,*

1. The institutions shall refuse access to **a document** where disclosure **would** undermine the protection of:

- (a) the public interest **as regards**:
- public security,
  - defence and **military matters**,
  - international relations,
  - **the financial, monetary or economic policy of the Community or a Member State;**
- (b) privacy **and the integrity of the individual**, in particular **as protected by Community legislation regarding the protection of personal data**.
2. The institutions shall refuse access to a document where disclosure would undermine the protection of:
- commercial interests of a natural or legal person, **including** intellectual property;
  - **court proceedings and legal advice,**
  - **the purpose of inspections, investigations and audits;**

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- industrial, financial, banking and commercial information, including information relating to business relations or contracts,
  - information on costs and tenders in connection with award procedures;
- (d) confidentiality as requested by the third party having supplied the document or the information, or as required by the legislation of the Member State.

**unless there is an overriding public interest in disclosure.**

**3. Access to a document, drawn up by an institution for internal use or received by an institution, which relates to a matter where the decision has not been taken by the institution, shall be refused if disclosure of the document would seriously undermine the institution's decision-making process, unless there is an overriding public interest in disclosure.**

Access to a document containing opinions for internal use as part of deliberations and preliminary consultations within the institution concerned shall be refused even after the decision has been taken if disclosure of the document would seriously undermine the institution's decision-making process, unless there is an overriding public interest in disclosure.

**4. As regards third-party documents, the institution shall consult the third party with a view to assessing whether an exception in paragraph 1 or 2 is applicable, unless it is clear that the document shall or shall not be handed out.**

**5. A Member State may request the institution not to disclose a document originating from that Member State without its prior agreement.**

**6. If only parts of the requested document are covered by any of the exceptions, the remaining parts of the document shall be released.**

**7. The exceptions as laid down in paragraphs 1-3 shall only apply for the period during which protection is justified on the basis of the content of the document. The exceptions may apply for a maximum period of 30 years. In the case of documents covered by the exceptions relating to privacy or commercial interests and in the case of sensitive documents, the exceptions may, if necessary, continue to apply after this period.**

*(This text replaces Amendments 29 (paragraph 4), 30, 32 (paragraphs 3 and 4), 33, 60 and 70 adopted on 16 November 2000).*

Compromise Amendment 102

Article 4a (new)

#### Article 4a

##### Documents in the Member States

Where a Member State receives a request for a document in its possession, originating from an institution, unless it is clear that the document shall or shall not be handed

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out, the Member State shall consult with the institution concerned in order to take a decision that does not jeopardise the attainment of the objectives of this Regulation.

The Member State may instead refer the request to the institution.

(This text replaces Amendment 37 adopted on 16 November 2000).

## Compromise Amendment 103

## Article 5

*Processing of initial applications*

1. All applications for access to a document shall be made in writing in a sufficiently precise manner to enable the institution to identify the document. *The institution concerned may ask the applicant for further details regarding the application. In the event of repetitive applications and/or applications relating to very large documents, the institution concerned shall confer with the applicant informally, with a view to finding a fair solution.*

2. Within one month of registration of the application, the institution shall inform the applicant, in a written and reasoned reply, of the outcome of the application.

3. Where the institution gives a negative reply to the applicant, it shall inform him that, within one month of receiving the reply, he is entitled to make a confirmatory application asking the institution to reconsider its position, failing which he shall be deemed to have withdrawn the original application.

4. In exceptional cases, the one-month time-limit provided for in paragraph 2 may be extended by one month, provided that the applicant is notified in advance and that detailed reasons are given.

Failure to reply within the prescribed time-limit shall be treated as a negative response.

(This text replaces paragraphs 1 and 4a of Amendment 40 and Amendment 31 adopted on 16 November 2000).

## Compromise Amendment 104

## Article 5a (new)

## Article 5a

*Processing of initial applications*

1. An application for access to a document shall be handled promptly. An acknowledgement of receipt shall be sent to the applicant. Within 15 working days from registration of the application, the institution shall either grant access to the document requested and provide access in accordance with Article 7 within that period or, in a written reply, state the reasons for the total or partial refusal and inform the applicant of his or her right to make a confirmatory application in accordance with paragraph 2.

2. In the event of a total or partial refusal, the applicant may, within 15 working days of receiving the institution's reply, make a confirmatory application asking the institution to reconsider its position.

**Applications**

1. Applications for access to a document shall be made in **any written form, including electronic form, in one of the languages referred to in Article 314 of the Treaty** and in a sufficiently precise manner to enable the institution to identify the document. **The applicant is not obliged to state reasons for his or her application.**

2. If an application is not sufficiently precise the institution shall ask the applicant to clarify the application and shall assist the applicant in doing so, for example by providing information on the use of the public registers of documents.

3. In the event of an application relating to a very long document or to a very large number of documents, the institution concerned may confer with the applicant informally, with a view to finding a fair solution.

4. The institutions shall provide information and assistance to citizens on how and where applications for access to documents can be made.

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3. In exceptional cases, for example in the event of an application relating to a very long document or to a very large number of documents, the time-limit of 15 working days provided for in paragraph 1 may be extended by 15 working days, provided that the applicant is notified in advance and that detailed reasons are given.

4. Failure by the institution to reply within the prescribed time-limit shall entitle the applicant to make a confirmatory application.

(This text replaces the remainder of Amendment 40 adopted on 16 November 2000).

## Compromise Amendment 105

## Article 6

1. Where the applicant submits a confirmatory application, the institution shall reply to him in writing within one month of registration of the application. If the institution decides to maintain its refusal to grant access to the document requested, it shall state the grounds for its refusal and inform the applicant of the remedies open to him, namely court proceedings and a complaint to the Ombudsman, under the conditions laid down in Articles 230 and 195 of the EC Treaty, respectively.

2. In exceptional cases, the time-limit provided for in paragraph 1 may be extended by one month, provided that the applicant is notified in advance and that detailed reasons are given.

Failure to reply within the prescribed time-limit shall be treated as a positive decision.

1. A confirmatory application shall be handled promptly. Within 15 working days from registration of such an application, the institution shall either grant access to the document requested and provide access in accordance with Article 7 within that period or, in a written reply, state the reasons for the total or partial refusal. Should the institution deny access in total or in part, it shall inform the applicant of the remedies open to him or her, namely instituting court proceedings against the institution and/or making a complaint to the Ombudsman, under the conditions laid down in Articles 230 and 195 of the Treaty, respectively.

2. In exceptional cases, for example in the event of an application relating to a very long document or to a very large number of documents, the time-limit provided for in paragraph 1 may be extended by 15 working days, provided that the applicant is notified in advance and that detailed reasons are given.

3. Failure by the institution to reply within the prescribed time-limit shall be considered as a negative reply and entitle the applicant to institute court proceedings against the institution and/or make a complaint to the Ombudsman, under the conditions laid down in Articles 230 and 195 of the Treaty, respectively.

(This text replaces Amendments 41 and 50 adopted on 16 November 2000).

## Compromise Amendment 106

## Article 6a (new)

## Article 6a

## Treatment of sensitive documents

1. Sensitive documents are documents originating from the institutions or their agencies, Member States, Non-Member States or International Organisations, classified as 'Top Secret', 'Secret' or 'Confidential' in accordance with the rules of the institution concerned which protect essential interests of the European Union or of one or more of its Member States in the areas covered by Article 4(1)(a), notably public security, defence and military matters.

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2. Applications for access to sensitive documents under the procedures laid down in Articles 5a and 6 shall be handled only by those persons who have a right to acquaint themselves with those documents. These persons shall also, without prejudice to Article 9(2), assess which references to sensitive documents could be made in the public register.

3. Sensitive documents shall be recorded in the register or released only with the consent of the originator.

4. A decision by an institution to refuse access to a sensitive document shall be reasoned in a manner which does not harm the interests protected in Article 4.

5. Member States shall take appropriate measures to ensure that when handling applications for sensitive documents the principles in this Article and Article 4 are respected.

6. The rules of the institutions concerning sensitive documents shall be made public.

7. The Commission and the Council shall inform the European Parliament regarding sensitive documents in accordance with arrangements agreed between the institutions.

*(This text replaces paragraph (a) of Amendment 34 and paragraph 2a of Amendment 43 adopted on 16 November 2000).*

## Compromise Amendment 107

## Article 7

*Exercise of the right to access*

1. The applicant shall have access to documents either by consulting them on the spot or by receiving a copy.

The costs of *his doing so* may be charged to the applicant.

2. Documents shall be supplied in an existing *language* version, regard *being had* to the preference expressed by the applicant. *An edited version of the requested document shall be provided if part of the document is covered by any of the exceptions provided for in Article 4.*

## Access following an application

1. The applicant shall have access to documents either by consulting them on the spot or by receiving a copy, **including where available an electronic copy, according to his or her preference.** The cost of **producing and sending copies** may be charged to the applicant. **This charge shall not exceed the real cost of producing and sending the copies.** Consultation on the spot, copies of less than 20 A4 pages and direct access in electronic form or through the register shall be free of charge.

1a. If a document has already been released by the institution concerned and is easily accessible to the applicant, the institution may fulfil its obligation of granting access to documents by informing the applicant how to obtain the requested document.

2. Documents shall be supplied in an existing version **and format (including electronically or in an alternative format such as Braille, large print or tape) with full** regard to the preference expressed by the applicant.

*(This text replaces paragraphs 1 and 2 of Amendment 43 adopted on 16 November 2000).*

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## Compromise Amendment 108

## Article 8

## Article 8

**Deleted**

*Reproduction for commercial purposes or other forms of economic exploitation*

*An applicant who has obtained a document may not reproduce it for commercial purposes or exploit it for any other economic purposes without the prior authorisation of the right-holder.*

*(This text and Amendment 114 below replace Amendment 44 adopted on 16 November 2000).*

## Compromise Amendment 109

## Article 9

## Information and registers

**Registers**

*Each institution shall take the requisite measures to inform the public of the rights they enjoy as a result of this Regulation. Furthermore, to make it easier for citizens to exercise their rights arising from this Regulation, each institution shall provide access to a register of documents.*

**1. To make citizens' rights under** this Regulation **effective** each institution shall provide public access to a register of documents. **Access to the register should be provided in electronic form. References to documents shall be entered in the register without delay.**

**2. For each document the register shall contain a reference number (including, where applicable, the interinstitutional reference), the subject matter and/or a short description of the content of the document and the date on which it was received or drawn up and entered in the register. References shall be made in a manner which does not undermine protection of the interests in Article 4.**

**3. The institutions shall immediately take the measures necessary to establish a register which shall be operational at the latest one year from the entry into force of this Regulation.**

*(This text replaces paragraphs 1-3 of Amendment 46 and Amendment 62 adopted on 16 November 2000).*

## Compromise Amendment 110

## Article 9a (new)

**Article 9a****Direct access in electronic form or through a register**

**1. The institutions shall as far as possible make documents directly accessible to the public in electronic form or through a register in accordance with the rules of the institution concerned.**

**2. In particular, legislative documents, that is to say documents drawn up or received in the course of procedures for the adoption of acts which are legally binding in or for the Member States, should, subject to Articles 4 and 6a, be made directly accessible.**



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3. Where possible, other documents, notably documents relating to the development of policy or strategy, should be made directly accessible.

4. Where direct access is not given through the register, the register shall as far as possible indicate where the document is located.

*(This text replaces paragraph 4 of Amendment 46 adopted on 16 November 2000).*

## Compromise Amendment 111

## Article 9b (new)

## Article 9b

## Publication in the Official Journal

1. In addition to the acts referred to in Article 254 of the EC Treaty and Article 163 of the Euratom Treaty, the following documents shall, subject to Articles 4 and 6a, be published in the Official Journal:

- (a) Commission proposals;
- (b) common positions adopted by the Council in accordance with the procedures referred to in Articles 251 and 252 of the EC Treaty and the reasons underlying those common positions, as well as the European Parliament's positions in these procedures;
- (c) framework decisions and decisions referred to in Article 34(2) of the Treaty on European Union;
- (d) conventions established by the Council in accordance with Article 34(2) of the Treaty on European Union;
- (e) conventions signed between Member States on the basis of Article 293 of the EC Treaty;
- (f) international agreements concluded by the Community or in accordance with Article 24 of the Treaty on European Union;

2. As far as possible, the following documents shall be published in the Official Journal:

- a) initiatives presented to the Council by a Member State pursuant to Article 67(1) of the EC Treaty or pursuant to Article 34(2) of the Treaty on European Union;
- (b) common positions referred to in Article 34(2) of the Treaty on European Union;
- (c) directives other than those referred to in Article 254(1) and (2) of the EC Treaty, decisions other than those referred to in Article 254(1) of the EC Treaty, recommendations and opinions.

3. Each institution may in its rules of procedure establish which further documents shall be published in the Official Journal.

*(This text replaces Amendments 39 and 61 adopted on 16 November 2000).*

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## Compromise Amendment 112

*Article 9c (new)***Article 9c****Information**

1. Each institution shall take the requisite measures to inform the public of the rights they enjoy under this Regulation.
2. The Member States shall cooperate with the institutions in providing information to the citizens.

*(This text replaces Amendments 37 (third paragraph) and 45 adopted on 16 November 2000).*

## Compromise Amendment 113

*Article 9d (new)***Article 9d****Administrative practice in the institutions**

1. The institutions shall develop good administrative practices in order to facilitate the exercise of the right of access guaranteed by this Regulation.
2. The institutions shall establish an interinstitutional committee to examine best practice, address possible conflicts and discuss future developments on public access to documents.

*(This text replaces Amendments 34 and 48 adopted on 16 November 2000).*

## Compromise Amendment 114

*Article 9e (new)***Article 9e****Reproduction of documents**

**This Regulation shall be without prejudice to any existing rules on copyright which may limit a third party's right to reproduce or exploit released documents.**

*(This text replaces Amendment 44 adopted on 16 November 2000).*

## Compromise Amendment 115

*Article 9f (new)***Article 9f****Reports**

1. Each institution shall publish annually a report for the preceding year including the number of cases in which the institution refused to grant access to documents, the reasons for such refusals and the number of sensitive documents not recorded in the register.

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2. At the latest by 31 January 2004 the Commission shall publish a report on the implementation of the principles of this Regulation and shall make recommendations, including, if appropriate, proposals for the revision of this Regulation and an action programme of measures to be taken by the institutions.

(This text replaces Amendment 51 adopted on 16 November 2000).

## Compromise Amendment 116

## Article 10

Each institution shall adopt in its rules of procedure the provisions *required to give effect to* this Regulation. Those provisions shall take effect on ... [*three months after the adoption of this Regulation*].

1. Each institution shall adopt in its rules of procedure the provisions **implementing** this Regulation. Those provisions shall take effect on... [**six months after the adoption of this Regulation**].

2. By ... [**six months after the entry into force of this Regulation**] the Commission shall examine the conformity of Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community <sup>(1)</sup> with this Regulation, in order to ensure the preservation and archiving of documents to the fullest extent possible.

3. By ... [**six months after the entry into force of this Regulation**] the Commission shall examine the conformity of the existing rules on access to documents with this Regulation.

<sup>(1)</sup> OJ L 43, 15.2.1983, p. 1.

(This text replaces Amendment 26, paragraph 2, Amendments 53, 55, 56 and 58 adopted on 16 November 2000).

## Compromise Amendment 117

## Article 11(1)

This Regulation shall enter into force on the third day following that of its publication in the Official Journal of the European Communities. It shall be applicable from ... [*three months from the date of adoption of this Regulation*].

This Regulation shall enter into force on the third day following that of its publication in the Official Journal of the European Communities. It shall be applicable from ... [**six months from the date of adoption of this Regulation**].

(This text replaces Amendment 54 adopted on 16 November 2000).

## Compromise Amendment 118

## Joint Statement

## Joint statement to be published in the Official Journal

1. The European Parliament, the Council and the Commission agree that the agencies and similar bodies created by the legislator should have rules on access to their documents which conform to those of this Regulation. To this effect, the European Parliament and the Council welcome

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TEXT PROPOSED  
BY THE COMMISSIONAMENDMENTS  
BY PARLIAMENT

the Commission's intention to propose, as soon as possible, amendments to the acts establishing the existing agencies and bodies and to include provisions in future proposals concerning the establishment of such agencies and bodies. They undertake to adopt the necessary acts rapidly.

2. The European Parliament, the Council and the Commission call on the institutions and bodies not covered by paragraph 1 to adopt internal rules on public access to documents which take account of the principles and limits in this Regulation.

(This text, with Amendment 87, replaces Amendment 11, Amendment 57 and Amendment 59 adopted on 16 November 2000).

Compromise Amendment 119  
Title and Headings

Amendments 1, 23, 35, 38, 42, 47, 49 and 52 adopted on 16 November 2000 fall.

**European Parliament legislative resolution on the proposal for a Regulation of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents (COM(2000) 30 – C5-0057/2000 – 2000/0032(COD))**

(Codecision procedure: first reading)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and to the Council (COM(2000) 30) <sup>(1)</sup>,
- having regard to Article 251(2) of the EC Treaty and Article 255(2) of the EC Treaty, pursuant to which the Commission submitted the proposal to the European Parliament (C5-0057/2000),
- having regard to Rule 67 of its Rules of Procedure,
- having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs and the opinions of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy, the Committee on Budgetary Control, the Committee on Legal Affairs and the Internal Market, the Committee on Culture, Youth, Education, the Media and Sport, the Committee on Constitutional Affairs and the Committee on Petitions (A5-0318/2000),

1. Approves the Commission proposal as amended;
2. Asks to be consulted again should the Commission intend to amend its proposal substantially or replace it with another text;
3. Instructs its President to forward its position to the Council and Commission.

<sup>(1)</sup> OJ C 177 E, 27.6.2000, p. 70.

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## 7. Animal-health requirements for movement of pets \*\*\*I

A5-0125/2001

**Proposal for a European Parliament and Council regulation on the animal-health requirements applicable to non-commercial movement of pet animals (COM(2000) 529 – C5-0477/2000 – 2000/0221(COD))**

The proposal was amended as follows:

TEXT PROPOSED  
BY THE COMMISSION<sup>(1)</sup>

AMENDMENTS  
BY PARLIAMENT

### Amendment 1

#### First citation

- |   |  |
|---|--|
| <p>– Having regard to the Treaty establishing the European Community, and in particular Articles 37 and 152(4) (b) thereof,</p> | <p>– Having regard to the Treaty establishing the European Community, and in particular <b>Article</b> 152(4) (b) thereof,</p> |
|---|--|

*(This amendment applies throughout the text.)*

### Amendment 2

#### Recital 2

(2) *This Regulation concerns movement of live animals covered by Annex I to the Treaty. Some of its provisions, in particular concerning rabies, have as their direct objective the protection of public health, while others concern solely animal health. Article 37 and Article 152(4)(b) of the Treaty are therefore the appropriate legal bases.*

(2) **The essential aim of this Regulation is the protection of human health through veterinary measures applicable to non-commercial movement of pet animals; Article 152(4)(b) of the Treaty is therefore the appropriate legal basis.**

### Amendment 4

#### Recital 10a (new)

**(10a) The Commission should re-examine existing legislation on trade in animals of the species specified in Annex I, Part A, with a view to harmonising it with the rules set out in this Regulation.**

### Amendment 3

#### Recital 11

(11) *Since the measures necessary for the implementation of this Regulation are measures of general scope within the meaning of Article 2 of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission, they should be adopted by use of the regulatory procedure provided for in Article 5 of that Decision,*

(11) The measures **to be taken** for the implementation of this Regulation **should be adopted in accordance with** Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission,

<sup>(1)</sup> OJ C 29 E, 30.1.2001, p. 239.

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TEXT PROPOSED  
BY THE COMMISSIONAMENDMENTS  
BY PARLIAMENT

## Amendment 5

## Article 1

This Regulation lays down the animal-health requirements applicable to non-commercial movement of pet animals and the rules applying to checks on such movement.

This Regulation lays down the animal-health requirements applicable to non-commercial movement of pet animals and the rules applying to checks on such movement **in order to ensure the protection of human health.**

## Amendments 6 and 7

## Article 3

Animals of the species listed in Annex I, Part A, shall be regarded as identified where they bear:

- (a) either a clearly readable tattoo, or
- (b) an electronic identification system (transponder).

In the case referred to in (b), where the transponder *does not* comply with Standard ISO 11784 and Annex A to Standard ISO 11785, *the person with responsibility for the animal must provide the means necessary for reading the transponder at the time of any inspection.*

**During an eight-year transitional period, beginning from the entry into force of this Regulation,** animals of the species listed in Annex I, Part A, shall be regarded as identified where they bear:

- (a) either a clearly readable tattoo, or
- (b) an electronic identification system (transponder).

In the case referred to in (b), the transponder **must** comply with Standard ISO 11784 and Annex A to Standard ISO 11785.

**Whatever form the animal identification system takes, provision must also be made for the indication of details identifying the name and address of the animal's owner.**

**Member States which require animals entering their territory, other than into quarantine, to be identified by option (b) may continue to do so during the transitional period.**

**After the transitional period, only option (b) shall be accepted as the means of identifying an animal.**

## Amendment 8

## Article 5, new paragraph after first paragraph

**The young of animals specified in Annex I, Part A, shall also meet the conditions laid down in this Regulation and thus must not be moved before they have reached the required age for vaccination and, where provided for in the rules, subsequent antibody titration.**

## Amendment 9

## Article 6, new paragraph after first paragraph

**Where they are initially introduced into the Community in a Member State not listed in Annex II, Part A, they may only be subsequently introduced in a Member State listed in Annex II, Part A, if they comply with the conditions laid down in Annex III, Part B, and in particular if an antibody titration on a sample taken by a veterinarian authorised by the competent authorities of a Member State is performed at least six months prior to movement.**

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TEXT PROPOSED  
BY THE COMMISSIONAMENDMENTS  
BY PARLIAMENTAmendment 10  
Article 10, paragraph 2

2. For the purposes of entering third countries on the list in Annex II, Part B, account shall be taken of:

- (a) *the structure and organisation of their veterinary services,*
- (b) *their status with regard to rabies,*
- (c) *regulations applicable to imports of carnivores,*
- (d) *regulations in force on the marketing of antirabies vaccines (list of authorised vaccines).*

2. For the purposes of entering third countries on the list in Annex II, Part B, account shall be taken of **the criteria in Article 2.2.5.2 of the OIE (International Office of Epizootics) International Animal Health Code, namely:**

- (a) **the disease is compulsorily notifiable in the country concerned;**
- (b) **an efficient system for monitoring the disease is in permanent operation;**
- (c) **a full regulatory system for preventing and combating rabies is in force, including effective import procedures;**
- (d) **no indigenous case of rabies infection has been confirmed in humans or animals during the previous two years; however, the isolation of a European bat lyssavirus (EBL 1 or EBL 2) in the country shall not prevent it from being classified as rabies-free;**
- (da) **no case of imported rabies has been confirmed in a carnivore outside a quarantine centre during the previous six months.**

Amendment 11  
Article 12a (new)

## Article 12a

**The authorities responsible within the Member States for the movement of pet animals shall provide clear and easily accessible information to the public concerning the health requirements that apply for the non-commercial movement of pet animals between Member States. They shall also ensure that personnel at border points are fully informed of and able to implement this Regulation.**

Amendment 12  
Article 16, paragraph 2

2. Where reference is made to this paragraph, the regulatory procedure laid down in Article 5 of Decision 1999/468/EC shall apply, in compliance with Article 7 thereof.

**Deleted**

Amendment 13  
Article 16, paragraph 3

3. Where reference is made to this paragraph, the regulatory procedure laid down in Article 5 of Decision 1999/468/EC shall apply, in compliance with Article 7 and Article 8 thereof.

**3. The implementing measures for this Regulation shall be adopted in accordance with the regulatory procedure referred to in Article 5 of Decision 1999/468/EC, having regard to Articles 7 and 8 thereof.**

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BY THE COMMISSION

AMENDMENTS  
BY PARLIAMENT

Amendment 14

*Annex I, Part B, Mammals*

Mammals: *ferret*, rabbit, guinea pig, hamster

Mammals: rabbit, guinea pig, hamster

Amendment 15

*Annex III, Part A, fourth indent*

- |   |   |
|---|---|
| <p>— with an inactivated vaccine complying with the international standard (WHO).</p> | <p>— with an inactivated vaccine complying with the international standard (WHO); <b>in this case, the vaccination must be carried out using an inactivated vaccine of at least one antigenic unit per dose (WHO standard).</b></p> |
|---|---|

**European Parliament legislative resolution on the proposal for a European Parliament and Council regulation on the animal-health requirements applicable to non-commercial movement of pet animals (COM(2000) 529 – C5-0477/2000 – 2000/0221(COD))**

(Codecision procedure: first reading)

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council and the amendments to the proposal) (COM(2000) 529) <sup>(1)</sup>,
  - having regard to Article 251(2), 37 and 152(4)(b) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0477/2000),
  - having regard to the opinion of the Committee on Legal Affairs and the Internal Market on the proposed legal basis,
  - having regard to Rule 67 of its Rules of Procedure,
  - having regard to the report of the Committee on the Environment, Public Health and Consumer Policy (A5-0125/2001),
1. Approves the Commission proposal as amended;
  2. Asks to be consulted again should the Commission intend to amend its proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council and Commission.

<sup>(1)</sup> OJ C 29 E, 30.1.2001, p. 239.



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**8. EU/FYROM Agreement \*\*\*****A5-0132/2001**

**European Parliament legislative resolution on the proposal for a Council and Commission decision on the conclusion of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part (6727/2001-6726/2001 – COM(2001) 90 – C5-0157/2001 – 2001/0049(AVC))**

(Assent procedure)

*The European Parliament,*

- having regard to the proposal for a Council and Commission decision (COM(2001) 90),
  - having regard to the Stabilisation and Association Agreement between the European Community and its Member States and the former Yugoslav Republic of Macedonia,
  - having regard to the Council's request for Parliament's assent pursuant to Article 300, third paragraph, second indent in conjunction with Article 300, second paragraph, first indent, last sentence and Article 310 of the EC Treaty (C5-0157/2001),
  - having regard to Rules 86 and 97(7) of its Rules of Procedure,
  - having regard to the recommendation of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy (A5-0132/2001),
1. Gives its assent to the conclusion of the Agreement;
  2. Instructs its President to forward its position to the Council and Commission, and the governments and parliaments of the Member States and the former Yugoslav Republic of Macedonia.

**9. Protection of the euro against counterfeiting \*****A5-0120/2001****1.**

**Initiative by the Government of the French Republic with a view to adopting a Council Decision on the protection of the euro against counterfeiting (5551/2001 – C5-0054/2001 – 2001/0804(CNS))**

The initiative was amended as follows:

TEXT PROPOSED BY THE GOVERNMENT  
OF THE FRENCH REPUBLIC <sup>(1)</sup>

AMENDMENTS  
BY PARLIAMENT

## Amendment 1

*Recital 2*

(2) The measures to protect the euro put in place by previous instruments should be supplemented and strengthened by provisions ensuring close cooperation between the competent

(2) The measures to protect the euro put in place by previous instruments should be supplemented and strengthened by provisions ensuring close cooperation between the competent

<sup>(1)</sup> OJ C 75, 7.3.2001, p. 1.

**Thursday 3 May 2001**TEXT PROPOSED BY THE GOVERNMENT  
OF THE FRENCH REPUBLICAMENDMENTS  
BY PARLIAMENT

authorities of the Member States, the European Central Bank, the national central banks, Europol and Eurojust to suppress offences involving counterfeiting of the euro,

authorities of the Member States, the European Central Bank, the national central banks, Europol and **with the Provisional Judicial Cooperation Unit and subsequently** Eurojust, **once the Decision establishing it has been adopted**, to suppress offences involving counterfeiting of the euro,

## Amendment 2

*Recital 2a (new)*

**(2a) Commission communication of 22 July 1998 to the Council, the European Parliament and the European Central Bank on 'Protection of the euro – combating counterfeiting' <sup>(1)</sup> should be noted.**

<sup>(1)</sup> COM(1998) 474.

## Amendment 3

*Recital 2b (new)*

**(2b) The resolution of the European Parliament of 17 November 1998 <sup>(1)</sup> concerning the aforementioned Commission communication of 22 July 1998 should be noted.**

<sup>(1)</sup> OJ C 379, 7.12.1998, p. 39.

## Amendment 4

*Recital 2c (new)*

**(2c) The recommendation of the European Central Bank of 7 July 1998 regarding the adoption of certain measures to enhance the legal protection of euro banknotes and coins <sup>(1)</sup> should be noted.**

<sup>(1)</sup> OJ C 11, 15.1.1999, p. 13.

## Amendment 5

*Recital 2d (new)*

**(2d) The provisions of the Geneva Convention and in particular the central offices established by that Convention, should be taken into account <sup>(1)</sup>.**

<sup>(1)</sup> International Convention for the Suppression of Counterfeiting Currency signed in Geneva on 20 April 1929. League of Nations Treaty Series No 2623 (1931), p. 372.

## Amendment 6

*Recital 2e (new)*

**(2e) Account should be taken of the Council Resolution of 28 May 1999 on increasing protection by penal sanctions against counterfeiting in connection with the introduction of the euro <sup>(1)</sup> and in particular of point C thereof inviting the Member States and the Commission to consider whether it is necessary to strengthen the existing**

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TEXT PROPOSED BY THE GOVERNMENT  
OF THE FRENCH REPUBLICAMENDMENTS  
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measures in order to cooperate efficiently with the help of the European Central Bank and the European Police Office (Europol) for the suppression of counterfeiting of the euro.

<sup>(1)</sup> OJ C 171, 18.6.1999, p. 1.

Amendment 7

*Recital 2f (new)*

(2f) Account should be taken of the Council Framework Decision 2000/383/JHA of 29 May 2000 on increasing protection by criminal penalties and other sanctions against counterfeiting in connection with the introduction of the euro <sup>(1)</sup>, which ensures effective and appropriate protection under criminal law by harmonising charges and penalties.

<sup>(1)</sup> OJ L 140, 14.6.2000, p. 1.

Amendment 8

*Recital 2g (new)*

(2g) Account should be taken of the Convention of 26 July 1995 based on Article K.3 of the Treaty on European Union, on the establishment of a European Police Office (Europol Convention) <sup>(1)</sup>, and in particular Article 28 (1), point 23, thereof.

<sup>(1)</sup> OJ C 316, 27.11.1995, p. 2.

Amendment 9

*Recital 2 h (new)*

(2h) The Council Decision of 29 April 1999 extended Europol's mandate to deal with forgery of money and means of payment <sup>(1)</sup>.

<sup>(1)</sup> OJ C 149, 28.5.1999, p. 16.

Amendment 10

*Recital 2i (new)*

(2i) Account should be taken of the conclusions of the Tampere European Council of 15 and 16 October 1999, in particular recommendations 43, 44, 45 and 46.

Amendment 11

*Recital 2j (new)*

(2j) Account should be taken of the conclusions of the Nice European Council on 7, 8, and 9 December 2000, in particular recommendation 32.

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## Amendment 12

Article 1, indent 2

- ‘counterfeiting’ or ‘forgery’ of the euro shall mean the conduct described in Articles 3 to 5 of the Council Framework Decision 2000/383/JHA of 29 May 2000 on increasing protection by criminal penalties and other sanctions against counterfeiting in connection with the introduction of the euro,
- **offences related to** ‘counterfeiting’ or ‘forgery’ of the euro shall mean the conduct described in Articles 3 to 5 of the Council Framework Decision 2000/383/JHA of 29 May 2000 on increasing protection by criminal penalties and other sanctions against counterfeiting in connection with the introduction of the euro,

## Amendment 13

Article 1, indent 3

- ‘competent authorities’ shall mean the authorities designated by the Member States to centralise information, in particular the national central offices, and to detect, investigate or punish the offences of ‘counterfeiting’ or ‘forgery’ of the euro;
- ‘competent authorities’ shall mean the authorities designated by the Member States to centralise information, in particular the national central offices, **referred to in Article 12 of the Geneva Convention**, and to detect, investigate or punish the offences of ‘counterfeiting’ or ‘forgery’ of the euro;

## Amendment 14

Article 1, indent 4

- ‘technical and statistical data’ shall mean data as defined in Article 2 of the Council Regulation (EC) No .../2001;
- ‘technical and statistical data’ shall mean data as defined in Article 2 of the Council Regulation (EC) No .../2001 **of ..., laying down measures necessary for the protection of the euro against counterfeiting;**

## Amendment 15

Article 2, point (a)

- (a) the necessary expert analyses of suspected counterfeit notes are carried out by the National Analysis Centre (NAC) designated pursuant to Article 4(1) of Regulation (EC) No .../2001;
- (a) the necessary expert analyses of suspected counterfeit notes are carried out by the National Analysis Centre (NAC) designated pursuant to Article 4(1) of Regulation (EC) No .../2001 **of ..., laying down measures necessary for the protection of the euro against counterfeiting;**

## Amendment 16

Article 2, point (b)

- (b) the necessary expert analyses of suspected counterfeit coins are carried out by the National Coin Analysis Centre (NCAC) established or designated pursuant to Article 5(1) of Regulation (EC) No .../2001.
- (b) the necessary expert analyses of suspected counterfeit coins are carried out by the National Coin Analysis Centre (NCAC) established or designated pursuant to Article 5(1) of Regulation (EC) No .../2001 **of ..., laying down measures necessary for the protection of the euro against counterfeiting.**

## Amendment 17

Article 4, paragraph 3

- 3. The competent authorities of the Member States shall exchange with the Provisional Judicial Cooperation Unit and subsequently with Eurojust, once the Decision establishing it has been adopted, all relevant information concerning criminal investigations in order to help establish the facts and ensure
- 3. The competent authorities of the Member States shall exchange with the Provisional Judicial Cooperation Unit and subsequently with Eurojust, once the Decision establishing it has been adopted, all relevant information concerning criminal investigations in order to help establish the facts and ensure

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BY PARLIAMENT

effective action against counterfeiting of the euro. Europol and Eurojust shall provide the competent authorities of the Member States with all necessary technical assistance in order to facilitate coordination of investigations undertaken and to improve and facilitate cooperation between the competent investigative and prosecuting bodies of the Member States.

effective action against counterfeiting of the euro. Europol and **the Provisional Judicial Cooperation Unit, and subsequently** Eurojust, **once the Decision establishing it has been adopted**, shall provide the competent authorities of the Member States with all necessary technical assistance in order to facilitate coordination of investigations undertaken and to improve and facilitate cooperation between the competent investigative and prosecuting bodies of the Member States.

## Amendment 18

## Article 5

Every Member State shall recognise the principle of the recognition of previous convictions under the conditions prescribed by its domestic law and, under those same conditions, shall recognise for the purpose of establishing habitual criminality final sentences handed down in another Member State for the offences referred to in Articles 3 to 5 of the Council Framework Decision 2000/383/JHA, or the offences referred to in Article 3 of the Geneva Convention, irrespective of the currency counterfeited.

Every Member State shall recognise the principle of the recognition of previous convictions under the conditions prescribed by its domestic law and, under those same conditions, shall recognise for the purpose of establishing habitual criminality final sentences handed down in another Member State for the offences referred to in Articles 3 to 5 of the Council Framework Decision 2000/383/JHA **of 29 May 2000** or the offences referred to in Article 3 of the Geneva Convention, irrespective of the currency counterfeited.

**European Parliament legislative resolution on the Initiative by the Government of the French Republic with a view to adopting a Council Decision on the protection of the euro against counterfeiting (5551/2001 – C5-0054/2001 – 2001/0804(CNS))**

(Consultation procedure)

*The European Parliament,*

- having regard to the Initiative by the Government of the French Republic with a view to adopting a Council Decision on the protection of the euro against counterfeiting (5551/2001)<sup>(1)</sup>,
- having regard to Article 34(2) (c) of the EU Treaty,
- having been consulted by the Council pursuant to Article 39(1) of the EU Treaty (C5-0054/2001),
- having regard to Rules 106 and 67 of its Rules of Procedure,
- having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs (A5-0120/2001),

1. Approves the Initiative by the Government of the French Republic as amended;
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 Initiative by the Government of the French Republic;
4. Instructs its President to forward its position to the Council, the Commission and the Government of the French Republic.

<sup>(1)</sup> OJ C 75, 7.3.2001, p. 1.

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## 2.

**Council position on a draft Council Regulation laying down measures necessary for the protection of the euro against counterfeiting (6281/2001 – C5-0084/2001 – 2000/0208(CNS))**

The position was amended as follows:

TEXT PROPOSED  
BY THE COUNCIL

AMENDMENTS  
BY PARLIAMENT

## Amendment 19

## Recital 7

(7) The counterfeiting analysis centre (CAC) established and managed under the auspices of the ECB, *in accordance with its Guideline<sup>(1)</sup>*, centralises the classification and analysis of technical data relating to counterfeit notes.

(7) The counterfeiting analysis centre (CAC) established and managed under the auspices of the ECB, centralises the classification and analysis of technical data relating to counterfeit notes **at European level. Member States should designate or establish a National Analysis Centre.**

<sup>(1)</sup> European Central Bank Guideline of 26 August 1998 on certain provisions regarding euro banknotes, as amended on 26 August 1999 (ECB/1999/3) (OJ L 258, 5.10.1999, p. 32).

## Amendment 20

## Recital 9

(9) Provision has been made for the ETSC to be established on a temporary basis as a distinct administrative entity within the Paris Mint on the basis of an exchange of letters between the President of the Council and the French Minister for Finance of 28 February and 9 June 2000; its tasks must be defined in this Regulation; the future status and the permanent headquarters of the ETSC will be decided by the Council in due course.

(9) Provision has been made for the ETSC to be established as a distinct **and independent** administrative entity within the Paris Mint on the basis of an exchange of letters between the President of the Council and the French Minister for Finance of 28 February and 9 June 2000; its tasks must be defined in this Regulation; the future status and the permanent headquarters of the ETSC will be decided by the Council in due course.

## Amendment 21

## Recital 11

(11) It is necessary to provide *that* credit institutions and any other establishments involved in the sorting and distribution to the public of notes and coins as a professional activity, including those whose activity consists in exchanging notes or coins, such as bureaux de change, *shall* be under an obligation to withdraw from circulation euro notes and coins which they know or have sufficient reason to believe to be counterfeit and hand them over to the competent national authorities. In addition, it is necessary to provide for the Member States to take steps so that sanctions they consider appropriate are imposed in the event of non-compliance by the said establishments with their obligations.

(11) It is necessary to provide **for** credit institutions and any other establishments involved in the sorting and distribution to the public of notes and coins as a professional activity, including those whose activity consists in exchanging notes or coins, such as bureaux de change, **to** be under an obligation to **make appropriate checks on the authenticity of euro notes and coins which they receive and to** withdraw from circulation euro notes and coins which they know or have sufficient reason to believe to be counterfeit and hand them over to the competent national authorities. In addition, it is necessary to provide for the Member States to take steps so that sanctions they consider appropriate are imposed in the event of non-compliance by the said establishments with their obligations.

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TEXT PROPOSED  
BY THE COUNCILAMENDMENTS  
BY PARLIAMENT

## Amendment 23

## Article 3, paragraph 1

1. Technical and statistical data relating to counterfeit notes and counterfeit coins discovered in the Member States shall be gathered and indexed by the competent national authorities. These data shall be communicated to the European Central Bank for storage and processing.

1. Technical and statistical data relating to counterfeit notes and counterfeit coins discovered in the Member States shall be gathered and indexed by the competent national authorities. These data shall be communicated to the **counterfeiting analysis centre (CAC) of the** European Central Bank for storage **in the counterfeit currency database (CCD) of the European System of Central Banks (ESCB)**, and processing.

## Amendment 24

## Article 3, paragraph 2

2. The European Central Bank shall gather and store technical and statistical data relating to counterfeit notes and counterfeit coins discovered in non-member countries.

2. The **counterfeiting analysis centre (CAC) of the** European Central Bank shall gather and store technical and statistical data relating to counterfeit notes and counterfeit coins discovered in non-member countries.

## Amendment 25

## Article 4, paragraph 2

2. The competent national authorities shall permit the examination by the NAC of suspected counterfeit notes and shall without delay provide it with the necessary examples requested by the NAC of each type of suspected counterfeit note for analysis and identification and such technical and statistical data as are in their possession. The NAC shall send the European Central Bank every new type of suspected counterfeit note corresponding to the criteria adopted by the European Central Bank.

2. The competent national authorities shall permit the examination by the NAC of suspected counterfeit notes and shall without delay provide it with the necessary examples requested by the NAC of each type of suspected counterfeit note for analysis and identification and such technical and statistical data as are in their possession. The NAC shall send **the counterfeiting analysis centre (CAC) of the** European Central Bank every new type of suspected counterfeit note corresponding to the criteria adopted by the European Central Bank.

## Amendment 26

## Article 5, paragraph 1 a (new)

**1a. The Council shall establish the European Technical and Scientific Centre (ETSC) for the technical analysis and the classification of counterfeit euro coins at European level.**

## Amendment 27

## Article 6, paragraph 1

1. Credit institutions, and any other institutions engaged in the sorting and distribution to the public of notes and coins as a professional activity, including establishments whose activity consists in exchanging notes and coins of different currencies, such as bureaux de change, shall be obliged to withdraw from circulation all euro notes and coins which they know or have sufficient reason to believe to be counterfeit. They shall immediately hand them over to the competent national authorities.

1. Credit institutions, and any other institutions engaged in the sorting and distribution to the public of notes and coins as a professional activity, including establishments whose activity consists in exchanging notes and coins of different currencies, such as bureaux de change, shall be obliged to withdraw from circulation all euro notes and coins which they know or have sufficient reason to believe to be counterfeit. They shall immediately hand them over to the competent national authorities. **To that end, they shall make appropriate checks on the authenticity of euro notes and coins which they receive.**

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TEXT PROPOSED  
BY THE COUNCILAMENDMENTS  
BY PARLIAMENT

## Amendment 28

## Article 11

*As far as possible* the provisions laid down in Articles 3, 4, 7, 8 and 9 of this Regulation shall apply to notes denominated in euro which have been produced with the use of lawful facilities or equipment in violation of the provisions in accordance with which the competent authorities may issue currency, or uttered in violation of the conditions in accordance with which the competent authorities may utter currency and without the consent of those authorities.

The provisions laid down in Articles 3, 4, 7, 8 and 9 of this Regulation shall apply to notes denominated in euro which have been produced with the use of lawful facilities or equipment in violation of the provisions in accordance with which the competent authorities may issue currency, or uttered in violation of the conditions in accordance with which the competent authorities may utter currency and without the consent of those authorities.

**European Parliament legislative resolution on the Council position on a draft Council Regulation laying down measures necessary for the protection of the euro against counterfeiting (6281/2001 – C5-0084/2001 – 2000/0208(CNS))**

(Consultation procedure)

*The European Parliament,*

- having regard to the Commission proposal to the Council (COM(2000) 492) <sup>(1)</sup>,
  - having been consulted by the Council, pursuant to Article 308 of the EC Treaty (C5-0441/2000),
  - having regard to the Council position (6281/2001 – C5-0084/2001),
  - having regard to Rule 67 of its Rules of Procedure,
  - having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs (A5-0120/2001),
1. Approves the Council position as amended;
  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 its position;
  4. Instructs its President to forward this position to the Council and Commission.

<sup>(1)</sup> OJ C 337 E, 28.11.2000, p. 264.

## 3.

**Council position on a draft Council Regulation extending the effects of Regulation (EC) No .../2001 laying down measures necessary for the protection of the euro against counterfeiting to those Member States which have not adopted the euro as their single currency (6281/2001 – C5-0084/2001 – 2000/0208(CNS))**

The position was approved.



Thursday 3 May 2001

**European Parliament legislative resolution on the Council position on a draft Council Regulation extending the effects of Regulation (EC) No .../2001 laying down measures necessary for the protection of the euro against counterfeiting to those Member States which have not adopted the euro as their single currency (6281/2001 – C5-0084/2001 – 2000/0208(CNS))**

(Consultation procedure)

*The European Parliament,*

- having regard to the Commission proposal to the Council (COM(2000) 492) <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 308 of the EC Treaty (C5-0441/2000),
- having regard to the Council position (6281/2001 – C5-0084/2001),
- having regard to Rule 67 of its Rules of Procedure,
- having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs (A5-0120/2001),

1. Approves the Council position;
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 its position;
4. Instructs its President to forward this position to the Council and Commission.

<sup>(1)</sup> OJ C 337 E, 28.11.2000, p. 264.

## **10. Transmission of samples of illegal substances – Forensic profiling analysis of synthetic drugs \***

**A5-0121/2001**

### **1.**

**Initiative of the Kingdom of Sweden with a view to the adoption of a JHA Council decision on the transmission of samples of illegal narcotic substances (14008/2000 – C5-0734/2000 – 2000/0826(CNS))**

The initiative was amended as follows:

TEXT PROPOSED  
BY THE KINGDOM OF SWEDEN <sup>(1)</sup>

AMENDMENTS  
BY PARLIAMENT

#### Amendment 1

##### *Title*

Initiative of the Kingdom of Sweden with a view to adopting a JHA Council Decision on the transmission of samples of *illegal* narcotic substances

Initiative of the Kingdom of Sweden with a view to adopting a JHA Council Decision on the **secure** transmission **between the designated authorities of the Member States** of samples of **seized controlled** narcotic substances **for the purposes of analysis or examination**

<sup>(1)</sup> OJ C 10, 12.1.2001, p. 4.

Thursday 3 May 2001

TEXT PROPOSED  
BY THE KINGDOM OF SWEDEN

AMENDMENTS  
BY PARLIAMENT

Amendment 2

*Recital -1 (new)*

**(-1) The fight against the illicit production and trafficking of drugs is a matter of common concern for law enforcement and justice authorities in the Member States.**

Amendment 3

*Recital 1*

(1) The possibility of legally transmitting samples of seized *illegal* narcotic substances between the authorities of the Member States for the purposes of prevention, detection, investigation and prosecution of criminal offences would increase the effectiveness of the fight against drugs.

(1) The possibility of legally transmitting samples of seized **controlled** narcotic substances between the authorities of the Member States for the purposes of prevention, detection, investigation and prosecution of criminal offences would increase the effectiveness of the fight against drugs.

Amendment 4

*Recital 3*

(3) At present no legally binding rules exist regulating the legal transmission of seized *illegal* narcotic substance samples between the authorities of the Member States. A system should therefore be created at European Union level to allow for the legal transmission of such samples.

(3) At present no legally binding rules exist regulating the legal transmission of seized **controlled** narcotic substance samples between the authorities of the Member States. A system should therefore be created at European Union level to allow for the legal transmission of such samples.

Amendment 5

*Recital 4*

(4) That system should apply to all forms of transmission of samples of seized *illegal* narcotic substances between Member States. Transmission should be based on agreement between the sending and the receiving Member State, together with information to other Member States whose territory is involved.

(4) That system should apply to all forms of transmission of samples of seized **controlled** narcotic substances between Member States. Transmission should be based on agreement between the sending and the receiving Member State, together with information to other Member States whose territory is involved.

Amendment 6

*Recital 6*

(6) Transmission *should* take place in a manner that is *sufficiently secure* and guarantees that the transported samples cannot be abused,

(6) Transmission **must** take place in a manner that **ensures maximum security** and guarantees that the transported samples cannot be abused,

Amendment 7

*Article 1, paragraph 1*

1. This Decision establishes a system for the *legal* transmission between Member States of samples of *illegal* narcotic substances.

1. This Decision establishes a system for the transmission between Member States of samples of **controlled** narcotic substances.

Thursday 3 May 2001

TEXT PROPOSED  
BY THE KINGDOM OF SWEDENAMENDMENTS  
BY PARLIAMENT

## Amendment 8

## Article 1, paragraph 2

2. Transmission of samples of *illegal* narcotic substances (hereinafter 'samples') shall be considered lawful in all Member States when it is conducted in accordance with this Decision.

2. Transmission of samples of **controlled** narcotic substances (hereinafter 'samples') shall be considered lawful in all Member States when it is conducted in accordance with this Decision.

## Amendment 9

## Article 2, point (c)

(c) any substance coming under the scope of the decisions taken or to be taken on the basis of Article 5 of Council Joint Action 97/396/JHA of 16 June 1997 concerning the information exchange, risk assessment and the control of new synthetic drugs.

(c) any substance coming under the scope of the decisions taken or to be taken on the basis of Council Joint Action 97/396/JHA of 16 June 1997 concerning the information exchange, risk assessment and the control of new synthetic drugs.

## Amendment 10

## Article 3, paragraph 3

3. The national contact points shall be the sole bodies competent for authorising the transmission of samples under this Decision.

3. The national contact points shall, **if appropriate in association with relevant national bodies**, be the sole bodies competent for authorising the transmission of samples under this Decision.

## Amendment 11

## Article 4, paragraph 1

1. The national contact point of the Member State intending to send a sample and the national contact point of the Member State intended to receive a sample shall agree on the *method* of transport. For this purpose they shall make use of the sample transmission form set out in the Annex.

1. The national contact point of the Member State intending to send a sample and the national contact point of the Member State intended to receive a sample shall agree on the **most appropriate and secure means** of transport **before the transmission takes place**. For this purpose they shall make use of the sample transmission form set out in the Annex.

## Amendment 12

## Article 4, paragraph 2

2. Where transmission of a sample involves transportation through the territory of another Member State ('*involved* Member State'), the national contact point of such *involved* Member State shall be informed of the planned transport by the national contact point of the sending Member State. To that end, each *involved* Member State shall receive a copy of the duly completed sample transmission form.

2. Where transmission of a sample involves transportation through the territory of another Member State ('**transit** Member State'), the national contact point of such **transit** Member State shall be informed **beforehand** of the planned transport by the national contact point of the sending Member State. To that end, each **transit** Member State shall receive a copy of the duly completed sample transmission form **before the transmission begins**.

## Amendment 13

## Article 5, paragraph 1

1. *The Member States sending and receiving the sample shall decide on the means of transport.* Transport of samples shall take place in a *sufficiently* secure way.

1. Transport of samples shall take place in a secure way.

Thursday 3 May 2001

TEXT PROPOSED  
BY THE KINGDOM OF SWEDEN

AMENDMENTS  
BY PARLIAMENT

Amendment 14

Article 5, paragraph 2

2. The following means of transport shall be regarded, inter alia, as *sufficiently* secure:

- (a) transport by an official of the sending or receiving Member State;
- (b) *transport by courier;*
- (c) transport by diplomatic bag;
- (d) transport by registered (express) mail.

2. The following means of transport shall be regarded, inter alia, as secure:

- (a) transport by an official of the sending or receiving Member State;
- (c) transport by diplomatic bag;
- (d) transport by registered (express) mail.

Amendment 15

Article 5, paragraph 2 a (new)

**2a. The above means of transport shall be kept under constant review and alternative secure means of transport shall be agreed by the national contact points should experience so dictate.**

Amendment 16

Article 5, paragraph 4

4. The authorities of Member States shall not hinder or detain any transport accompanied by a duly completed sample transmission form unless they have doubts as to whether the *sample transmission form has been issued* lawfully. In case of doubts as to the legal status of the sample transmission form, the national contact point of the Member State detaining the transport shall, *as soon as possible*, contact the national contact points of the Member States responsible for the completion of the sample transmission form in order to clarify the issue.

4. The authorities of Member States shall not hinder or detain any transport accompanied by a duly completed sample transmission form unless they have doubts as to whether the **transport is being carried out** lawfully. In case of doubts as to the legal status of the sample transmission form, the national contact point of the Member State detaining the transport shall, **without delay**, contact the national contact points of the Member States responsible for the completion of the sample transmission form in order to clarify the issue.

Amendment 17

Article 5, paragraph 5

5. If the means of transport chosen is transport by an official of the sending or receiving Member State, that official shall not be permitted to wear a uniform. Further, he or she shall not *have any operational powers and shall not be permitted to carry out any other missions during the transport.*

5. If the means of transport chosen is transport by an official of the sending or receiving Member State, that official shall not be permitted to wear a uniform. Further, he or she shall not **carry out** any operational **task in connection with the transport that has not been agreed by the sending, transit or receiving Member State.**

Amendment 18

Article 6, title

*Nature* of the sample and its use

**Quantity** of the sample and its use

Amendment 19

Article 6, paragraph 1

1. A sample shall not exceed the quantity necessary for the *work of law enforcement or judicial authorities.*

1. A sample shall not exceed the quantity **deemed** necessary for law enforcement **and** judicial **purposes or for the analysis of samples.**

Thursday 3 May 2001

TEXT PROPOSED  
BY THE KINGDOM OF SWEDEN

AMENDMENTS  
BY PARLIAMENT

Amendment 20  
*Article 6, paragraph 2*

2. The use of the sample within the receiving Member State shall be agreed between the sending and receiving Member States, it being understood that samples can only be used for prevention, detection, investigation and prosecution of criminal offences.

2. The use of the sample within the receiving Member State shall be agreed between the sending and receiving Member States, it being understood that samples can only be used for prevention, detection, investigation and prosecution of criminal offences, **or for the analysis of samples.**

Amendment 21  
*Article 7, paragraph 1*

1. This Decision shall be subject to evaluation *before ...* <sup>(1)</sup>.

1. This Decision shall be subject to evaluation **at least two and no more than four years after its entry into force.**

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

Amendment 22  
*Article 7, paragraph 2*

2. For the purpose of the said evaluation the national contact point of each sending Member State shall hold in archive a copy of every sample transmission form issued during at least the previous five years.

2. For the purpose of the said evaluation the national contact point of each sending Member State shall hold in archive a copy of every sample transmission form issued during at least the previous **ten** years.

**European Parliament legislative resolution on the initiative of the Kingdom of Sweden with a view to the adoption of a JHA Council decision on the transmission of samples of illegal narcotic substances (14008/2000 – C5-0734/2000 – 2000/0826(CNS))**

(Consultation procedure)

*The European Parliament,*

- having regard to the initiative of the Kingdom of Sweden (14008/2000) <sup>(1)</sup>,
- having regard to Article 34(2) (c) of the EU Treaty,
- having been consulted by the Council pursuant to Article 39(1) of the EU Treaty (C5-0734/2000),
- having regard to Rules 106 and 67 of its Rules of Procedure,
- having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs (A5-0121/2001),

1. Approves the Kingdom of Sweden initiative as amended;
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 if the Council intends to amend the Kingdom of Sweden initiative substantially;
4. Instructs its President to forward its position to the Council and Commission, and the government of the Kingdom of Sweden.

<sup>(1)</sup> OJ C 10, 12.1.2001, p. 4.

Thursday 3 May 2001

2.

**Initiative of the Kingdom of Sweden with a view to the adoption of a JHA Council decision establishing a system of special forensic profiling analysis of synthetic drugs (14007/2000 – C5-0737/2000 – 2000/0825(CNS))**

The initiative was amended as follows:

TEXT PROPOSED  
BY THE KINGDOM OF SWEDEN <sup>(1)</sup>

AMENDMENTS  
BY PARLIAMENT

Amendment 23

*Recital –1 (new)*

**(–1) The situation as to the illicit production of synthetic drugs within the European Union and the trafficking of such drugs world-wide requires immediate and concerted action at EU level.**

Amendment 24

*Recital 2*

(2) The production process in terms of recipes and production techniques gives synthetic drugs certain common characteristics *allowing synthetic drugs which are seized at different occasions and places to be traced to the same origin, that is to say to establish matches between them.*

(2) The production process in terms of recipes and production techniques gives synthetic drugs certain common characteristics **or parameters which might allow the identification of links between** drugs seized on different occasions and in different places.

Amendment 25

*Recital 2 a (new)*

**(2a) Joint Action 97/396/JHA of 16 June 1997 adopted by the Council on the basis of Article K.3 of the Treaty on European Union, concerning the information exchange, risk assessment and the control of new synthetic drugs <sup>(1)</sup>; Joint Action 96/750/JHA of 17 December 1996 adopted by the Council on the basis of Article K.3 of the Treaty on European Union, concerning the approximation of the laws and practices of the Member States of the European Union to combat drug addiction and to prevent and combat illegal drug trafficking <sup>(2)</sup>; and the Council Resolution of 16 December 1996 on measures to combat and dismantle the illicit cultivation and production of drugs within the European Union <sup>(3)</sup> should be taken into account.**

<sup>(1)</sup> OJ L 167, 25.6.1997, p. 1.

<sup>(2)</sup> OJ L 342, 31.12.1996, p. 6.

<sup>(3)</sup> OJ C 389, 23.12.1996, p. 1.

<sup>(1)</sup> OJ C 10, 12.1.2001, p. 1.

Thursday 3 May 2001

TEXT PROPOSED  
BY THE KINGDOM OF SWEDENAMENDMENTS  
BY PARLIAMENT

## Amendment 26

## Recital 3

(3) Some national forensic laboratories in the European Union have developed specialised techniques in the analysing of synthetic drugs enabling the identification of such common characteristics.

(3) Some national forensic laboratories in the European Union have developed specialised techniques in the analysing of **some** synthetic drugs, **thereby** enabling the identification of such common characteristics.

## Amendment 27

## Recital 4

(4) *Such* characteristics provide *new* information in *addition* to traditional *criminal intelligence or investigative data*. *Their combination* could establish or reinforce links between ongoing or finalised criminal investigations and thereby facilitate the identification of illicit centres or networks involved in the production and distribution of synthetic drugs.

(4) **Those** characteristics **may** provide information **which**, in **combination with** traditional **information and** intelligence, could establish or reinforce links between ongoing or finalised criminal investigations and thereby facilitate the identification of illicit centres or networks involved in the production and distribution of synthetic drugs.

## Amendment 28

## Recital 5

(5) The harmonisation of data provided by the specialised techniques developed is not *technically possible in the short term*. Laboratories having developed such techniques should be designated and tasked with the specialised physical and chemical characterisation and the impurity profiling of synthetic drugs.

(5) The harmonisation of data provided by the specialised techniques developed **at present** is not **sufficiently developed to allow operational exchange of forensic data and the** laboratories having developed such techniques should be designated and tasked with the specialised physical and chemical characterisation and the impurity profiling of synthetic drugs.

## Amendment 29

## Recital 5 a (new)

(5a) **It is not likely that the exchange of forensic data can ever fully replace the exchange of samples. The exchange of forensic data instead of samples is desirable in the long term in order to increase effectiveness. Research and development in the area of such data exchange should be encouraged.**

## Amendment 30

## Recital 6

(6) The collation, combination and analysis of forensic and *criminal intelligence or investigate data* in real time is of crucial importance to achieve operative results, *the transmission of samples of seized synthetic drugs to designated laboratories and criminal intelligence or investigative data to Europol must take place immediately after seizure*.

(6) The collation, combination and analysis of forensic **data and information and** intelligence in real time is of crucial importance to achieve operative results.

## Amendment 31

## Recital 6 a (new)

(6a) **It is essential to design the process in such a way as to allow the European Parliament to participate in the development of the network.**

Thursday 3 May 2001

TEXT PROPOSED  
BY THE KINGDOM OF SWEDEN

AMENDMENTS  
BY PARLIAMENT

Amendment 32

*Recital 6b (new)*

**(6b) The purpose of the network is to establish a level of competence throughout the European Union in this field.**

Amendment 33

*Article 1, paragraph 1*

1. A European system of *laboratories* shall be set up with the aim of carrying out special forensic profiling analyses, hereafter referred to as 'special analyses', on samples of seized synthetic drugs for the purpose of the prevention, detection, investigation and prosecution of criminal offences.

1. A European **Union-wide** system, **including the operational participation of the candidate countries**, shall be set up with the aim of carrying out **and comparing** special forensic profiling analyses **according to reliable and well-defined standards**, hereafter referred to as 'special analyses', on samples of seized synthetic drugs for the purpose of the prevention, detection, investigation and prosecution of criminal offences, **by identifying, inter alia, the links between the manufactured product and its source**. The system shall include forensic laboratories.

Amendment 35

*Article 1, paragraph 1a (new)*

**1a. 'Special analyses' means the measurement of parameters which are not included in routine analyses, by physical or chemical characterisation or any other method such as impurity profiling of synthetic drugs, with the principal aim of finding links between seizures of such drugs and their source.**

Amendment 34

*Article 1, paragraph 2*

2. For the purposes of this Decision, 'synthetic drugs' means amphetamines, MDMA and *other ecstasy analogues* (amphetamine-type stimulants).

2. For the purposes of this Decision, 'synthetic drugs' means amphetamines and amphetamine-type stimulants.

Amendment 36

*Article 3, paragraph 1, point (a)*

(a) to perform a special analysis of synthetic drugs of the samples transmitted to them on behalf of all Member States;

(a) to perform a special analysis of synthetic drugs of the samples transmitted to them on behalf of all Member States **and to disseminate the results to the relevant parties;**

Amendment 37

*Article 3, paragraph 1, point (b)*

(b) to determine whether the samples analysed match with other samples analysed *by that laboratory*.

(b) to determine whether the samples analysed match with other samples analysed **within the European Union-wide system referred to in Article 1.**



Thursday 3 May 2001

TEXT PROPOSED  
BY THE KINGDOM OF SWEDENAMENDMENTS  
BY PARLIAMENT

## Amendment 38

## Article 3, paragraph 2

2. The designated laboratories shall apply the best possible *chemical* processes for the special analysis and shall keep a record of all samples analysed in order to allow *checking to be made as to* whether a match exists between samples.

2. The designated laboratories shall apply the best possible chemical processes for the special analysis and shall keep a record of all samples analysed in order to allow *checks on* whether a match exists between samples.

## Amendment 39

## Article 3, paragraph 2a (new)

**2a. The designated laboratories shall also cooperate with other EU forensic laboratories with a view to developing and improving methods for special analyses of synthetic drugs as well as the exchange of data from such analyses. The main aim of this cooperation shall be to prepare the evaluation referred to in Article 8.**

## Amendment 41

## Article 5, paragraph 2

2. Member States shall furthermore take samples of synthetic drugs seized at locations other than production sites and transmit these samples to the designated laboratories in cases where a seizure is of a quantity larger than:

- (a) for tablets or doses, 500;
- (b) for liquid, 1000 ml;
- (c) for powder or other forms of bulk, 1000 grams.

2. Member States shall furthermore take samples of synthetic drugs seized at locations other than production sites and transmit these samples to the designated laboratories in cases where a seizure is of a quantity larger than:

- (a) for tablets or doses, **250**;
- (b) for liquid, **500** ml;
- (c) for powder or other forms of bulk, **500** grams;

**and in any other case deemed appropriate by the Member State concerned.**

## Amendment 42

## Article 5, paragraph 4

4. The taking and subsequent transmission of samples shall take place *as soon as possible* and can only be refused if taking and/or transmission of samples would mean:

- harming essential national security interests, or
- jeopardising the success of a current investigation or the safety of individuals,
- involving information pertaining to organisation or specific intelligence activities in the field of State security.

4. The taking and subsequent transmission of samples shall take place **without delay** and can only be refused if taking and/or transmission of samples would mean:

- harming essential national security interests, or
- **seriously** jeopardising the success of a current investigation, **the successful prosecution of the defendant to whom the seizure pertains**, or the safety of individuals,
- involving information pertaining to organisation or specific intelligence activities in the field of State security.

Thursday 3 May 2001

TEXT PROPOSED  
BY THE KINGDOM OF SWEDENAMENDMENTS  
BY PARLIAMENT

## Amendment 43

## Article 5, paragraph 5

5. The transmission of samples shall take place in accordance with Council Decision 2001/.../JHA of..., on the transmission of samples of *illegal* narcotic substances. Neither the sending nor the receiving Member State may refuse to fill out the necessary sample transmission form referred to in Article 4 of the aforementioned Decision in cases where a sample is transmitted on the basis of this Article.

5. The transmission of samples shall take place in accordance with Council Decision 2001/.../JHA of..., on the **secure** transmission **between the designated authorities of the Member States** of samples of **seized controlled** narcotic substances **for the purposes of analysis or examination**. Neither the sending nor the receiving Member State may refuse to fill out the necessary sample transmission form referred to in Article 4 of the aforementioned Decision in cases where a sample is transmitted on the basis of this Article.

## Amendment 44

## Article 6, paragraph 1

1. The laboratory shall inform the sending Member State *as soon as possible* of the results of the special analysis and of possible matches with other samples.

1. The **designated** laboratory shall inform the sending Member State **without delay** of the results of the special analysis and of possible matches with other samples **previously analysed**.

## Amendment 45

## Article 7, paragraph 1

1. In accordance with Article 4(4) of the Europol Convention and without prejudice to Article 4(5) thereof, *criminal intelligence or investigative data* related to a seizure that is to be transmitted in accordance with Article 5 of this Decision for special analysis shall be transmitted to Europol at the same time as the transmission of the sample itself to a designated laboratory.

1. In accordance with Article 4(4) of the Europol Convention and without prejudice to Article 4(5) thereof, **information and** intelligence related to a seizure that is to be transmitted in accordance with Article 5 of this Decision for special analysis shall be transmitted to Europol at the same time as the transmission of the sample itself to a designated laboratory.

## Amendment 46

## Article 7, paragraph 2

2. In accordance with Article 4(4) of the Europol Convention and without prejudice to Article 4(5) thereof, Europol shall be informed of all matching samples *as soon as possible*. It shall receive information on the nature of the drugs as well as the origin of the samples giving rise to the match.

2. In accordance with Article 4(4) of the Europol Convention and without prejudice to Article 4(5) thereof, Europol shall be informed of all matching samples **without delay**. It shall receive information on the nature of the **synthetic** drugs as well as the origin of the samples giving rise to the match.

## Amendment 47

## Article 7a (new)

## Article 7a

## Exchanging and comparing data

It shall be possible to exchange and compare data on tested samples with the relevant designated national authorities in third countries if it is considered that such contacts could help in the prevention, detection, investigation and prosecution of criminal offences related to the illegal production, distribution and sale of synthetic drugs either within or outside the European Union.

Thursday 3 May 2001

TEXT PROPOSED  
BY THE KINGDOM OF SWEDEN

AMENDMENTS  
BY PARLIAMENT

## Amendment 48

## Article 8, paragraph 1

1. This Decision shall be subject to evaluation within the Council of the European Union *before ...*<sup>(1)</sup>

1. This Decision shall be subject to evaluation within the Council of the European Union **at least two and no more than four years after its entry into force.**

<sup>(1)</sup> Five years after the date on which this Decision takes effect

## Amendment 49

## Article 8, paragraph 1a (new)

**1a. This Decision shall in any case be revised when forensic science allows the data from special analyses to be exchanged without any loss of forensic quality in the data exchanged.**

## Amendment 50

## Article 8, paragraph 2

2. For the purpose of the evaluation, the designated laboratories shall keep a record of all special analyses carried out for a period of at least *five* years.

2. For the purpose of the evaluation, the designated laboratories shall keep a record of all special analyses carried out for a period of at least **ten** years.

## Amendment 51

## Annex, first entry

Laboratory 1: MDMA and other ecstasy analogues

Laboratory 1: **Amphetamine-type stimulants**

**European Parliament legislative resolution on the initiative of the Kingdom of Sweden with a view to the adoption of a JHA Council decision establishing a system of special forensic profiling analysis of synthetic drugs (14007/2000 – C5-0737/2000 – 2000/0825(CNS))**

(Consultation procedure)

*The European Parliament,*

- having regard to the initiative of the Kingdom of Sweden (14007/2000)<sup>(1)</sup>,
- having regard to Article 34(2) (c) of the EU Treaty,
- having been consulted by the Council pursuant to Article 39(1) of the EU Treaty (C5-0737/2000),
- having regard to Rules 106 and 67 of its Rules of Procedure,
- having regard to the report of the Committee on Citizens' Freedoms and Rights, Justice and Home Affairs (A5-0121/2001),

1. Approves the Kingdom of Sweden initiative as amended;

2. Calls on the Council to notify Parliament should it intend to depart from the text approved by Parliament;

<sup>(1)</sup> OJ C 10, 12.1.2001, p. 1.

Thursday 3 May 2001

3. Asks to be consulted again if the Council intends to amend the Kingdom of Sweden initiative substantially;
  4. Instructs its President to forward its position to the Council and Commission, and the government of the Kingdom of Sweden.
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## 11. Chernobyl

**B5-0321, 0322, 0323, 0324 and 0325/2001**

### **European Parliament resolution on the problem of nuclear safety fifteen years after the Chernobyl accident, and its health consequences**

*The European Parliament,*

- having regard to its resolution of 18 September 1997 on the closure of the Chernobyl nuclear power plant by 2000 and completion of Khmelnytsky-2 and Rovno-4 nuclear reactors in Ukraine <sup>(1)</sup>,
  - having regard to Euratom Directive 96/29 on basic radiation standards,
  - having regard to the Memorandum of Understanding (MOU) concerning the closure of Chernobyl between the G7 countries and the Ukraine, signed in Ottawa on 20 December 1995,
- A. whereas Chernobyl closed on 15 December 2000, 14 years after the explosion at the reactor resulting in the world's worst civil nuclear disaster,
  - B. whereas the Ukraine has complied with the MOU and closed Chernobyl, and the G7 and EU have agreed to fund the completion of two further nuclear reactors at Khmelnytsky and Rovno, known as K2R4,
  - C. whereas the accident in unit four of the Chernobyl nuclear power station on 26 April 1986 caused the immediate deaths of workers, heavily contaminated the whole region in today's Russia, Ukraine and Belarus and spread nuclear isotopes throughout Europe,
  - D. noting that, although one of the most radioactive areas in the world, this region is still inhabited, and that cancers, particularly thyroid cancer, leukaemias and other serious and often fatal illnesses are still occurring there 15 years after the accident,
  - E. whereas the accepted model of radiation risk was unable to predict the emergence of the illnesses now arising as a result of radiation,
  - F. whereas Belarus alone is thought to have absorbed over 80 % of the radioactive dust,
  - G. having regard to the 5 years of negotiations between the Ukrainian Government and the G7 Group of industrialised countries and whereas the G7 and EU have agreed to a loan for reform of the Ukraine's energy sector, stabilisation of the Chernobyl sarcophagus and completion of the half-built nuclear reactors Khmelnytsky-2 and Rovno-4, known as 'K2R4', as part of a package of energy options for replacing power from Chernobyl,
  - H. whereas the commitment of € 1 billion by the EU and its Member States will constitute the largest single contribution towards compensating the Ukraine for decommissioning the Chernobyl plant,

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<sup>(1)</sup> OJ C 304, 6.10.1997, p. 113.

Thursday 3 May 2001

- I. whereas the Chernobyl nuclear accident has already caused a considerable number of casualties and will still have disastrous effects on health for years to come, both for those exposed to radiation at the time of the accident and for future generations, and concerned by the fact that the workforce is migrating from contaminated areas to clean ones, creating labour and professional shortages and that the social and economic status of people living and working in the contaminated territories is heavily dependent on state subsidies,
- J. drawing attention to the dependence of the Ukraine on oil and gas supplies from Russia and Central Asia and to the plans to diversify sources of supply, in particular the construction of gas and oil pipelines from Turkmenistan and Kazakhstan,
- K. whereas strong public concern in the European Union remains with respect to the safety of other nuclear power plants in the countries of Central and Eastern Europe, and the lessons of Chernobyl should serve as a constant warning in this regard,

1. Welcomes unreservedly the closure of Chernobyl;
2. Stresses once more the absolute need for the Ukraine to have a long-term coherent and sustainable energy policy, in which efficiency and saving measures with tough targets, elimination of losses in energy transmission and distribution and the implementation of proper market mechanisms should be of fundamental importance; considers that the EU, in particular through the TACIS programme, can help the Ukraine to achieve its much-needed objectives in the energy field, namely by making more use of renewable energy sources;
3. Asks the Commission to ensure that support is given to the construction of oil and gas pipelines from Turkmenistan and Kazakhstan;
4. Believes that the sarcophagus must be turned into an ecologically safe system; notes the Commission's pledge of € 100 million in July 2000 to the Shelter Fund to help rehabilitate the sarcophagus, but further notes that the EBRD-managed project still requires much work to make the damaged unit safe;
5. Calls on the EU, in close cooperation with the national authorities of the candidate countries, as well as with the other countries concerned, to learn all the lessons from this disaster and give its full support to the precautionary principle, which dictates that it is essential to close and dismantle nuclear power stations at risk in these countries; notes that Commission funding has been used to finance a Business Development Agency, the aim of which is to cushion the social impact of Chernobyl's closure on the local population;
6. Demands continuous measurement of radioactivity to enable the effects of radiation on soil, air, water, flora and fauna to be assessed scientifically, and hopes that the consumption of food from this region will be strictly prohibited;
7. Supports all efforts to research the long-term health and environmental impact of the Chernobyl disaster and projects to study, assess and mitigate the consequences of the Chernobyl accident; therefore calls for financial help to be made available to the Ukraine, Belarus and Russia, to enable them to cope with the enormous social and health consequences of the Chernobyl disaster, and stresses that mortality in the region will depend very much on the quality and intensity of the treatment given to the persons affected;
8. Appreciates, given that the health aspect of Chernobyl is now the crucial question, the fact that the WHO is holding its own conference in June 2001, and that it is not participating with the IAEA in the Chernobyl 15th Anniversary Conference;
9. Expresses its concern about the massive increase in thyroid cancers, especially in children, in the three countries most affected and about the significant increases in many types of health disorders;

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10. Calls for continued and increased efforts to restore the environment in the most contaminated regions, utilising the information and expertise of the IAEA and other bodies, and urges the G7 and the EU to give more consideration to management of the whole contaminated environment, especially forests and bodies of water, because of the interaction between them and agricultural land;

11. Based on new scientific evidence suggesting doubts about aspects of the radiation risk model, particularly as regards the effects of the Chernobyl fall-out, requests the Commission to arrange an epidemiological study of the effects of Chernobyl throughout Europe as a whole; also calls on the IAEA and Unscear, as well as the ICRP and Euratom, to re-examine the risk model;

12. Believes that closer cooperation and dialogue between the Ukrainian Parliament and the European Parliament on energy-related matters is essential;

13. Instructs its President to forward this resolution to the Council, the Commission, the Presidents and Parliaments of the Ukraine, Belarus and Russia, the Secretary-General of the UN, the IAEA, the WHO, the Unscear and the ICRP.

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## 12. Veterinary medicinal products

A5-0119/2001

### **European Parliament resolution on the Commission communication to the Council and the European Parliament on availability of veterinary medicinal products (COM(2000) 806 – C5-0105/2001 – 2001/2054(COS))**

*The European Parliament,*

- having regard to the communication from the Commission (COM(2000) 806 – C5-0105/2001),
- having regard to Council Directive 81/851/EEC of 28 September 1981 on the approximation of the laws of the Member States relating to veterinary medicinal products <sup>(1)</sup>,
- having regard to Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in food-stuffs of animal origin <sup>(2)</sup>,
- having regard to Commission Decision 2000/68/EC of 22 December 1999 amending Commission Decision 93/623/EEC and establishing the identification of equidae for breeding and production <sup>(3)</sup>,
- having regard to the Note for Guidance of the Committee for Veterinary Medicinal Products (CVMP) of the European Agency for the Evaluation of Medicinal Products on the risk analysis approach for residues of veterinary medicinal products in food of animal origin (EMEA/CVMP/187/00-FINAL),
- having regard to the formal noting by the Commission at a meeting of the Council on 14 December 1999 (Council ref. 14171/99) that Member States need not withdraw certain drugs pending the adoption of legislative proposals,
- having regard to Rule 47(1) of its Rules of Procedure,
- having regard to the report of the Committee on the Environment, Public Health and Consumer Policy (A5-0119/2001),

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<sup>(1)</sup> OJ L 317, 6.11.1981, p. 1.

<sup>(2)</sup> OJ L 224, 18.8.1990, p. 1.

<sup>(3)</sup> OJ L 23, 28.1.2000, p. 72.

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- A. whereas the crisis on the availability of veterinary medicines has resulted from the withdrawal, since 1 January 2000, of marketing authorisations for all existing veterinary products containing substances for which no maximum residue limits (MRLs) have been established,
  - B. whereas the lack of medicines in the veterinary sector has serious consequences for animal health and welfare, with unacceptable situations caused especially by unavailability of local anaesthetics,
  - C. whereas many products with a well established use have been withdrawn from the market because the data required to renew their marketing authorisation were not generated and it included such data for the establishment of MRLs,
  - D. whereas, due to the existing legal provisions and product specific characteristics, there is a lack of economic interest in carrying out necessary research and development on veterinary medicines for certain species such as sheep and horses, and other, minor species, such as goats, turkeys, rabbits or bees,
  - E. whereas the Commission has announced on several occasions that one of its objectives is to improve the level of animal health, in particular by increasing the number of medicinal products available,
  - F. whereas the CVMP concluded that specific MRLs for specific target species may not be necessary to ensure the protection of the health of the consumer against possible harmful effects resulting from the ingestion of residues and that MRLs can be extrapolated between species,
  - G. whereas analytical methods are already available for those substances on which the MRL extrapolation will be based,
  - H. whereas specific measures must be implemented for horses, as the general measures contemplated for the other species cannot address the problem of equine medicines,
  - I. whereas Commission Decision 2000/68/EC recognises that treatment of horses may require the administration of medicinal products containing substances without MRLs and the need to provide a control mechanism to protect consumers from possible harmful residues.
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- 1. Welcomes the objectives of the Commission to facilitate the veterinary use of medicinal products not available in the Member State concerned but authorised elsewhere in the Community and to enhance pharmaceutical firms' interest in certain market segments;
  - 2. Considers however that the Commission's hopes that applications for the extrapolation of MRLs will be submitted by interested organisations are unlikely to be met;
  - 3. Considers that there should be systematic extrapolation of MRLs between species;
  - 4. Urges therefore the Commission to make proposals for its immediate application and in particular for modifying Annexes I, II and III of Council Regulation No 2377/90 in accordance with the CVMP conclusions in its Note for Guidance;
  - 5. Considers that requiring species-specific analytical methods for the purpose of the MRL extrapolation between species would negate the flexibility offered in the first place and therefore urges the CVMP, the Commission and the Member States only to require the provision of such additional analytical methods at the time of granting specific marketing authorisations;
  - 6. Considers that the extrapolation of MRLs will help to maintain many products intended for minor species without compromising consumer protection, but will not solve the problem of equine medicines, as many of the medicinal products used in equine medicine contain substances with no MRL in any species at all;

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7. Urges therefore the Commission to submit without delay proposals to amend Council Directive 81/851/EEC and Council Regulation (EEC) No 2377/90 to allow in horses the veterinary use of medicinal products containing substances without MRLs, without prejudice to the need to protect human health;
  8. Calls on Member States to cooperate on the establishment of a pan-European licensing system that will allow, in the near future, on the basis of mutual trust, any national market authorisation to be valid throughout the European Union;
  9. Instructs its President to forward this resolution to the Council and Commission.
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### 13. Stability and convergence programmes

A5-0127/2001

#### **European Parliament resolution on the annual assessment of the implementation of stability and convergence programmes (2001/2009(INI))**

*The European Parliament,*

- having regard to the annual updates of the stability and convergence programmes drawn up by 14 Member States between September 2000 and January 2001 as well as the opinions of the ECOFIN Councils of 26 November 2000, 19 January 2001, 12 February 2001, and 12 March 2001 on these programmes,
  - having regard to the first stability programme of Greece, as well as the opinion of the ECOFIN Council of 12 February 2001 on this programme,
  - having regard to the recommendation adopted by the ECOFIN Council of 12 February 2001 in accordance with Article 99 (4) of the EC Treaty and addressed to Ireland with respect to the inconsistency of its stability programme with the Broad Economic Policy Guidelines of 19 June 2000,
  - having regard to the European Council resolution on the Stability and Growth Pact of 17 June 1997<sup>(1)</sup>, Council Regulation (EC) No 1466/97 of 7 July 1997 on the strengthening of the surveillance of budgetary positions and the surveillance and coordination of economic policies<sup>(2)</sup>, and the code of conduct on the content and format of the stability and convergence programmes adopted by the ECOFIN Council of 12 October 1998,
  - having regard to its resolution of 18 May 2000 on the Commission's recommendation for the broad guidelines of the economic policies of the Member States and the Community<sup>(3)</sup>,
  - having regard to the Presidency Conclusions of the European Council adopted in Lisbon on 24 March 2000,
  - having regard to Rule 163 of its Rules of Procedure,
  - having regard to the Report of the Committee on Economic and Monetary Affairs (A5-0127/2001),
- A. whereas the stability and convergence programmes form a key part of the Community surveillance procedure within the context of European economic coordination, which aims to ensure that Member State fiscal policies observe the principle of budgetary prudence on a lasting basis, with a view to laying firm foundations for price stability, sustainable growth and full employment,
- B. whereas the Stability and Growth Pact defines a medium-term objective of achieving a fiscal position that is balanced or in surplus and whereas only ten Member States meet this requirement; whereas government debt is still unacceptably high in some Member States and whereas its rapid reduction is dependent upon relatively optimistic scenarios in the stability and convergence programmes,

<sup>(1)</sup> OJ C 236, 2.8.1997, p. 1.

<sup>(2)</sup> OJ L 209, 2.8.1997, p. 1.

<sup>(3)</sup> OJ C 59, 23.02.2001, p. 228.



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- C. whereas the increase of government revenues and the achievement of healthy primary budget surpluses can be soundly achieved only on the basis of sustained satisfactory growth of the total economy,
  - D. whereas the rate of growth achieved in the European Union in the year 2000 was a satisfactory 3.3 % compared with 2.5 % in 1999, whereas forecasts for a similar rate of growth in 2001 have recently been revised downwards by international institutions owing to factors such as the rise in oil prices, the problems in the agricultural sector, and the recent slowdown of the American economy with the subsequent uncertainties surrounding it,
  - E. whereas it is welcome that the unemployment rate in the European Union was 8 % in January 2001 compared with 9.6 % in January 1999, which constitutes some progress, but further significant steps are required to reduce unemployment, as unemployment remains unacceptably high,
  - F. whereas annual inflation in the European Union was 2,2 % in January 2001 compared with 1,8 % in January 2000, i.e. above the ECB's 2 % ceiling, whereas most of this increase can be attributed to the effects of the rise in oil prices and the depreciation of the Euro and whereas wage moderation and fiscal prudence are, by and large, contributing to maintaining a low level of inflation,
  - G. whereas the first stability programme was submitted on 11 September 2000, and the last Council Opinions were adopted on 12 March 2001, whereas such a lengthy procedure is unhelpful for a serious comparative examination of the programmes,
  - H. whereas the European Council in Lisbon on 24 March 2000 set the strategic goal of Europe acquiring the most competitive and dynamic knowledge-based economy capable of sustainable economic growth with more and better jobs and greater social cohesion,
  - I. whereas an average rate of growth of 3 % sustained over most of the decade has been set as an intermediate target in order to achieve of the Lisbon strategic goal; whereas the actual share of investment in European GDP is still considerably below the levels estimated as necessary for such a sustained growth path,
  - J. whereas the achievement of a knowledge-based economy presupposes the development of highly-efficient high-speed networks of information and increases in Research and Development and lifelong education and training, and whereas such efforts require the mobilisation of both public and private investment,
  - K. whereas encouraging investment lies at the root of all successful growth efforts, whereas public finances, structural reforms and a balanced process of liberalisation are capable of making a decisive contribution to all aspects of the development effort proclaimed by the Lisbon European Council,
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- 1. Welcomes the efforts made so far to combine increases in public revenues together with adequate controls of public spending thus achieving significant primary budget surpluses, and asks for similar efforts to continue in the future;
  - 2. Endorses the practice of allocating one-off increases of revenue to the reduction of public debt rather than seeking their inclusion in the current balance;
  - 3. Recommends that tax cuts be combined as much as possible with the laying down of wage policies suitable to the maintaining of wage moderation and harmony between the social partners;
  - 4. Approves of public borrowing, within the framework of the Stability and Growth Pact, to the extent that it is used for public investment;
  - 5. Approves of structural changes intended to increase flexibility and competitiveness in all factor, product and labour markets, calls for structural reform to continue speedily and considers that the stability and convergence programmes can and should be used by Member States as valuable instruments for benchmarking and best practice; underlines in this context the importance of further ensuring access to universal services and further development of services of general interest;

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6. Recommends the creation, where possible, of special funds intended to cushion demographic shocks to the public pensions system; insists that the demographic challenges be assessed and recognised in the stability and convergence programmes, and also taken into account in the 'Lisbon strategy';
7. Approves of the switch of increased funds towards public investment, especially in such areas as education and training, life-long learning, research, information and frontier technologies, etc., where there has been past neglect and where there is potential for investment in human resources;
8. Considers that both private and public investments are needed to achieve high ambitions for the Trans-European technology, telecommunication and transportation networks, to support the strategic goal of Europe becoming home to the most competitive and dynamic knowledge-based economy in the first decade of the 21st Century;
9. Warmly welcomes Greece's first stability programme, and calls upon Greece to continue the efforts it has made towards public sector reforms, budgetary discipline and debt reduction;
10. Condemns the Commission's continued failure to make available to the appropriate committee in Parliament the detailed technical evaluations it makes of each programme in preparation of the Council's deliberations, together with its detailed macro-economic forecasts prepared for the same discussions;
11. Reiterates its call for a more harmonised timetabling of submission of the programmes by the Member States in order to improve comparability; calls furthermore in this context for a full and timely involvement of the European Parliament;
12. Instructs its President to forward this resolution to the Council, the Commission, and the governments and parliaments of the Member States.

**14. Next Generation Internet****A5-0116/2001****European Parliament resolution on the Next Generation Internet: the need for an EU research initiative (2000/2102(INI))***The European Parliament,*

- having regard to Decision No 182/1999/EC of the European Parliament and of the Council of 22 December 1998 concerning the fifth framework programme of the European Community for research, technological development and demonstration activities (1998 to 2002) <sup>(1)</sup>,
- having regard to its resolution of 18 May 2000 <sup>(2)</sup> on the communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions 'Towards a European Research Area' (COM(2000) 6 — C5-0115/2000 — 2000/2075(COS)),
- having regard to the conclusions of the Feira European Council meeting of 19 and 20 June 2000, (SN 200/1/2000),
- having regard to its resolution of 16 March 2000 <sup>(3)</sup> on the Commission communication on 'eEurope — An Information Society For All: a Commission Initiative for the Special European Council of Lisbon, 23 and 24 March 2000' (COM(1999) 687 — C5-0063/2000 — 2000/2034(COS)),
- having regard to Rule 163 of its Rules of Procedure,
- having regard to the report of the Committee on Industry, External Trade, Research and Energy (A5-0116/2001),

<sup>(1)</sup> OJ L 26, 1.2.1999, p. 1.<sup>(2)</sup> OJ C 59, 23.2.2001, p. 250.<sup>(3)</sup> OJ C 377, 29.12.2000, p. 380.

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- A. whereas the strategic importance of Internet development to the European economy and society, and the potential need for the EU to play a stronger role in developing the base technologies to support the next generation of Internet evolution, is widely acknowledged,
- B. whereas Internet development is important for the countries currently preparing for accession,
- C. whereas there is a very strong need for Europe to accelerate the development of its electronic communication infrastructure, and to expand the use of mobile, as well as fixed, Internet-based applications throughout the public and private sectors,
- D. whereas there is a great need to enhance the creation of interoperable infrastructures for m-commerce, where 'm' stands for multimodality, addressing the use of various communications channels and multiple types of access devices to the networks, both for businesses and individuals,
- E. whereas the Commission is now considering its allocation for IST in its proposal for the sixth framework programme for research,
- F. whereas all areas of electronic communication technology and applications, including those that might operate outside the public 'Internet' should be evaluated, taking into account the future segmentation of the market and the expansion of dedicated communication networks, alongside the public network infrastructure,
- G. whereas the EU should focus attention on medium and long-term technology scenarios, and consider the potential areas where 'pre-competitive' research would be desirable from the perspective of public interest and the EU's competitive position,
- H. whereas in such a fast moving area it should be noted that the majority of the research will be funded by the marketplace, although there is scope for public investment (particularly in partnership with industry) for areas of technological risk and uncertainty,
- I. whereas public sector research should be supported because they address distinctive public interest issues, which may not be covered by commercial funding or where the independent perspective of a public body is desirable,
1. Calls on the Commission and the Member States to give an EU research initiative on the next-generation Internet and new communications infrastructure (and associated electronic communications) a high priority in the sixth framework research strategy;
2. Emphasises that EU and Member State resources should focus on 'pre-competitive' projects, with the objective of ensuring a powerful EU presence in the global development of next generation internet and new communications infrastructure, reinforcing the EU's role in Internet governance, especially on technical matters;
3. Emphasises the importance of the support the Union has a duty to give developing countries so that they are better represented in the body that manages the Internet and in order to combat the digital divide;
4. Supports strongly the strategy for encouraging 'Centres of Excellence' in the Commissions' proposals for a European Research Area, as already set out in its resolution of 15 February 2001 on the communication from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions — Making a reality of the European Research Area: Guidelines for EU research activities (2002-2006) (COM(2000) 612 — C5-0738/2000 — 2000/2334(COS))<sup>(1)</sup>; considers that Electronic Communications must become one of these 'Centres';

<sup>(1)</sup> 'Texts Adopted', Item 12.

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5. Commends the Commission on its existing strategy for developing broadband infrastructure capability, but notes that robust research plans are needed to exploit this capability. Such initiatives may include:

- integrating the GÉANT initiative with the work of the European Investment Bank, Structural Funds, other Community instruments and the work of Member States,
- consolidating and developing the GÉANT infrastructure, and coordinating available resources to ensure that it fulfils its potential;
- using globally competitive testbeds for research and development on new Internet technologies, products and services;
- creating the necessary conditions for value-added services within such networks;

6. Emphasises the Commission's task of overseeing the rapid creation of a superfast trans-European research network with a capacity of 100 gigabits/second, without which it will not be possible for a competitive, dynamic and knowledge-based economy to become a reality; calls on the Commission to be more ambitious when implementing the GÉANT project;

7. Reaffirms that all EU research initiatives on the next generation Internet and new communications infrastructure must complement, not substitute for, market-driven research; supports the concept of partnership research ventures with the private sector, where appropriate, but stresses that the sector is evolving so fast that great care must be taken to ensure measures are technology-neutral;

8. Notes that technical and scientific activities should be coordinated with the broader political and social issues encompassed in the e-Europe strategy, backed by research where appropriate;

9. Considers that the following key areas of the Internet's evolution should be factored, inter alia, into any research strategy:

- the availability of abundant, low-cost, expanded high bandwidth infrastructure to which access is on equitable terms;
- a requirement for a significant improvement in the quality of Internet delivery (its speed, reliability, and security), and its 'value added' potential (e.g. collecting payment, handling customised requirements);
- an increase in the number of remote device connections, operating automatically, without user intervention (e.g. connecting baby monitors, domestic appliances, automobiles);
- a large escalation in the amount of wireless communications;
- the emergence of many dedicated service channels (i.e. the conventional 'Internet' will become just one service among many);

10. Urges the EU to promote research and coordinated development efforts, inter alia, within the following areas of exploitation of electronic communications infrastructure with high capacity, always-on connections and high mobility:

- interoperability and open architectures;
- the effective use of the capacity offered by expanded bandwidth opportunities;
- the optimum types of software and hardware to be used, leading to potential new standards;
- the further development of photonics technology for the communications infrastructure, particularly to relieve the potential bottleneck in switching and routing;
- the new architectural framework of a very high capacity Internet;
- how a high capacity backbone network will interface with the mobile infrastructure;

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- how content delivery, availability and security will be managed;
  - how information search and retrieval can be facilitated;
  - a distributed Domain Name Server route-service under the control of separate commercial entities;
11. Stresses that e-participation and e-accessibility must be paramount in the research and development initiatives that are to make the Internet accessible to all; considers that international cooperation to provide standards and guidelines for easy access for those with special needs, such as the disabled and elderly, should be developed (WAI – Web Accessibility Initiative);
12. Notes that a key issue for the future evolution of the Internet, which must continue to be, addressed by EU research initiatives, is data and system security, especially resistance to malicious attack;
13. Urges the EU to promote research into the following areas:
- Peer-to-peer models and open-source content;
  - means of protecting device generated data, including the need for discreet data ‘encapsulation’ to avoid unauthorised consolidation of private information;
  - a consistent legal framework in the area of Internet security which, inter alia, provides for a more coherent and trustworthy encryption policy within the EU;
  - solutions to the growing privacy issues from ‘infinite store and search capability’;
  - the concepts for an evolved Internet infrastructure with well-developed, in-built security mechanisms, which would enhance content protection and system integrity from external attack, especially in the case of mobile systems using wireless links;
  - open-source encryption systems in the area of security;
  - possible health risks associated with electro-magnetic radiation, and the optimum means of minimising consumer risk as usage expands;
14. Notes the importance of developing technologies that will facilitate the expansion of wireless commerce, and therefore supports research into the following areas:
- the evolution of mobile phones into ‘purses’, which will greatly facilitate ‘electronic money’ purchases of goods and services, including secure interface technologies such as optical wireless links;
  - the use of mobile phones as a mean of identification which could provide the security systems in many organisations;
  - the concepts for a sales tax collection infrastructure across Member States, so as to facilitate wireless commerce and avoid ‘double taxation’;
  - much enhanced security for the wireless transmission of highly confidential records, such as financial and health information, noting the potential benefits of emergency access to health records;
15. Urges that research into the development of alternative web-browsers be promoted;
16. Notes that enhanced backbone networks give the potential to stream a large number of Real Time Digital TV services, both public and private;
17. Recognises that the potential to stream broadcasts to fixed and mobile Internet users offers high potential for EU technology leadership;
18. Believes that transmission selection and charging systems must be considered a high priority for pre-competitive research and development;
19. Instructs its President to forward this resolution to the Council and Commission and to the governments and parliaments of the Member States.
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