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8 ta' Ġunju 2006

ta' l-Unjoni Ewropea

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Informazzjoni u Avviżi

Avviż Nru

Werrej

Pàġna

I (Informazzjoni)

PARLAMENT EWROPEW

SESSJONI 2005 — 2006

Dati tas-seduti: 22 u 23 ta' Ġunju 2005

L-Erbgħa, 22 ta' Ġunju 2005

(2006/C 133 E/01)

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(2006/C 133 E/02)

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(It-tip ta' proċedura tiddependi mill-bażi legali proposta mill-Kummissjoni)

Informazzjoni dwar il-hin tal-votazzjonijiet

Sakemm ma jiġix avżat mod iehor, ir-relaturi infurmaw il-Presidenza bil-miktub dwar il-pożizzjoni tagħhom fuq l-emendi qabel il-votazzjonijiet.

Abbrevjazzjonijiet użati għall-kumitati parlamentari

AFET	Kumitat għall-Affarijiet Barranin
DEVE	Kumitat għall-Iżvilupp
INTA	Kumitat għall-Kummerċ Internazzjonali
BUDG	Kumitat għall-Baġit
CONT	Kumitat għall-Kontroll tal-Baġit
ECON	Kumitat għall-Affarijiet Ekonomiċi u Monetarji
EMPL	Kumitat għall-Impjegi u l-Affarijiet Soċjali
ENVI	Kumitat għall-Ambjent, is-Saħha Pubblika u s-Sigurta' ta' l-Ikel
ITRE	Kumitat għall-Industrija, r-Riċerka u l-Energija
IMCO	Kumitat għas-Suq Intern u l-Harsien tal-Konsumatur
TRAN	Kumitat għat-Trasport u t-Turiżmu
REGI	Kumitat għall-Iżvilupp Reġjunali
AGRI	Kumitat għall-Agricoltura u l-Iżvilupp Rurali
PECH	Kumitat għas-Sajd
CULT	Kumitat għall-Kultura u l-Edukazzjoni
JURI	Kumitat għall-Affarijiet Legali
LIBE	Kumitat għall-Libertajiet Ċivili, il-Gustizzja u l-Intern
AFCO	Kumitat għall-Affarijiet Kostituzzjonali
FEMM	Kumitat għad-Drittijiet tan-Nisa u ta' l-Ugwaljanza bejn is-Sessi
PETI	Kumitat għall-Petizzjonijiet

Abbrevjazzjonijiet użati għall-gruppi politiċi

PPE-DE	Grupp tal-Partit Popolari Ewropew (Demokratiċi Kristjani) u d-Demokratiċi Ewropej
PSE	Grupp Soċjalista fil-Parlament Ewropew
ALDE	Grupp ta' l-Alleanza tad-Demokratiċi u l-Liberali għall-Ewropa
Vers/ALE	Grupp tal-Hodor/Alleanza Hielsa Ewropea
GUE/NGL	Grupp Konfederali tax-Xellug Magħqud Ewropew – Xellug Aħdar Nordiku
IND/DEM	Grupp għall-Indipendenza u d-Demokrazija
UEN	Grupp ta' l-Unjoni għal Ewropa tan-Nazzjonijiet
NI	Membri mhux Affiljati

I*(Informazzjoni)***PARLAMENT EWROPEW**

SESSJONI 2005 — 2006

Dati tas-seduti: 22 u 23 ta' Ġunju 2005

BRUSSELL

(2006/C 133 E/01)

MINUTI**PROĊEDURI TAS-SEDUTI**

IPPRESIEDA: Josep BORRELL FONTELLES

*President***1. Tkomplija tas-sessjoni**

Hin tal-ftuh tas-seduta: 15.10.

2. Approvazzjoni tal-Minuti tas-seduta ta' qabel

Il-Minuti tas-seduta ta' qabel ġew approvati.

3. Korrezzjonijiet tal-votazzjoni tas-seduti preċedenti

Il-Membri li ġejjin ressqu korrezzjonijiet ta' vot:

Seduta ta' 08/06/2005

Rapport Reimer Böge — A6-0153/2005

— emenda 34

kontra: Bernadette Vergnaud

— votazzjoni finali

astensjoni: Adeline Hazan

Rapport Dariusz Rosati — A6-0138/2005

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— emenda 8

favur: Henri Weber

L-Erbgħa, 22 ta' Ġunju 2005

Żona ta' libertà, sigurtà u ġustizzja (B6-0327/2005)

- paragrafu 29, it-tieni parti
kontra: Diamanto Manolakou, Athanasios Pafilis, Georgios Toussas

Seduta ta' 09/06/2005

Rapport Ona Juknevičienė — A6-0109/2005

- paragrafu 4
astensjoni: Henri Weber

4. Testi ta' ftehim mgħoddija mill-Kunsill

Il-Kunsill għadda kopja ċċertifikata tad-dokument li ġej:

- Protokoll għall-Ftehim ta' Koperazzjoni u Unjoni Doganali bejn il-Komunità Ekonomika Ewropea u r-Repubblika ta' San Marino rigward il-partecipazzjoni, bhala l-partijiet kontraenti, tar-Repubblika Ċeka, tar-Repubblika ta' l-Estonja, tar-Repubblika ta' Ċipru, tar-Repubblika tal-Latvja, tar-Repubblika tal-Litwanja, tar-Repubblika ta' l-Ungerija, tar-Repubblika ta' Malta, tar-Repubblika tas-Slovenja u tar-Repubblika Slovakka wara d-dhul tagħhom fl-Unjoni Ewropea.

5. Deċiżjonijiet dwar ċerti dokumenti

Awtorizzazzjoni għat-thejjija ta' rapporti ta' inizjattiva (Artikolu 45 tar-Regoli ta' Proċedura)

- Kumitat JURI: Amendment of the decision of 4 June 2003 on adoption of the statute for Members of the European Parliament (2005/2124(INI))

Awtorizzazzjoni għat-thejjija ta' rapporti ta' inizjattiva (Artikolu 112 tar-Regoli ta' Proċedura)

- Kumitat AFET: Common foreign and security policy 2004 (2005/2134(INI))

6. Kompożizzjoni tal-Parlament

L-awtoritajiet Franciżi kompetenti kienu avżaw bil-hatra ta' Jean-Pierre Audy minflok Brice Hortefeux bhala Membru tal-Parlament, b'seħħ mid-data 11.06.2005.

Il-President fakkar fid-dispożizzjonijiet ta' l-Artikolu 3, paragrafu 5 tar-Regoli ta' Proċedura.

7. Verifika tas-setgħat

Fuq proposta tal-Kumitat JURI, il-Parlament approva l-mandati ta' Sharon Margaret Bowles, Syed Kamall u Vincenzo Lavarra.

8. Kompożizzjoni tal-kumitati u d-delegazzjonijiet

Fuq talba tal-gruppi PPE-DE, PSE, Vert/ALE u tal-Membri mhux affiljati, il-Parlament irrattifika n-nominazzjonijiet li ġejjin:

- Kumitat ITRE: Vincenzo Lavarra jiehu post Pier Antonio Panzeri.
- Kumitat IMCO: Giovanni Rivera.
- Kumitat JURI: Syed Kamall.

Delegazzjoni għall-Kumitat Parlamentari Kongunt UE-Rumanija:

- Heide Rühle m'għadhiex membru tad-delegazzjoni.

9. Dokumenti mressqa

Tressqu d-dokumenti msemmija hawn taht (X'uhud minn dawn id-dokumenti m'humiex disponibbli bil-Malti)

1) mill-Kunsill u l-Kummissjoni

- Proposal for a decision of the European Parliament and of the Council establishing for the period 2007-2013 the specific programme "Fight against violence (Daphne) and drugs prevention and information" as part of the General programme "Fundamental Rights and Justice" (COM(2005)0122 [01] — C6-0095/2005 — 2005/0037(COD)).
irreferut responsabbli: LIBE
 opinjoni BUDG, ENVI, FEMM
- Proposal for a decision of the European Parliament and of the Council establishing for the period 2007-2013 the specific programme "Civil justice" as part of the General programme "Fundamental Rights and Justice" (COM(2005)0122 [04] — C6-0096/2005 — 2005/0040(COD)).
irreferut responsabbli: LIBE
 opinjoni: BUDG, JURI
- Proposal for a decision of the European Parliament and the Council establishing the European Refugee Fund for the period 2008-2013 as part of the General programme "Solidarity and Management of Migration Flows" (COM(2005)0123 [01] — C6-0124/2005 — 2005/0046(COD)).
irreferut responsabbli: LIBE
 opinjoni: AFET, DEVE, BUDG, EMPL, CULT
- Proposal for a decision of the European Parliament and the Council establishing the External Borders Fund for the period 2007-2013 as part of the general programme "Solidarity and Management of Migration Flows" (COM(2005)0123 [02] — C6-0125/2005 — 2005/0047(COD)).
irreferut responsabbli: LIBE
 opinjoni: AFET, DEVE, BUDG
- Proposal for a decision of the European Parliament and the Council establishing the European Return Fund for the period 2008-2013 as part of the General programme "Solidarity and Management of Migration Flows" (COM(2005)0123 [04] — C6-0126/2005 — 2005/0049(COD)).
irreferut responsabbli: LIBE
 opinjoni: AFET, DEVE, BUDG
- Draft amending budget No 2 for the financial year 2005 — General statement of revenue — Statement of revenue and expenditure by section; Section I — Parliament; Section II — Council; Section III — Commission; Section IV — Court of Justice; Section V — Court of Auditors; Section VI — European Economic and Social Committee; Section VII — Committee of the Regions; Section VIII, Part A — European Ombudsman; Section VIII, Part B — European Data Protection Supervisor (09491/2005 — C6-0172/2005 — 2005/2045(BUD)).
irreferut responsabbli: BUDG
- Proposta għal deċiżjoni tal-Kunsill dwar il-konkluzjoni ta' Ftehim bejn il-Komunitá Ewropea u l-Gvern tal-Kanada fuq l-ipproċessar ta' dejta li tirrigwarda Informazzjoni minn Qabel dwar il-Passiġġieri (Advance Passenger Information — API)/Rekord ta' l-Ismijiet tal-Passiġġieri (Passenger Name Record — PNR) (COM(2005)0200 — C6-0184/2005 — 2005/0095(CNS)).
irreferut responsabbli: LIBE
 opinjoni: AFET
- Draft Council Regulation imposing certain specific restrictive measures directed against persons acting in violation of the arms embargo with regard to the Democratic Republic of the Congo (09538/2005 — C6-0185/2005 — 2005/0101(CNS)).
irreferut responsabbli: LIBE
 opinjoni: DEVE, ECON
- Proposta għal trasferiment ta' approprjazzjonijiet DEC 18/2005 — Sezzjoni III — Kummissjoni (SEC(2005)0683 — C6-0186/2005 — 2005/2130(GBD)).
irreferut responsabbli: BUDG
- Proposta għal trasferiment ta' approprjazzjonijiet DEC 19/2005 — Sezzjoni III — Kummissjoni (SEC(2005)0684 — C6-0187/2005 — 2005/2131(GBD)).
irreferut responsabbli: BUDG

L-Erbgħa, 22 ta' Ġunju 2005

- Proposta għal trasferiment ta' approprijazzjonijiet DEC 20/2005 — Sezzjoni III — Kummissjoni (SEC(2005)0685 — C6-0188/2005 — 2005/2132(GBD)).
irreferut responsabbli: BUDG
- Proposta għal trasferiment ta' approprijazzjonijiet DEC 21/2005 — Sezzjoni III — Kummissjoni (SEC(2005)0757 — C6-0189/2005 — 2005/2133(GBD)).
irreferut responsabbli: BUDG
- Proposta għal direttiva tal-Kunsill dwar l-istipular ta' regoli minimi għall-protezzjoni tat-tigieġ miżmuma għall-produzzjoni tal-laħam (COM(2005)0221 — C6-0190/2005 — 2005/0099(CNS)).
irreferut responsabbli: AGRI
 opinjoni: ENVI
- Proposal for a directive of the European Parliament and of the Council amending Directive 2004/39/EC on markets in financial instruments, as regards certain deadlines (COM(2005)0253 — C6-0191/2005 — 2005/0111(COD))
referred to responsible: ECON
irreferut responsabbli: ECON
 opinjoni: JURI
- Proposal for a Council regulation amending Regulation (EEC) No 2075/92 on the common organisation of the market in raw tobacco (COM(2005)0235 — C6-0193/2005 — 2005/0105(CNS)).
irreferut responsabbli: AGRI
- Deciżjoni tal-Kunsill dwar il-konklużjoni tal-Protokoll Addizzjonali għall-Ftehma li tistabbilixxi Assoċjazzjoni bejn il-Komunità Ekonomika Ewropea u t-Turkija wara t-tkabbir ta' l-Unjoni Ewropea (09617/2005 — C6-0194/2005 — 2005/0091(AVC)).
irreferut responsabbli: AFET
 opinjoni: INTA
- Proposta għal direttiva tal-Kunsill dwar miżuri Komunitarji għall-kontroll ta' l-Influenza tat-Tjur (COM(2005)0171 [01] — C6-0195/2005 — 2005/0062(CNS)).
irreferut responsabbli: AGRI
 opinjoni: BUDG, ENVI
- Proposta għal deciżjoni tal-Kunsill li temenda d-Deciżjoni tal-Kunsill 90/424/KEE dwar in-nefqa fil-qasam veterinarju (COM(2005)0171 [02] — C6-0196/2005 — 2005/0063(CNS)).
irreferut responsabbli: AGRI
 opinjoni: BUDG, ENVI
- Proposta għal deciżjoni tal-Kunsill dwar il-konklużjoni ta' Protokoll għall-Ftehma bejn il-Komunità Ewropea u r-Repubblika ta' l-Iżlanda u r-Renju tan-Norvegja, dwar il-kriterji u l-mekkaniżmi biex ikun stabbilit l-Istat responsabbli li jeżamina talba għal refugju li tkun saret fi Stat Membru jew fl-Iżlanda jew fin-Norvegja (COM(2005)0131 — C6-0197/2005 — 2005/0031(CNS)).
irreferut responsabbli: LIBE
- Proposal for a Council decision on the conclusion of the Agreement between the European Community and the Kingdom of Denmark extending to Denmark the provisions of Council Regulation (EC) No 343/2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national and Council Regulation (EC) No 2725/2000 concerning the establishment of "Eurodac" for the comparison of fingerprints for the effective application of the Dublin Convention (COM(2004)0594 — C6-0198/2005 — 2004/0205(CNS)).
irreferut responsabbli: LIBE
- Proposta għal deciżjoni tal-Kunsill dwar il-konklużjoni tal-Protokoll għall-Ftehma Ewro-Mediterranju li tistabbilixxi assoċjazzjoni bejn il-Komunitajiet Ewropej u l-Istati Membri tagħhom, min-naħa l-wahda, u r-Repubblika ta' Tuneżija, min-naħa l-oħra, biex titqies l-adeżjoni tar-Repubblika Ċeka, tar-Repubblika ta' l-Estonja, tar-Repubblika ta' Ċipru, tar-Repubblika tal-Latvja, tar-Repubblika tal-Litwanja, tar-Repubblika ta' l-Ungerija, tar-Repubblika ta' Malta, tar-Repubblika tal-Polonja, tar-Repubblika tas-Slovenja u tar-Repubblika Slovakkja ma' l-Unjoni Ewropea (09648/2005 — C6-0199/2005 — 2004/0265(AVC)).
irreferut responsabbli: AFET
 opinjoni: INTA

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- Proposta għal deċiżjoni tal-Kunsill dwar il-konkluzjoni ta' Protokoll għall-Ftehim Ewro-Mediterranju li tistabbilixxu assoċjazzjoni bejn il-Komunitajiet Ewropej u l-Istati Membri tagħhom, min-naħa waħda, u r-Renju tal-Marokk, min-naħa l-oħra, biex titqies l-adeżjoni tar-Repubblika Ċeka, ir-Repubblika ta' l-Estonja, ir-Repubblika ta' Ċipru, ir-Repubblika ta' l-Ungerija, ir-Repubblika tal-Latvja, ir-Repubblika tal-Litwanja, ir-Repubblika ta' Malta, ir-Repubblika tal-Polonja, ir-Repubblika tas-Slovenja u r-Repubblika Slovacka fl-Unjoni Ewropea (09649/2005 — C6-0200/2005 — 2004/0292(AVC)).
irreferut responsabbli: AFET
 opinjoni: INTA
- Proposal for a Council regulation amending Regulation (EC) No 3317/94 as regards the transmission of applications for fishing licences to third countries (COM(2005)0238 — C6-0201/2005 — 2005/0110(CNS))
irreferut responsabbli: PECH
- Proposta għal deċiżjoni tal-Kunsill li tirrigwarda l-konkluzjoni ta' Protokoll għall-Ftehim Ewro-Mediterranju li tistabbilixxi Assoċjazzjoni bejn il-Komunitajiet Ewropej u l-Istati Membri tagħhom, min-naħa l-waħda, u r-Renju Haxemit tal-Ġordan, min-naħa l-oħra, biex titqies l-adeżjoni tar-Repubblika Ċeka, tar-Repubblika ta' l-Estonja, tar-Repubblika ta' Ċipru, tar-Repubblika tal-Latvja, tar-Repubblika tal-Litwanja, tar-Repubblika ta' l-Ungerija, tar-Repubblika ta' Malta, tar-Repubblika tal-Polonja, tar-Repubblika tas-Slovenja u tar-Repubblika Slovacka ma' l-Unjoni Ewropea (05092/2005 — C6-0202/2005 — 2004/0196(AVC)).
irreferut responsabbli: AFET
 opinjoni: INTA
- Proposta għal Regolament tal-Kunsill li jemenda r-Regolament (KE) Nru 2007/2004 għal dak li għandu x'jaqsam mal-mandat tad-Direttur Eżekuttiv u tal-Viċi Direttur Eżekuttiv ta' l-Aġenzija Ewropea għat-Tmexxija tal-Koperazzjoni Operazzjonali fil-Fruntieri Esterni ta' l-Istati Membri ta' l-Unjoni Ewropea (COM(2005)0190 [18] — C6-0203/2005 — 2005/0089(CNS)).
irreferut responsabbli: JURI
 opinjoni: LIBE
- Proposta għal regolament tal-Kunsill li jemenda r-Regolament (KE) Nru 1321/2004 dwar dak li għandu x'jaqsam mal-mandat tad-Direttur Eżekuttiv ta' l-Awtorità Ewropea ta' Superviżjoni tal-GNSS (COM(2005)0190 [13] — C6-0204/2005 — 2005/0084(CNS)).
irreferut responsabbli: JURI
 opinjoni: ITRE
- Proposta għal regolament tal-Kunsill li jemenda r-Regolament (KEE) Nru 1035/97 dwar il-holqien ta' Centru Ewropew ta' Mmoniterjar dwar ir-Razziżmu u l-Ksenofobija għal dak li għandu x'jaqsam mal-mandat tad-Direttur (COM(2005)0190 [09] — C6-0205/2005 — 2005/0080(CNS)).
irreferut responsabbli: JURI
 opinjoni: LIBE
- Proposta għal regolament tal-Kunsill li jemenda r-Regolament (KEE) Nru 2965/94 dwar il-holqien ta' Centru għat-Traduzzjoni tal-korpi ta' l-Unjoni Ewropea għal dak li għandu x'jaqsam mal-mandat tad-Direttur (COM(2005)0190 [08] — C6-0206/2005 — 2005/0079(CNS)).
irreferut responsabbli: JURI
 opinjoni: BUDG
- Proposta għal regolament tal-Kunsill li jemenda r-Regolament (KE) Nru 2100/94 dwar il-mandat tal-President ta' l-Uffiċċju Komunitarju għall-Varjetajiet tal-Pjanti (COM(2005)0190 [07] — C6-0207/2005 — 2005/0078(CNS)).
irreferut responsabbli: JURI
 opinjoni: ENVI
- Proposta għal regolament tal-Kunsill li jemenda r-Regolament (KE) Nru 40/94 dwar il-mandat tal-President ta' l-Uffiċċju għall-Armonizzazzjoni fis-Suq Intern (COM(2005)0190 [06] — C6-0208/2005 — 2005/0077(CNS)).
irreferut responsabbli: JURI

L-Erbgħa, 22 ta' Ġunju 20052) *mill-komitati parlamentari:*2.1) *rapporti:*

- ***I Report on the proposal for a regulation of the European Parliament and of the Council on International Rail Passengers' Rights and Obligations (COM(2004)0143 — C6-0003/2004 — 2004/0049(COD)) — Kumitat dwar it-Trasport u t-Turiżmu
Rapporteur: Sterckx Dirk (A6-0123/2005).
- ***I Report on the proposal for a directive of the European Parliament and of the Council on the certification of train crews operating locomotives and trains on the Community's rail network (COM(2004)0142 — C6-0002/2004 — 2004/0048(COD)) — Kumitat dwar it-Trasport u t-Turiżmu
Rapporteur: Savary Gilles (A6-0133/2005).
- Report on the communication from the Commission to the Council and the European Parliament on Stimulating Technologies for Sustainable Development: An Environmental Technologies Action Plan for the European Union (2004/2131(INI)) — Kumitat dwar l-Ambjent, is-Saħħa Pubblika u s-Sigurta' ta' l-Ikel
Rapporteur: Myller Riitta (A6-0141/2005).
- ***I Report on the proposal for a directive of the European Parliament and of the Council amending Council Directive 91/440/EEC on the development of the Community's railways (COM(2004)0139 — C6-0001/2004 — 2004/0047(COD)) — Kumitat dwar it-Trasport u t-Turiżmu
Rapporteurs: Jarzembowski Georg, (A6-0143/2005).
- Report on the role of women in Turkey in social, economic and political life (2004/2215(INI)) — Kumitat dwar id-Drittijiet tan-Nisa u l-Ugwaljanza bejn is-Sessi
Rapporteur: Bozkurt Emine (A6-0175/2005).
- * Report on the proposal for a Council regulation amending Regulation (EC) No 3605/93 as regards the quality of statistical data in the context of the excessive deficit procedure (COM(2005)0071 — C6-0108/2005 — 2005/0013(CNS)) — Kumitat dwar l-Affarijiet Ekonomiċi u Monetarij
Rapporteur: Gauzès Jean-Paul (A6-0181/2005).
- ***I Rapport dwar il-proposta għal Regolament tal-Parlament Ewropew u tal-Kunsill dwar l-aċċess għall-Għajjuna Esterna tal-Komunità (COM(2004)0313 — C6-0032/2004 — 2004/0099(COD)) — Kumitat dwar l-Iżvilupp
Rapporteur: Gähler Michael (A6-0182/2005).

2.2) *rakkomandazzjonijiet għat-tieni qari:*

- **I Recommendation for second reading on the Council common position for adoption of a Council regulation on amending Regulation (EC) No 1466/97 on the strengthening of the surveillance of budgetary positions and the surveillance and coordination of economic policies (COM(2005)0154 — C6-0119/2005 — 2005/0064(SYN)) — Kumitat dwar l-Affarijiet Ekonomiċi u Monetarij
Rapporteur: Karas Othmar (A6-0204/2005).

3) *mill-Membri:*3.1) *mozzjonijiet għal riżoluzzjoni (Artikolu 113 tar-Regoli ta' Proċedura):*

- Ortuondo Larrea Josu — Mozzjoni għal riżoluzzjoni fuq is-sitwazzjoni ta' l-istokks ta' l-inċova fil-Baja ta' Biscay (B6-0383/2005).
irreferut responsabbli: PECH
 opinjoni: ENVI
- Garriga Polledo Salvador — Mozzjoni għal riżoluzzjoni fuq is-solidarjetà Komunitarja ma' l-imigranti (B6-0384/2005).
irreferut responsabbli: LIBE

3.2) *dikjarazzjonijiet bil-miktub biex jiddaħhlu fir-Registru (Artikolu 116 tar-Regoli ta' Proċedura):*

- Alessandra Mussolini u Adriana Poli Bortone, fuq is-sospensjoni ta' l-Euro (37/2005);
- Amalia Sartori, fuq l-introduzzjoni tal' karti ta' Euro u 2 Euro (38/2005).

10. Trasferiment ta' approprjazzjonijiet

Il-Kumitat għall-Baġits eżamina l-proposta għat-trasferiment ta' approprjazzjonijiet DEC 17/2005 tal-Kummissjoni Ewropea (C6-0136/2005 — SEC(2005)0591 finali).

Wara li ha nota ta' l-avviz lill-Kunsill, hu awtorizza t-trasferiment fis-shuhija tiegħu, bi qbil ma' l-Artikolu 24 (3) tar-Regolament Finanzjarju tal-25 ta' Ġunju 2002.

11. Stqarrija tal-President

Il-President għamel dikjarazzjoni fl-okkażjoni tal-65 anniversarju tal-bidu ta' l-okkupazzjoni ta' l-Istati Baltiċi mill-USSR.

12. Aġenda

L-ordni tas-seduta gie stabbilit (*Punt 10 tal-Minuti tas-06.06.2005*) u tqassam corrigendum għall-aġenda (PE 357.269/O)/COR).

Tkellem Hans-Peter Martin li fuq il-bażi ta' l-Artikolu 132, paragrafu 2 tar-Regoli ta' Proċedura, talab li r-rapport Gargani (A6-0189/2005 — punt 89 *tal-corroendum għall-aġenda*) jiġi rtirat mill-aġenda (Il-President wera l-fehma li mhux il-każ li jilqa' din it-talba).

L-ordni tal-hidma kien b'hekk iffissat.

13. Laqgħa tal-Kunsill Ewropew (Brussell, 16/17 ta' Ġunju 2005) — Semestru ta' Attività tal-Presidenza Lussemburġiża (dibattitu)

Rapport tal-Kunsill Ewropew u dikjarazzjoni tal-Kummissjoni: Laqgħa tal-Kunsill Ewropew (Brussell, 16/17 ta' Ġunju 2005)

Dikjarazzjoni tal-Kunsill: Semestru ta' Attività tal-Presidenza Lussemburġiża

Jean-Claude Juncker (President tal-Kunsill fil-karika) ipprezenta r-rapport lill-Kunsill Ewropew u għamel dikjarazzjoni lill-Kunsill.

José Manuel Barroso (President tal-Kummissjoni) għamel id-dikjarazzjoni lill-Kummissjoni.

Tkellmu: Hans-Gert Poettering fisem il-grupp PPE-DE, Martin Schulz fisem il-grupp PSE, Graham Watson fisem il-grupp ALDE, Monica Frassoni fisem il-grupp Verts/ALE, Francis Wurtz fisem il-grupp GUE/NGL, u Jens-Peter Bonde fisem il-grupp IND/DEM.

IPPRESIEDA: Dagmar ROTH-BEHRENDT

Vici President

Tkellmu: Guntars Krasts fisem il-grupp UEN, Koenraad Dillen Membru mhux affiljat, Jean Spautz, Robert Goebbels, Lapo Pistelli, Claude Turmes, Erik Meijer, Mario Borghezio, Wojciech Roszkowski, Irena Belohorská, Alain Lamassoure, Magda Kósáné Kovács, Cecilia Malmström, Johannes Voggenhuber, Dimitrios Papadimoulis, Bastiaan Belder, Alessandro Battilocchio, Gerardo Galeote Quecedo, Bárbara Dührkop Dührkop, Kyösti Tapio Virrankoski, Bernat Joan i Marí, Miguel Portas, Nils Lundgren, Andreas Mölzer, Struan Stevenson, Jo Leinen u Paolo Costa.

IPPRESIEDA: Pierre MOSCOVICI

Vici President

Tkellmu: Friedrich-Wilhelm Graefe zu Baringdorf, Graham Booth, James Hugh Allister, Konstantinos Hatzidakis, Catherine Guy-Quint, Alfonso Andria, Marianne Thyssen, Edite Estrela, Othmar Karas, Pervenche Berès, Hartmut Nassauer, Inger Segelström, Camiel Eurlings, Borut Pahor, Íñigo Méndez de Vigo, Carlos Carnero González, Jacques Toubon, Panagiotis Beglitis, Timothy Kirkhope, Proinsias De Rossa, Rihards Pīks, Lasse Lehtinen, Josef Zieleniec u Libor Rouček.

L-Erbgħa, 22 ta' Ġunju 2005

IPPRESIEDA: Edward McMILLAN-SCOTT

Vici President

Tkellmu: Alexander Stubb, Neena Gill, Georgios Papastamkos, Laima Liucija Andrikiene, Etelka Barsi-Pataky, Jacek Protasiewicz, Ioannis Kasoulides, James Elles, Maria da Assunção Esteves, Malcolm Harbour, Nicolas Schmit (President tal-Kunsill fil-karika) u Margot Wallström (Vici President tal-Kummissjoni).

Proposti għal riżoluzzjoni biex jiġi konkluż id-dibattitu skond l-Artikolu 103 (2) tar-Regoli ta' Proċedura:

- Graham Watson, Anne E. Jensen, Annemie Neyts-Uyttebroeck u Andrew Duff fisem il-grupp ALDE, (B6-0386/2005)
- Francis Wurtz fisem il-grupp GUE/NGL, (B6-0387/2005)
- Martin Schulz u Hannes Swoboda fisem il-grupp PSE, (B6-0388/2005)
- Brian Crowley, Cristiana Muscardini, Roberta Angelilli, Wojciech Roszkowski u Ġirts Valdis Kristovskis fisem il-grupp UEN, (B6-0389/2005)
- Hans-Gert Poettering fisem il-grupp PPE-DE, (B6-0390/2005)
- Monica Frassoni, Daniel Marc Cohn-Bendit, Johannes Voggenhuber u Kathalijne Maria Buitenweg fisem il-grupp Verts/ALE, (B6-0391/2005).

Id-dibattitu nghalaq.

Votazzjoni: *punt 12.13 ta' Minuti ta' 23.06.2005.*

IPPRESIEDA: Josep BORRELL FONTELLES

President

14. Emenda għad-deċiżjoni ta' l-4 ta' Ġunju 2003 dwar l-adozzjoni ta' l-Istatut tal-Membri tal-Parlament Ewropew (dibattitu)

Rapport fuq l-emenda għad-deċiżjoni ta' l-4 ta' Ġunju 2003 dwar l-adozzjoni ta' l-Istatut tal-Membri tal-Parlament Ewropew [2005/2124(INI)] — Kumitat dwar l-Affarijiet Legali.
Rapporteur: Giuseppe Gargani (A6-0189/2005)

Giuseppe Gargani ippreżenta r-rapport.

Tkellmu: Nicolas Schmit (President tal-Kunsill fil-karika) u Margot Wallström (Vici President tal-Kummissjoni).

Tkellmu: Maria Berger fisem il-grupp PSE, Diana Wallis fisem il-grupp ALDE, Monica Frassoni fisem il-grupp Verts/ALE, Helmuth Markov fisem il-grupp GUE/NGL, Hélène Goudin fisem il-grupp IND/DEM, Umberto Pirilli fisem il-grupp UEN, Hans-Peter Martin Membru mhux affiljat, Luigi Cocilovo, Nicolas Schmit u Giuseppe Gargani.

Id-dibattitu nghalaq.

Votazzjoni: *punt 7.1 ta' Minuti ta' 23.06.2005.*

(*Hin li fih ġiet sospiza s-seduta: 20.25 Hin li fih tkomplet is-seduta: 21.05*)

IPPRESIEDA: Antonios TRAKATELLIS

Viċi President

15. Diskorsi ta' minuta dwar kwistjonijiet ta' importanza politika

Il-Membri li ġejjin, li xtaqu jiġbdu l-attenzjoni tal-Parlament għal kwistjonijiet ta' importanza politika, tkellmu għal minuta skond l-Artikolu 144 tar-Regoli ta' Proċedura:

Bogusław Sonik, Jörg Leichtfried, Bairbre de Brún (il-kelliem fil-bidu tkellem bil-Gaelic, il-President ġibidlu l-attenzjoni li din il-lingwa ma tistax tiġi tradotta), Urszula Krupa, Zita Pleštinská u Kartika Tamara Liotard.

16. Iċ-ċaqliq ta' persuni minn naħa għal oħra tal-fruntieri ***I (dibattitu)

Rapport fuq il-proposta għal Regolament tal-Parlament u tal-Kunsill li jwaqqaf Kodiċi Komunitarju dwar ir-regoli li jirregolaw iċ-ċaqliq ta' persuni minn naħa għal oħra tal-fruntieri [COM(2004)0391 — C6-0080/2004 — 2004/0127(COD)] — Kumitat dwar il-Libertajiet Ċivili, l-Ġustizzja u l-Affarijiet Interni. Rapporteur: Michael Cashman (A6-0188/2005)

Tkellmu: Nicolas Schmit (President tal-Kunsill fil-karika) u Franco Frattini (Viċi President tal-Kummissjoni)

Michael Cashman ippreżenta r-rapport.

Tkellmu: Alessandro Battilocchio (rapporteur għal opinjoni tal-Kumitat DEVE), Manuel Medina Ortega (rapporteur għal opinjoni tal-Kumitat JURI), Stefano Zappalà fisem il-grupp PPE-DE, Inger Segelström fisem il-grupp PSE, Gérard Deprez fisem il-grupp ALDE, Sylvia-Yvonne Kaufmann fisem il-grupp GUE/NGL, u Claude Moraes.

Id-dibattitu nghalaq.

Votazzjoni: *punt 12.2 ta' Minuti ta' 23.06.2005.*

17. Riċerka fuq is-Sigurtà (dibattitu)

Rapport Riċerka ta' Sigurtà: Passi futuri [2004/2171(INI)] — Kumitat dwar l-Affarijiet Barranin. Rapporteur: Bogdan Klich (A6-0103/2005)

Bogdan Klich ippreżenta r-rapport.

Tkellem Viviane Reding (Membru tal-Kummissjoni)

Tkellmu: Agustín Díaz de Mera García Consuegra (rapporteur għal opinjoni tal-Kumitat LIBE), Romana Jordan Cizelj fisem il-grupp PPE-DE, Panagiotis Beglitis fisem il-grupp PSE, u Georgios Karatzaferis fisem il-grupp IND/DEM.

Id-dibattitu nghalaq.

Votazzjoni: *punt 12.15 ta' Minuti ta' 23.06.2005.*

18. Soċjetà ta' l-Infommazzjoni (dibattitu)

Rapport Soċjetà ta' l-Infommazzjoni [2004/2204(INI)] — Kumitat dwar l-Industrija, r-Riċerka u l-Enerġija. Rapporteur: Catherine Trautmann (A6-0172/2005)

Catherine Trautmann ippreżentat ir-rapport.

L-Erbgħa, 22 ta' Ġunju 2005

Tkellem Viviane Reding (Membru tal-Kummissjoni).

Tkellmu: María Badía i Cutchet (rapporteur għal opinjoni tal-Kumitat CULT), Lambert van Nistelrooij fisem il-grupp PPE-DE, David Hammerstein Mintz fisem il-grupp Verts/ALE, Umberto Guidoni fisem il-grupp GUE/NGL, Reino Paasilinna fisem il-grupp PSE, Paul Rübig, Francisca Pleguezuelos Aguilar, András Gyürk, Ljudmila Novak, Bogusław Sonik u Malcolm Harbour.

Id-dibattitu ngħalaq.

Votazzjoni: *punt 12.16 ta' Minuti ta' 23.06.2005.*

19. Affari Lloyd (dibattitu)

Mistoqsija orali magħmula minn Marcin Libicki, fisem il-Kumitat PETI, lill-Kummissjoni: Awturi ta' petizzjonijiet "Names" lil Lloyd's: Implimentazzjoni ta' l-ewwel Direttiva dwar l-Assigurazzjoni mhux fuq il-hajja (B6-0245/2005)

Marie Panayotopoulos-Cassiotou (sostitut ta' l-awtur) għamel il-mistoqsija orali.

Charlie McCreevy (Membru tal-Kummissjoni) wieġeb il-mistoqsija orali

Tkellmu: Robert Atkins fisem il-grupp PPE-DE, Manuel Medina Ortega fisem il-grupp PSE, Diana Wallis fisem il-grupp ALDE, Paul van Buitenen fisem il-grupp Verts/ALE, Luca Romagnoli Membru mhux affiljat, Proinsias De Rossa u Charlie McCreevy.

Proposta għal rizzoluzzjoni pprezentata, skond l-Artikolu 108 (5), tar-Regoli ta' Procedura, fl-aħħar tad-dibattitu.

— Marcin Libicki, fisem il-Kumitat PETI, (B6-0385/2005)

Id-dibattitu ngħalaq.

Votazzjoni: *punt 12.14 ta' Minuti ta' 23.06.2005.*

20. Kontrolli fuq il-pożizzjonijiet tal-baġit kif ukoll il-kontrolli u l-koordinazzjoni tal-politiki ekonomiċi **II (dibattitu)

Rakkomandazzjoni għat-tieni qari dwar il-pożizzjoni komuni tal-Kunsill bil-hsieb tal-adozzjoni ta' regolament tal-Kunsill li jemenda r-Regolament (KE) Nru 1466/97 dwar it-tishih tal-kontrolli fuq il-pożizzjonijiet tal-baġit kif ukoll il-kontrolli u l-koordinazzjoni tal-politiki ekonomiċi [09812/2005 — C6-0192/2005 — 2005/0064(SYN)] — Kumitat dwar l-Affarijiet Ekonomiċi u Monetarji. Rapporteur: Othmar Karas (A6-0204/2005).

Othmar Karas ipprezenta r-rakkomandazzjoni għat-tieni qari.

Tkellem Charlie McCreevy (Membru tal-Kummissjoni).

Tkellmu: Alexander Radwan fisem il-grupp PPE-DE, Ieke van den Burg fisem il-grupp PSE, Sergej Kozlík Membru mhux affiljat, Cristobal Montoro Romero, Manuel António dos Santos u Charlie McCreevy.

Id-dibattitu ngħalaq.

Votazzjoni: *punt 12.9 ta' Minuti ta' 23.06.2005.*

21. Aġenda għas-seduta li jmiss

L-aġenda tas-sessjoni ta' l-għada ġiet iffinalizzata (dokument "Aġenda" PE 357.269/JE).

22. Għeluq tas-seduta

Hin li fih inghalqet is-seduta: 23.40.

Julian Priestley
Segretarju Ġenerali

Josep Borrell Fontelles
President

L-Erbgha, 22 ta' Ġunju 2005

REGISTRU TA' L-ATTENDENZA

Iffirmaw:

Adamou, Agnoletto, Allister, Alvaro, Andersson, Andria, Andrikené, Antoniozzi, Arnaoutakis, Atkins, Attard-Montalto, Attwooll, Aubert, Audy, Ayala Sender, Aylward, Ayuso González, Bachelot-Narquin, Baco, Badía i Cutchet, Barón Crespo, Barsi-Pataky, Batten, Battilocchio, Batzeli, Bauer, Beaupuy, Beazley, Becsey, Beer, Beglitis, Belder, Belet, Belohorská, Bennahmias, Beňová, Berend, Berès, van den Berg, Berger, Berlato, Berlinguer, Berman, Bertinotti, Bielan, Birutis, Blokland, Bloom, Bobošíková, Böge, Bösch, Bonde, Bonino, Bono, Bonsignore, Booth, Borghesio, Borrell Fontelles, Bourzai, Bowis, Bowles, Bozkurt, Bradbourn, Mihael Brejc, Brepoels, Breyer, Březina, Brie, Budreikaitė, van Buitenen, Bullmann, van den Burg, Bushill-Matthews, Busk, Busuttil, Buzek, Cabrnock, Calabuig Rull, Callanan, Camre, Capoulas Santos, Carlotti, Carnero González, Carollo, Casa, Casaca, Cashman, Caspary, Castex, Castiglione, del Castillo Vera, Catania, Cavada, Cercas, Cesa, Chichester, Chmielewski, Christensen, Chruszcz, Cirino Pomicino, Claeys, Clark, Cocilovo, Coelho, Cohn-Bendit, Corbett, Corbey, Cornillet, Correia, Costa, Cottigny, Coûteaux, Cramer, Crowley, Ryszard Czarnecki, Daul, de Brún, Degutis, De Keyser, Demetriou, De Michelis, Deprez, De Rossa, Descamps, Désir, Deß, Deva, De Veyrac, Díaz de Mera García Consuegra, Didžiokas, Díez González, Dillen, Dimitrakopoulos, Dionisi, Dobolyi, Dombrovskis, Doorn, Douay, Dover, Drčar Murko, Duchoň, Dührkop Dührkop, Duff, Duin, Duka-Zólyomi, Duquesne, Ebner, Ehler, El Khadraoui, Elles, Esteves, Estrela, Ettl, Eurlings, Jillian Evans, Robert Evans, Fajmon, Farage, Fatuzzo, Fazakas, Fernandes, Fernández Martín, Anne Ferreira, Elisa Ferreira, Figueiredo, Flasarová, Flautre, Florenz, Foglietta, Fontaine, Ford, Fotyga, Fourtou, Fraga Estévez, Frassoni, Freitas, Friedrich, Fruteau, Gahler, Gál, Gaľa, Galeote Quecedo, García-Margallo y Marfil, García Pérez, Gargani, Garriga Polledo, Gaubert, Gauzès, Gawronski, Gebhardt, Gentvilas, Geremka, Geringer de Oedenberg, Gibault, Giertych, Gill, Gklavakis, Goebels, Goepel, Golik, Gomes, Gomolka, Goudin, Genowefa Grabowska, Grabowski, Graça Moura, Graefe zu Baringdorf, de Grandes Pascual, Grech, Griesbeck, Gröner, Grosch, Grossetête, Guellec, Guerreiro, Guidoni, Gurmai, Gutiérrez-Cortines, Guy-Quint, Gyürk, Hänsch, Hammerstein Mintz, Handzlik, Hannan, Harangozó, Harbour, Harkin, Harms, Hasse Ferreira, Hasi, Hatzidakis, Haug, Hazan, Heaton-Harris, Hedh, Hedkvist Petersen, Hegyi, Henin, Hennicot-Schoepges, Hennis-Plasschaert, Herczog, Herranz García, Hieronymi, Higgins, Hökmark, Honeyball, Hoppenstedt, Horáček, Howitt, Hudacký, Hudghton, Hughes, Hutchinson, in 't Veld, Isler Béguin, Itälä, Iturgaiz Angulo, Jackson, Jääteenmäki, Jałowiecki, Janowski, Járóka, Jarzembowski, Jeggle, Jensen, Joan i Mari, Jöns, Jonckheer, Jordan Cizelj, Juknevičienė, Jelko Kacin, Kaczmarek, Kallenbach, Kamiński, Karas, Kasoulides, Kaufmann, Kauppi, Kindermann, Kinnock, Kirkhope, Klamt, Klich, Klinz, Knapman, Koch, Kohlíček, Konrad, Korhola, Kósáné Kovács, Koterec, Kozlík, Krahmer, Krarup, Krasts, Kratsa-Tsagaropoulou, Krehl, Kreissl-Dörfler, Krupa, Kuc, Kuhne, Kułakowski, Kušķis, Kusstatscher, Kuźmiuk, Legendijk, Laignel, Lamassoure, Lambert, Lambrinidis, Landsbergis, Lang, Langen, Langendries, Laperrouze, La Russa, Laschet, Lauk, Lavarra, Lax, Lechner, Lhideux, Lehne, Lehtinen, Leichtfried, Leinen, Fernand Le Rachinel, Letta, Liberadzki, Lichtenberger, Lienemann, Liotard, Lipietz, Locatelli, López-Istúriz White, Louis, Lucas, Ludford, Lulling, Lundgren, Lynne, Maat, Maaten, McAvan, McCarthy, McDonald, McGuinness, McMillan-Scott, Madeira, Malmström, Manders, Mańka, Erika Mann, Thomas Mann, Manolakou, Mantovani, Markov, Marques, Martens, David Martin, Hans-Peter Martin, Martinez, Martínez Martínez, Masiel, Masip Hidalgo, Mašťálka, Mastenbroek, Mathieu, Mato Adrover, Matsakis, Matsouka, Mauro, Mavrommatis, Mayer, Mayor Oreja, Medina Ortega, Meijer, Méndez de Vigo, Menéndez del Valle, Míguélez Ramos, Mikko, Mikolášik, Mitchell, Mölzer, Mohácsi, Montoro Romero, Moraes, Moreno Sánchez, Morgan, Morgantini, Morillon, Moscovici, Mote, Mulder, Musacchio, Muscat, Mussolini, Musumeci, Myller, Napoletano, Nassauer, Natrass, Newton Dunn, Annemie Neyts-Uyttebroeck, Nicholson, Nicholson of Winterbourne, Niebler, van Nistelrooij, Novak, Obiols i Germà, Óger, Olajos, Olbrycht, Ó Neachtain, Onesta, Onyszkiewicz, Oomen-Ruijten, Ortuondo Larrea, Óry, Ouzký, Oviir, Paasilinna, Pack, Pafilis, Borut Pahor, Paleckis, Pálfi, Panayotopoulos-Cassiotou, Pannella, Panzeri, Papadimoulis, Papastamkos, Patrie, Peillon, Pęk, Pflüger, Piecyk, Pieper, Píks, Pinheiro, Piotrowski, Pirilli, Piskorski, Pistelli, Pittella, Pleguezuelos Aguilar, Pleštinská, Podkański, Poettering, Poignant, Polfer, Pomés Ruiz, Portas, Prets, Prodi, Protasiewicz, Purvis, Queiró, Quisthoudt-Rowohl, Rack, Radwan, Ransdorf, Rapkay, Rasmussen, Remek, Resetarits, Reul, Reynaud, Ribeiro e Castro, Riera Madurell, Ries, Riis-Jørgensen, Rogalski, Roithová, Romagnoli, Romeva i Rueda, Rosati, Roszkowski, Roth-Behrendt, Rothe, Rouček, Roure, Rudi Ubeda, Rübí, Rühle, Rutowicz, Ryan, Sacconi, Saifi, Sakalas, Salafranca Sánchez-Neyra, Salinas García, Salvini, Samaras, Samuelsen, Sánchez Presedo, Santoro, dos Santos, Sartori, Saryusz-Wolski, Savary, Schapira, Scheele, Schenardi, Schierhuber, Schlyter, Schmidt, Ingo Schmitt, Pál Schmitt, Schnellhardt, Schöpflin, Schröder, Schroedter, Schulz, Schuth, Schwab, Seeber, Segelström, Seppänen, Siekierski, Sifunakis, Silva Peneda, Sinnott, Siwec, Sjöstedt, Skinner, Škottová, Smith, Sommer, Sonik, Sornosa Martínez, Sousa Pinto, Spautz, Speroni, Staes, Staniszweska, Starkevičiūtė, Štátný, Stenzel, Sterckx, Stevenson, Stihler, Stockmann, Střežek, Strož, Stubb, Sturdy, Sudre, Sumberg, Surján, Svensson, Swoboda, Szájer, Szejna, Szent-Iványi, Szymański, Tabajdi, Tajani, Takkula, Tannock, Tarabella, Tarand, Tatarella, Thomsen, Thyssen, Titford, Titley, Toia, Tomczak, Toubon, Toussas, Trakatellis, Trautmann, Triantaphyllides, Trüpel, Turmes, Tzampazi, Uca, Ulmer, Väyrynen, Vakalis, Valenciano Martínez-Orozco, Vanhecke, Van Orden, Varela Suanzes-Carpegna, Varvitsiotis, Vaugrenard, Ventre, Verges, Vergnaud,

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Vidal-Quadras Roca, Vincenzi, Vlasák, Vlasto, Voggenhuber, Wallis, Walter, Watson, Henri Weber, Manfred Weber, Weisgerber, Westlund, Whitehead, Whittaker, Wieland, Wiersma, Wijkman, Wise, Wojciechowski, Wortmann-Kool, Wuermeling, Wurtz, Wynn, Yañez-Barnuevo García, Záborská, Zaleski, Zani, Zappalà, Zatloukal, Ždanoka, Zieleniec, Zile, Zimmer, Zingaretti, Zvěřina, Zwiefka

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(2006/C 133 E/02)

MINUTI**PROCEDURI TAS-SEDUTI**

IPPRESIEDA: Josep BORRELL FONTELLES

*President***1. Ftuh tas-Seduta**

Hin tal-ftuh tas-seduta: 09.05.

2. Merhba uffiċjali

Il-President, fisem il-Parlament, ta merhba lill-membri tad-delegazzoni ta' l-Assemblea Nazzjonali tar-Repubblika tal-Korea mmexxija minn Lee Sang-deuk li hadu posthom fil-gallarija uffiċjali.

3. Dokumenti mressqa

Tressqu d-dokumenti msemmija hawn taht (X'uhud minn dawn id-dokumenti m'humiex disponibbli bil-Malti)

1) *mill-Kunsill u l-Kummissjoni*

- Proposta ghal deċiżjoni tal-Kunsill dwar l-adeżjoni tal-Komunità mar-Regolament Nru 94 tal-Kummissjoni Ekonomika għall-Ewropa tan-Nazzjonijiet Uniti dwar disposizzjonijiet li għandhom x'jaqsmu ma' l-approvazzjoni ta' vetturi għal dak li hu l-harsien ta' l-okkupanti fil-każ ta' habta minn quddiem u r-Regolament Nru 95 dwar disposizzjonijiet li għandhom x'jaqsmu ma' l-approvazzjoni ta' vetturi għal dak li hu l-harsien ta' l-okkupanti fil-każ ta' habta mill-ġenb (Test b'relevanza għaž-ŻEE) (07590/2005 — C6-0209/2005 — 2004/0243(AVC)).
irreferut responsabbli INTA
 opinjoni TRAN

2) *mill-kumitati parlamentari*2.1) *rapporti:*

- * Report on the proposal for a Council regulation amending Regulation (EC) No 382/2001 as regards its expiry date and certain provisions related to the execution of the Budget (COM(2004)0840 — C6-0044/2005 — 2004/0288(CNS)) — Kumitat dwar il-Kummerċ Internazzjonali
Rapporteur: Martin David (A6-0154/2005).
- Report on industrial fisheries and the production of fishmeal and fish oil (2004/2262(INI)) — Kumitat dwar is-Sajd
Rapporteur: Stevenson Struan (A6-0155/2005).
- ***I Report on the proposal for a regulation of the European Parliament and of the Council on mutual administrative assistance for the protection of the financial interests of the Community against fraud and any other illegal activities (COM(2004)0509 — C6-0125/2004 — 2004/0172(COD)) — Kumitat dwar il-Kontroll tal-Budget
Rapporteur: Duchoň Petr (A6-0156/2005).
- ***I Report on the proposal for a directive of the European Parliament and of the Council amending, for the 29th, Council Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations (substances classified as carcinogen, mutagen or toxic to reproduction — c/m/r) (COM(2004)0638 — C6-0136/2004 — 2004/0225(COD)) — Kumitat dwar l-Ambjent, is-Saħha Pubblika u s-Sigurtà ta' l-Ikel
Rapporteur: Florenz Karl-Heinz (A6-0163/2005).

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- ***I Report on the proposal for a regulation of the European Parliament and of the Council concerning the establishment of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC (COM(2004)0634 — C6-0130/2004 — 2004/0231(COD)) — Kumitat dwar l-Ambjent, is-Sahha Pubblika u s-Sigurtà ta' l-Ikel
Rapporteur: Blokland Johannes (A6-0169/2005).
- * Report on the proposal for a Council decision on the conclusion, on behalf of the European Community, of the UN-ECE Protocol on Pollutant Release and Transfer Registers (COM(2004)0635 — C6-0062/2005 — 2004/0232(CNS)) — Kumitat dwar l-Ambjent, is-Sahha Pubblika u s-Sigurtà ta' l-Ikel
Rapporteur: Blokland Johannes (A6-0170/2005).
- Report on the information society (2004/2204(INI)) — Kumitat dwar l-Industrija, r-Riċerka u l-Energija — Rapporteur: Trautmann Catherine (A6-0172/2005).
- Report on tourism and development (2004/2212(INI)) — Kumitat dwar l-Iżvilupp
Rapporteur: Cornillet Thierry (A6-0173/2005).
- * Report on the proposal for a Council regulation imposing certain specific restrictive measures directed against certain persons impeding the peace process and breaking international law in the conflict in the Darfur region in Sudan (COM(2005)0180 — C6-0138/2005 — 2005/0068(CNS)) — Kumitat dwar il-Libertajiet Ċivili, l-Ġustizzja u l-Affarijiet Interni
Rapporteur: Cavada Jean-Marie (A6-0186/2005).
- ***I Report on the proposal for a regulation of the European Parliament and of the Council establishing a Community Code on the rules governing the movement of persons across borders (COM(2004)0391 — C6-0080/2004 — 2004/0127(COD)) — Kumitat dwar il-Libertajiet Ċivili, l-Ġustizzja u l-Affarijiet Interni
Rapporteur: Cashman Michael (A6-0188/2005).
- Report on the amendment of the decision of 4 June 2003 on the adoption of the Statute for Members of the European Parliament (2005/2124(INI)) — Kumitat dwar l-Affarijiet Legali
Rapporteur: Gargani Giuseppe (A6-0189/2005).
- Report on Draft amending budget No 2/2005 of the European Union for the financial year 2005 — Salary adjustment: Section I — European Parliament; Section II — Council; Section III — Commission; Section IV — Court of Justice; Section V — Court of Auditors; Section VI — European Economic and Social Committee; Section VII — Committee of the Regions; Section VIII(A) — European Ombudsman; Section VIII(B) — European Data Protection Supervisor (09491/2005 — C6-0172/2005 — 2005/2045(BUD)) — Kumitat dwar il-Budgets
Rapporteurs: Garriga Polledo Salvador, Jensen Anne E. (A6-0190/2005).
- * Report on the proposal for a Council regulation imposing certain specific restrictive measures directed against persons acting in violation of the arms embargo with regard to the Democratic Republic of the Congo (COM(2005)0227 — C6-0185/2005 — 2005/0101(CNS)) — Kumitat dwar il-Libertajiet Ċivili, l-Ġustizzja u l-Affarijiet Interni
Rapporteur: Cavada Jean-Marie (A6-0194/2005).

4. Programm ta' Attività tal-Presidenza Brittanika (dibattitu)

Dikjarazzjoni tal-Kunsill: Programm ta' Attività tal-Presidenza Brittanika.

Tony Blair (Prim Ministru tar-Renju Unit u l-President fil-kariga tal-Kunsill li jmiss) ippreżenta l-programm tal-Presidenza Brittanika.

Tkellem José Manuel Barroso (President tal-Kummissjoni).

Tkellmu: Hans-Gert Poettering fisem il-grupp PPE-DE, Martin Schulz fisem il-grupp PSE, Graham Watson fisem il-grupp ALDE, Daniel Marc Cohn-Bendit fisem il-grupp Verts/ALE, Francis Wurtz fisem il-grupp GUE/NGL, Nigel Farage fisem il-grupp IND/DEM, Brian Crowley fisem il-grupp UEN, Roger Helmer Membru mhux affiljat, Timothy Kirkhope, Gary Titley u Karin Riis-Jørgensen.

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IPPRESIEDA: Edward McMILLAN-SCOTT

Vċi President

Tkellmu: Caroline Lucas, Roberto Musacchio, Mirosław Mariusz Piotrowski, Mogens N.J. Camre, Ashley Mote, Françoise Grossetête, Hannes Swoboda, Chris Davies, Jillian Evans, Eoin Ryan, James Hugh Allister u József Szájer.

5. Merħba uffiċjali

Il-President, fisem il-Parlament, ta merħba lill-membri tad-delegazzoni ta' l-Assemblea tal-Kuwait, immexxija minn le Dr Nasser Jasem Al-Sane, li ħadu posthom fil-gallarija uffiċjali.

6. Programm ta' Attività tal-Presidenza Brittanika (tkompli ta' tad-dibattitu)

Tkellmu: Poul Nyrup Rasmussen, Lena Ek, Ian Hudghton, Ryszard Czarnecki, Elmar Brok, Pasqualina Napolitano, Jean-Louis Bourlanges, Jana Bobošíková, Jaime Mayor Oreja u Bernard Poignant.

IPPRESIEDA: Josep BORRELL FONTELLES

President

Tkellmu: Jorgo Chatzimakakis, Jacek Emil Saryusz-Wolski, Enrique Barón Crespo, Andrew Duff, Antonio Tajani, Martine Roure, Sajjad Karim, Gunnar Hökmark, Jan Andersson, Nicholson of Winterbourne, Ursula Stenzel, Miguel Angel Martínez Martínez, Bill Newton Dunn, Avril Doyle, Charles Tannock, Karl von Wogau, Nikolaos Vakalis, José Ignacio Salafrañca Sánchez-Neyra, Margie Sudre, Tony Blair u José Manuel Barroso.

Id-dibattitu nghalaq.

7. Hin tal-votazzjonijiet

Detalji tal-votazzjonijiet (emendi, voti separati u maqsuma, eċċ.) jidhru fl-Anness 1 tal-Minuti.

7.1. Emenda għad-deċiżjoni ta' l-4 ta' Ġunju 2003 dwar l-adozzjoni ta' l-Istatut tal-Membri tal-Parlament Ewropew (votazzjoni)

Rapport Emenda għad-deċiżjoni ta' l-4 ta' Ġunju 2003 dwar l-adozzjoni ta' l-Istatut tal-Membri tal-Parlament Ewropew [2005/2124(INI)] — Kumitat dwar l-Affarijiet Legali.
Rapporteur: Giuseppe Gargani (A6-0189/2005).

(Maġġoranza sempliċi meħtieġa)
(Riżultat tal-votazzjoni: Anness I, punt 1)

MOZZJONI GĦAL RIŻOLUZZJONI (inkluża d-deċiżjoni li tadotta l-Istatut għall-Membri)

Adottata (P6_TA(2005)0245)

Tkellmu:

- Qabel il-votazzjoni, Carl Schlyter għied l-attenzjoni dwar żball fil-verżjoni Żvediża;
- Edith Mastenbroek iċċarat l-emenda 13;
- Giuseppe Gargani (rapporteur) tkellem wara l-votazzjoni.

IPPRESIEDA: Alejo VIDAL-QUADRAS ROCA

Vici President

8. Kompożizzjoni tal-Parlament

Antonio De Poli kien avża bl-elezzjoni tiegħu għall-kariga ta' Ministru fir-reġjun tal-Veneto fl-Italja.

Billi, skond l-Artikolu 4(4) tar-Regoli ta' Proċedura u l-Artikolu 7(3) ta' l-Att li jikkonċerna l-elezzjoni ta' rappreżentanti tal-Parlament Ewropew b'votazzjoni universali diretta, din il-kariga hi inkompatibbli mal-kariga ta' Membru tal-Parlament Ewropew, il-Parlament stabbilixxa li l-kariga titqies li hi vakanti mis-16.05.2005 u informa b'dan lill-Istat Membru kkonċernat.

9. Avviż tal-pożizzjonijiet komuni tal-Kunsill

Il-President habbar, skond l-Artikolu 57 (1), li kien irċieva minghand il-Kunsill il-pożizzjoni komuni li ġejja, flimkien mar-raġunijiet li wasslu lill-Kunsill biex jadottaha, kif ukoll il-pożizzjoni tal-Kummissjoni dwar:

- Common position adopted by the Council with a view to the adoption of a Council regulation amending Regulation (EC) No 1466/97 on the strengthening of the surveillance of budgetary positions and the surveillance and coordination of economic policies (09817/2005 — COM(2005)0272 — C6-0192/2005 — 2005/0064(SYN))
irreferut responsabbli: ECON

Il-perjodu ta' tliet xhur għad-dispożizzjoni tal-Parlament sabiex jadotta l-pożizzjoni tiegħu kellu jibda għalhekk mill-ghada, 24.06.2005.

10. Approvazzjoni tal-Minuti tas-seduta ta' qabel

Il-Minuti tas-seduta ta' qabel ġew approvati.

11. Korrezzjonijiet tal-votazzjoni tas-seduti preċedenti

Bernadette Bourzai għamlet dawn il-korrezzjonijiet għall-votazzjonijiet:

Seduta ta' 08.06.2005

Rapport Reimer Böge — A6-0153/2005

- paragrafu 50, l-ewwel parti
kontra: Bernadette Bourzai
- emenda 33
kontra: Bernadette Bourzai

12. Hin tal-votazzjonijiet (tkompliġa)

12.1. Tqegħid fis-suq u użu ta' ċerti sustanzi u preparazzjonijiet perikolużi (CMR) ***I (Artikolu 131 tar-Regoli ta' Proċedura) (votazzjoni)

Rapport dwar il-proposta għal Direttiva tal-Parlament Ewropew u tal-Kunsill li temenda, għad-disgħa u għoxrin darba, id-Direttiva tal-Kunsill 76/769/KEE dwar l-approssimazzjoni tal-liġijiet, regolamenti u dispożizzjonijiet amministrattivi ta' l-Istati Membri dwar tqegħid fis-suq u użu ta' ċerti sustanzi u

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preparazzjonijiet perikolużi (sustanzi klassifikati bhala karċinoġeni, mutaġeniċi jew tossiċi għar-riproduzzjoni — CMR) [COM(2004)0638 — C6-0136/2004 — 2004/0225(COD)] — Kumitat għall-Ambjent, is-Sahha Pubblika u s-Sigurtà ta' l-Ikel.
Rapporteur: Karl-Heinz Florenz (A6-0163/2005).

(Maġġoranza sempliċi meħtieġa)
(Riżultat tal-votazzjoni: Anness I, punt 2)

PROPOSTA TAL-KUMMISSJONI u ABBOZZ TA' RIŻOLUZZJONI LEGIŻLATTIVA

Adottata b'votazzjoni unika (P6_TA(2005)0246)

12.2. Iċ-ċaqliq ta' persuni minn naħa għal oħra tal-fruntieri *I (Artikolu 131 tar-Regoli ta' Proċedura) (votazzjoni)**

Rapport dwar il-proposta għal Regolament tal-Parlament u tal-Kunsill li jwaqqaf Kodiċi Komunitarju dwar ir-regoli li jirregolaw iċ-ċaqliq ta' persuni minn naħa għal oħra tal-fruntieri [COM(2004)0391 — C6-0080/2004 — 2004/0127(COD)] — Kumitat għall-Libertajiet Ċivili, l-Ġustizzja u l-Intern.
Rapporteur: Michael Cashman (A6-0188/2005).

(Maġġoranza sempliċi meħtieġa)
(Riżultat tal-votazzjoni: Anness I, punt 3)

PROPOSTA TAL-KUMMISSJONI u ABBOZZ TA' RIŻOLUZZJONI LEGIŻLATTIVA

Adottata b'votazzjoni unika (P6_TA(2005)0247)

12.3. Regolamentazzjoni dwar l-esekuzzjoni tal-Baġit * (Artikolu 131 tar-Regoli ta' Proċedura) (votazzjoni)

Rapport dwar il-proposta għal Regolament tal-Kunsill li jemenda r-Regolament nru 382/2001 rigward id-data ta' l-għeluq tiegħu u ċerti dispożizzjonijiet dwar l-esekuzzjoni tal-Baġit [COM(2004)0840 — C6-0044/2005 — 2004/0288(CNS)] — Kumitat għall-Kummerċ Internazzjonali.
Rapporteur: David Martin (A6-0154/2005)

(Maġġoranza sempliċi meħtieġa)
(Riżultat tal-votazzjoni: Anness I, punt 4)

PROPOSTA TAL-KUMMISSJONI, EMENDI u ABBOZZ TA' RIŻOLUZZJONI LEGIŻLATTIVA

Adottata b'votazzjoni unika (P6_TA(2005)0248)

12.4. Il-kwalità tad-data ta' l-istatistika fil-kuntest ta' Proċedura ta' Defiċits Eċċessivi * (Artikolu 131 tar-Regoli ta' Proċedura) (votazzjoni)

Rapport dwar il-proposta għal Regolament tal-Kunsill li jemenda r-Regolament (KE) Nru 3605/93 dwar il-kwalità tad-data ta' l-istatistika fil-kuntest ta' Proċedura ta' Defiċits Eċċessivi [COM(2005)0071 — C6-0108/2005 — 2005/0013(CNS)] — Kumitat għall-Affarijiet Ekonomiċi u Monetarji.
Rapporteur: Jean-Paul Gauzès (A6-0181/2005).

(Maġġoranza sempliċi meħtieġa)
(Riżultat tal-votazzjoni: Anness I, punt 5)

PROPOSTA TAL-KUMMISSJONI, EMENDI u ABBOZZ TA' RIŻOLUZZJONI LEGIŻLATTIVA

Adottata b'votazzjoni unika (P6_TA(2005)0249)

Il-Hamis, 23 ta' Ġunju 2005

12.5. Miżuri restrittivi kontra persuni li jostakolaw il-proċess tal-paċi u li jiksru l-liġi internazzjonali fil-kunflitt fir-reġjun ta' Darfur fis-Sudan *
(Artikolu 131 tar-Regoli ta' Proċedura) (votazzjoni)

Rapport dwar il-roposta ghal Regolament tal-Kunsill li jimponi ċertu miżuri restrittivi kontra persuni li jostakolaw il-proċess tal-paċi u li jiksru l-liġi internazzjonali fil-kunflitt fir-reġjun ta' Darfur fis-Sudan [08910/2005 — C6-0138/2005 — 2005/0068(CNS)] — Kumitat ghal-Libertajiet Ċivili, l-Ġustizzja u l-Intern.

Rapporteur: Jean-Marie Cavada (A6-0186/2005).

(Maġġoranza sempliċi meħtieġa)

(Riżultat tal-votazzjoni: Anness I, punt 6)

PROPOSTA TAL-KUMMISSJONI, EMENDI u ABBOZZ TA' RIŻOLUZZJONI LEGIŻLATTIVA

Adottata b'votazzjoni unika (P6_TA(2005)0250)

12.6. Ksur ta' l-embargo ta' l-armi impost fuq ir-Repubblika Demokratika tal-Kongo *
(Artikolu 131 tar-Regoli ta' Proċedura) (votazzjoni)

Rapport dwar il-proposta ghal Regolament tal-Kunsill li jistabbilixxi miżuri restrittivi partikolari fuq persuni li jiksru l-embargo ta' l-armi impost fuq ir-Repubblika Demokratika tal-Kongo [COM(2005)0227 — C6-0185/2005 — 2005/0101(CNS)] — Kumitat ghal-Libertajiet Ċivili, l-Ġustizzja u l-Intern. Rapporteur: Jean-Marie Cavada (A6-0194/2005)

(Maġġoranza sempliċi meħtieġa)

(Riżultat tal-votazzjoni: Anness I, punt 7)

PROPOSTA TAL-KUMMISSJONI, EMENDI u ABBOZZ TA' RIŻOLUZZJONI LEGIŻLATTIVA

Adottata b'votazzjoni unika (P6_TA(2005)0251)

12.7. Amendements au Abbozz tal-baġit ta' emenda 2/2005 (votazzjoni)

(Maġġoranza kwalifikata)

(Riżultat tal-votazzjoni: Anness I, punt 8)

EMENDI

Adottatas (P6_TA(2005)0252)

12.8. Abbozz tal-baġit ta' emenda 2/2005 (votazzjoni)

Rapport Abbozz tal-baġit ta' emenda Nru 2 ta' l-Unjoni Ewropea ghas-sena 2005 — L-addatament annwali tal-pagi

Sezzjoni I — Parlament Ewropew, Sezzjoni II — Kunsill, Sezzjoni III — Kummissjoni, Sezzjoni IV — Qorti tal-Ġustizzja; Sezzjoni V — Qorti tal-Awdituri; Sezzjoni VI — Kumitat Ekonomiku u Soċjali Ewropew; Sezzjoni VII — Kumitat tar-Reġjuni; Sezzjoni VIII (A) — Ombudsman; Sezzjoni VIII (B) — Kontrollur Ewropew tal-Protezzjoni tad-Data [09491/2005 — C6-0172/2005 — 2005/2045(BUD)], Kumitat dwar il-Budgets.

Ko-Rapporteurs: Salvador Garriga Polledo u Anne E. Jensen (A6-0190/2005).

(Maġġoranza sempliċi meħtieġa)

(Riżultat tal-votazzjoni: Anness I, punt 9)

MOZZJONI GHAL RIŻOLUZZJONI

Adottata (P6_TA(2005)0253)

Il-Hamis, 23 ta' Ġunju 2005

12.9. Kontrolli fuq il-pożizzjonijiet tal-baġit kif ukoll il-kontrolli u l-koordinazzjoni tal-politika ekonomika **II (votazzjoni)

Rakkomandazzjoni għat-tieni qari Pożizzjoni komuni tal-Kunsill bil-hsieb tal-adozzjoni ta' regolament tal-Kunsill li jemenda r-Regolament (KE) Nru 1466/97 dwar it-tishih tal-kontrolli fuq il-pożizzjonijiet tal-baġit kif ukoll il-kontrolli u l-koordinazzjoni tal-politika ekonomika [9812/2005 — C6-0119/2005 — 2005/0064(SYN)] — Kumitat għall-Affarijiet Ekonomiċi u Monetarij.
Rapporteur: Othmar Karas (A6-0204/2005)

(Maġġoranza kwalifikata)
(Riżultat tal-votazzjoni: Anness I, punt 10)

POŻIZZJONI KOMUNI TAL-KUNSILL

Dikjarata approvata (P6_TA(2005)0254)

12.10. Harsien ta' l-interessi finanzjarji tal-Komunità *I (votazzjoni)**

Rapport dwar il-proposta għal Regolament tal-Parlament Ewropew u tal-Kunsill fuq l-għajjnuna amministrattiva reċiproka għall-harsien ta' l-interessi finanzjarji tal-Komunità kontra l-frodi u kull attività illegali ohra [COM(2004)0509 — C6-0125/2004 — 2004/0172(COD)] — Kumitat għall-Kontroll tal-Baġit.
Rapporteur: Petr Duchoň (A6-0156/2005).

(Maġġoranza sempliċi meħtieġa)
(Riżultat tal-votazzjoni: Anness I, punt 11)

PROPOSTA TAL-KUMMISSJONI

Approvazzjoni bl-emendi (P6_TA(2005)0255)

ABBOZZ TA' RIŻOLUZZJONI LEĠIŻLATTIVA

Adottata (P6_TA(2005)0255)

12.11. Aċċess għal għajjnuna esterna tal-Komunità *I (votazzjoni)**

Rapport dwar il-proposta għal regolament tal-Parlament Ewropew u tal-Kunsill dwar l-aċċess għal għajjnuna esterna tal-Komunità' [COM(2004)0313 — C6-0032/2004 — 2004/0099(COD)] — Kumitat għall-Iżvilupp.
Rapporteur: Michael Gahler (A6-0182/2005).

(Maġġoranza sempliċi meħtieġa)
(Riżultat tal-votazzjoni: Anness I, punt 12)

PROPOSTA TAL-KUMMISSJONI

Approvazzjoni bl-emendi (P6_TA(2005)0256)

ABBOZZ TA' RIŻOLUZZJONI LEĠIŻLATTIVA

Adottata (P6_TA(2005)0256)

Il-Hamis, 23 ta' Ġunju 2005

12.12. Pjan ta' bini mill-ġdid tal-provvista tal-halibatt għall-Atlantiku tal-Majjistral * (votazzjoni)

Rapport dwar il-proposta għal regolament tal-Kunsill li jstabilixxi pjan ta' bini mill-ġdid tal-provvista tal-halibatt fl-Atlantiku tal-Majjistral fil-qafas ta' hidma ta' l-Organizzazzjoni tas-Sajd fl-Atlantiku tal-Majjistral [COM(2004)0640 — C6-0197/2004 — 2004/0229(CNS)] — Kumitat għas-Sajd.
Rapporteur: Henrik Dam Kristensen (A6-0116/2005).

(Maġġoranza sempliċi meħtieġa)
(Riżultat tal-votazzjoni: Anness I, punt 13)

PROPOSTA TAL-KUMMISSJONI

Approvazzjoni bl-emendi (P6_TA(2005)0257)

ABBOZZ TA' RIŻOLUZZJONI LEGIŻLATTIVA

Adottata (P6_TA(2005)0257)

12.13. Laqgħa tal-Kunsill Ewropew (Brussel, 16/17 ta' Ġunju 2005) (votazzjoni)

Proposti għal riżoluzzjoni B6-0386/2005, B6-0387/2005, B6-0388/2005, B6-0389/2005, B6-0390/2005 u B6-0391/2005

(Maġġoranza sempliċi meħtieġa)

MOZZJONI GĦAL RIŻOLUZZJONI RC-B6-0386/2005
(flok B6-0386/2005, B6-0388/2005, B6-0389/2005 u B6-0391/2005):

mressqa mill-Membri li ġejjin:

- Hans-Gert Poettering fisem il-grupp PPE-DE,
- Martin Schulz u Hannes Swoboda fisem il-grupp PSE,
- Graham Watson, Jules Maaten u Cecilia Malmström fisem il-grupp ALDE,
- Monica Frassoni, Daniel Marc Cohn-Bendit u Johannes Voggenhuber fisem il-grupp Verts/ALE,
- Brian Crowley, Cristiana Muscardini, Guntars Krasts u Roberta Angelilli fisem il-grupp UEN,
- Hannes Swoboda fisem il-grupp PSE talab il-posponiment tal-votazzjoni.

Il-Parlament wera l-qbil tiegħu għal din it-talba.

12.14. Kaž LLoyd (votazzjoni)

Proposta għal riżoluzzjoni B6-0385/2005

(Maġġoranza sempliċi meħtieġa)
(Riżultat tal-votazzjoni: Anness I, punt 14)

MOZZJONI GĦAL RIŻOLUZZJONI

Adottata (P6_TA(2005)0258)

12.15. Riċerka fuq is-Sigurtà (votazzjoni)

Rapport Riċerka ta' Sigurtà: Passi futuri [2004/2171(INI)] — Kumitat dwar l-Affarijiet Barranin.
Rapporteur: Bogdan Klich (A6-0103/2005).

(Maġġoranza sempliċi meħtieġa)
(Riżultat tal-votazzjoni: Anness I, punt 15)

Il-Hamis, 23 ta' Ġunju 2005

MOZZJONI GHAL RIŻOLUZZJONI

Adottata (P6_TA(2005)0259)

Tkellmu:

- Qabel il-votazzjoni, Hannes Swoboda fisem il-grupp PSE, ippropona li jittiehed "block vote" fuq l-emendi kollha. Tobias Pflüger fisem il-grupp GUE/NGL, qabel mal-proposta, imma talab li l-emendi 22 u 25 jittiehed vot fuqhom separatament.

Il-President Il-President aċċetta din it-talba.

12.16. Soċjetà ta' l-Infurmazzjoni (votazzjoni)

Rapport Soċjetà ta' l-Infurmazzjoni [2004/2204(INI)] — Kumitat dwar l-Industrija, r-Riċerka u l-Energija.
Rapporteur: Catherine Trautmann (A6-0172/2005).

(Maġġoranza sempliċi meħtieġa)
(Riżultat tal-votazzjoni: Anness I, punt 16)

MOZZJONI GHAL RIŻOLUZZJONI

Adottata (P6_TA(2005)0260)

13. Spjegazzjonijiet tal-votazzjoni*Spjegazzjonijiet tal-votazzjoni bil-miktub:*

L-ispiegazzjonijiet tal-votazzjoni li tressqu skond l-Artikolu 163(3) tar-Regoli ta' Proċedura jidhru fir-rapport verbatim ta' din is-seduta.

Spjegazzjonijiet tal-votazzjoni orali:

Rapport Giuseppe Gargani — A6-0189/2005

- Michl Ebner, Hiltrud Breyer, Frank Vanhecke, Christoph Konrad u Othmar Karas

14. Korrezzjonijiet ta' vot

Il-Membri li ġejjin ressqu korrezzjonijiet ta' vot:

Rapport Giuseppe Gargani — A6-0189/2005

- Artikolu 12, paragrafu 1
favur: Rainer Wieland, Anders Wijkman
- Artikolu 14, paragrafu 1
kontra: Hiltrud Breyer
- emenda 1
kontra: Avril Doyle
- Artikolu 27, paragrafu 1
favur: Philip Bushill-Matthews
kontra: Bart Staes
- emenda 2
kontra: Glyn Ford
astensjoni: Christa Prets

- Artikolu 27, paragrafu 2
favur: Charlotte Cederschiöld, Avril Doyle, Claude Turmes
kontra: Michael Cramer
- riżoluzzjoni (test sħih)
favur: Patrick Gaubert, Karin Jöns, Lambert van Nistelrooij, Anders Wijkman

Rapport Henrik Dam Kristensen — A6-0116/2005

- riżoluzzjoni leġiżlattiva
favur: Hans-Peter Martin

Rapport Bogdan Klich — A6-0103/2005

- riżoluzzjoni (test sħih)
favur: Antoine Duquesne
kontra: Jens-Peter Bonde

Reinhard Rack kien preżenti imma ma hax sehem fil-votazzjoni.

Karl-Heinz Florenz kien preżenti imma ma hax sehem fil-votazzjonijiet kollha.

15. Trażmissjoni tat-testi adottati waqt is-seduta

Il-Minuti ta' din is-seduta se jiġu pprezentati lill-Parlament għall-approvazzjoni tiegħu fil-bidu tas-seduta li jmiss, skond l-Artikolu 172(2) tar-Regoli ta' Proċedura.

Bil-qbil tal-Parlament, it-testi li ġew adottati se jintbagħtu minnufih lill-entitajiet imsemmija fihom.

16. Dati għas-seduti li jmiss

Is-seduti li jmiss se jsiru mid-data 04.07.2005 sa 07.07.2005.

17. Aġġornament tas-sessjoni

Is-sessjoni tal-Parlament Ewropew għet aġġornata.

Hin li fih inqas is-seduti: 13.10.

Julian Priestley
Segretarju Ġenerali

Josep Borrell Fontelles
President

Il-Hamis, 23 ta' Ġunju 2005

REGISTRU TA' L-ATTENDENZA

Iffirmaw:

Adamou, Agnoletto, Albertini, Allister, Alvaro, Andersson, Andria, Andriksen, Antoniozzi, Arif, Arnaoutakis, Ashworth, Assis, Atkins, Attard-Montalto, Attwooll, Aubert, Audy, Auken, Aylward, Ayuso González, Bachelot-Narquin, Baco, Badía i Cutchet, Barón Crespo, Barsi-Pataky, Batten, Battilocchio, Batzeli, Bauer, Beaupuy, Beazley, Becsey, Beer, Beglitis, Belder, Belet, Belohorská, Bennahmias, Beňová, Berend, Berès, van den Berg, Berger, Berlato, Berlinguer, Berman, Birutis, Blokland, Bloom, Bobošíková, Böge, Bösch, Bonde, Bonino, Bono, Bonsignore, Booth, Borghezio, Borrell Fontelles, Bourlanges, Bourzai, Bowis, Bowles, Bozkurt, Bradbourn, Brepoels, Breyer, Březina, Brok, Brunetta, Budreikaitė, Bullmann, van den Burg, Bushill-Matthews, Busk, Busquin, Buzek, Cabrnock, Calabuig Rull, Camre, Capoulas Santos, Carlotti, Carnero González, Carollo, Casa, Casaca, Cashman, Caspary, Castex, Castiglione, del Castillo Vera, Cavada, Cederschiöld, Cercas, Cesa, Chatzimakakis, Chichester, Chmielewski, Christensen, Chruszcz, Cirino Pomicino, Claeyns, Clark, Cocolino, Coelho, Cohn-Bendit, Corbett, Corbey, Cornillet, Correia, Costa, Cottigny, Coûteaux, Cramer, Crowley, Marek Aleksander Czarnecki, Daul, Davies, de Brún, Degutis, Dehaene, De Keyser, Demetriou, De Michelis, Deprez, De Rossa, Descamps, Désir, Deß, Deva, De Veyrac, De Vits, Díaz de Mera García Consuegra, Didžiokas, Díez González, Dillen, Dimitrakopoulos, Dionisi, Dobolyi, Doorn, Douay, Dover, Doyle, Drčar Murko, Duchoň, Dührkop Dührkop, Duff, Duin, Duka-Zólyomi, Duquesne, Ebner, Ehler, Ek, El Khadraoui, Elles, Esteves, Estrela, Ettl, Eurlings, Jillian Evans, Robert Evans, Fajmon, Falbr, Farage, Fatuzzo, Fava, Fazakas, Fernandes, Fernández Martín, Anne Ferreira, Elisa Ferreira, Figueiredo, Fjellner, Flasarová, Flautre, Florenz, Fontaine, Ford, Fotyga, Fourtou, Fraga Estévez, Frassoni, Freitas, Friedrich, Fruteau, Gahler, Gál, Galá, Galeote Quecedo, García-Margallo y Marfil, García Pérez, Gargani, Garriga Polledo, Gaubert, Gauzès, Gawronski, Gebhardt, Gentvilas, Geremek, Geringer de Oedenberg, Gibault, Gierek, Giertych, Gill, Gklavakis, Glante, Glattfelder, Goebbels, Goepel, Golik, Gomolka, Goudin, Genowefa Grabowska, Grabowski, Graça Moura, Graefe zu Baringdorf, Gräßle, de Grandes Pascual, Grech, Gröner, de Groen-Kouwenhoven, Grosch, Grossetête, Guellec, Guerreiro, Guidoni, Gurmai, Gutiérrez-Cortines, Guy-Quint, Gyürk, Hänsch, Hall, Hammerstein Mintz, Handzlik, Hannan, Harangozó, Harbour, Harkin, Hasse Ferreira, Hassi, Hatzidakis, Haug, Hazan, Heaton-Harris, Hedh, Hedkvist Petersen, Hegyi, Helmer, Hennicot-Schoepges, Hennis-Plasschaert, Herczog, Herranz García, Hieronymi, Higgins, Hökmark, Honeyball, Hoppenstedt, Horáček, Howitt, Hudacký, Hudghton, Hughes, Hutchinson, Ibrisagic, in 't Veld, Isler Béguin, Itälä, Iturgaiz Angulo, Jackson, Jałowiecki, Janowski, Járóka, Jarzembowski, Jęggel, Jensen, Joan i Marí, Jöns, Jørgensen, Jonckheer, Jordan Cizelj, Kaczmarek, Kallenberg, Kamall, Kamiński, Karas, Karatzafiris, Karim, Kasoulides, Kaufmann, Kauppi, Kindermann, Kinnock, Kirkhope, Klamt, Klich, Klinz, Knapman, Koch, Kohlíček, Konrad, Korhola, Kósáné Kovács, Koterec, Kozlík, Krahmer, Krarup, Kratsa-Tsagaropoulou, Krehl, Kreissl-Dörfler, Krupa, Kuc, Kudrycka, Kuhne, Kułakowski, Kuškiš, Kusstatscher, Kuźmiuk, Lagendijk, Lamassoure, Lambert, Landsbergis, Lang, Langen, Langendries, Laperrouze, La Russa, Laschet, Lauk, Lax, Lechner, Le Foll, Lehne, Lehtinen, Leichtfried, Leinen, Fernand Le Rachinel, Letta, Liberadzki, Lichtenberger, Lienemann, Liotard, Lipietz, Locatelli, Lombardo, López-Istúriz White, Louis, Lucas, Ludford, Lulling, Lundgren, Maat, Maaten, McAvan, McCarthy, McDonald, McGuinness, McMillan-Scott, Madeira, Malmström, Manders, Maňka, Erika Mann, Thomas Mann, Manolakou, Mantovani, Markov, Marques, Martens, David Martin, Hans-Peter Martin, Martínez, Martínez Martínez, Masiel, Masip Hidalgo, Maštálka, Mastenbroek, Mathieu, Mato Adrover, Matsakis, Matsouka, Mauro, Mavrommatis, Mayer, Medina Ortega, Meijer, Méndez de Vigo, Menéndez del Valle, Miguélez Ramos, Mikko, Mikolášik, Millán Mon, Montoro Romero, Moraes, Moreno Sánchez, Morgan, Morillon, Moscovici, Mote, Mulder, Musacchio, Muscardini, Muscat, Mussolini, Musumeci, Myller, Napoletano, Nassauer, Natrass, Newton Dunn, Annemie Neyts-Uyttebroeck, Nicholson, Nicholson of Winterbourne, Niebler, Novak, Obiols i Germà, Öger, Özdemir, Olajos, Olbrycht, Ó Neachtain, Onesta, Onyszkiewicz, Oomen-Ruijten, Ortuondo Larrea, Óry, Oviir, Paasilinna, Pack, Pafilis, Borut Pahor, Paleckis, Pálfi, Panayotopoulos-Cassiotou, Pannella, Panzeri, Papadimoulis, Papastamkos, Parish, Patrie, Pavilionis, Peillon, Pęk, Pflüger, Piecyk, Pieper, Pinheiro, Piotrowski, Pirilli, Piskorski, Pistelli, Pittella, Pleguezuelos Aguilar, Pleštinská, Podkański, Poettering, Poignant, Pomés Ruiz, Portas, Posselt, Prets, Prodi, Protasiewicz, Purvis, Queiró, Quisthoudt-Rowohl, Rack, Radwan, Ransdorf, Rapkay, Rasmussen, Remek, Resetarits, Reul, Reynaud, Ribeiro e Castro, Riera Madurell, Ries, Riis-Jørgensen, Rivera, Rizzo, Rogalski, Roithová, Romagnoli, Romeva i Rueda, Rosati, Roszkowski, Roth-Behrendt, Rothe, Rouček, Roure, Rudi Ubeda, Rübiger, Rühle, Rutowicz, Ryan, Sacconi, Saïfi, Sakalas, Salafranca Sánchez-Neyra, Salinas García, Salvini, Samaras, Samuelsen, Sánchez Presedo, Santoro, dos Santos, Sartori, Saryusz-Wolski, Savary, Schapira, Scheele, Schenardi, Schierhuber, Schlyter, Schmidt, Ingo Schmitt, Pál Schmitt, Schnellhardt, Schöpfli, Schröder, Schroeder, Schulz, Schuth, Schwab, Seeber, Seeberg, Segelström, Seppänen, Siekierski, Sifunakis, Silva Peneda, Sinnott, Siwiec, Skinner, Škottová, Smith, Sommer, Sonik, Sornosa Martínez, Speroni, Staes, Staniszevska, Starkevičiūtė, Štátný, Stenzel, Sterckx, Stevenson, Stihler, Stockmann, Strejček, Strož, Stubb, Sturdy, Sudre, Sumberg, Surján, Svensson, Swoboda, Szájer, Szejna, Szent-Iványi, Szymański, Tabajdi, Tajani, Takkula, Tannock, Tarabella, Tarand, Tatarella, Thyssen, Titford, Titley, Toia, Tomczak, Toubon, Toussas, Trakatellis, Trautmann, Triantaphyllides, Trüpel, Turmes, Tzampazi, Uca, Ulmer, Väyrynen, Vakalis,

Il-Hamis, 23 ta' Ġunju 2005

Valenciano Martínez-Orozco, Vanhecke, Van Hecke, Van Lancker, Varvitsiotis, Vatanen, Vaugrenard, Ventre, Verges, Vergnaud, Vernola, Vidal-Quadras Roca, Vincenzi, Virrankoski, Vlasák, Vlasto, Voggenhuber, Wallis, Walter, Watson, Henri Weber, Manfred Weber, Weiler, Weisgerber, Westlund, Whitehead, Whittaker, Wieland, Wiersma, Wijkman, Wise, von Wogau, Wojciechowski, Wortmann-Kool, Wuermeling, Wurtz, Wynn, Zahradil, Zaleski, Zani, Zappalà, Zatloukal, Ždanoka, Zieleniec, Zimmer, Zvěřina, Zwiefka

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ANNEX I

RIŻULTATI TAL-VOTAZZJONIJIET

Abbrevjazzjonijiet u simboli

+	adottat
-	irrifjutat/a
↓	skadut/a
Ir	irtirat/a
VSI (... , ... , ...)	votazzjoni b'sejha ta' l-ismijiet (favur, kontra, astenew)
VE (... , ... , ...)	votazzjoni elettronika (favur, kontra, astenew)
Vmaq	votazzjoni maqsuma
Vsep	votazzjoni separata
em	emenda
EmK	emenda ta' kompromess
PK	parti korrispondenti
EmT	emenda li thassar
=	emendi identiċi
§	paragrafu
Art	Artikolu
Pre	premissa
MOZ	mozzjoni għal riżoluzzjoni
MOZK	mozzjoni għal riżoluzzjoni kongunta
SIG	votazzjoni sigrieta

1. Emenda għad-deċiżjoni ta' 1-4 ta' Ġunju 2003 dwar l-adozzjoni ta' l-Istatut tal-Membri tal-Parlament Ewropew

Rapport: GARGANI (A6-0189/2005)

Suggett	Em. Nr	Awtur	VSI, eċċ.	Votazzjoni	VSI/VE — rimarki
Deċiżjoni					
Artiklu 3, wara § 2	4	UEN		-	
	5	UEN		-	
Artiklu 6, § 1	6	UEN		-	
Artiklu 7, § 1	7	UEN		-	
Artiklu 7, wara § 3	8	UEN		-	
Wara Artiklu 7	9	UEN		-	
Artiklu 9, § 1	10	UEN		W	
Artiklu 12, § 1	§	test originali	VSI	+	490, 55, 42
Artiklu 12, § 2	12D	PPE-DE		W	

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Suġġett	Em. Nr	Awtur	VSI, eċċ.	Votazzjoni	VSI/VE — rimarki
Artiklu 14, § 1	§	test originali	VSI	+	499, 33, 65
Artiklu 17, § 9	11	UEN		-	
Wara Artiklu 17	1	Verts/ALE	VSI	-	99, 440, 57
Artiklu 20, § 3	§	test originali	VSI	+	516, 33, 44
Artiklu 23, § 2	§	test originali	Vmaq		
			1	+	
			2/VE	+	362, 178, 54
Artiklu 27, § 1	§	test originali	VSI	+	502, 22, 71
Artiklu 27, § 2	2	Verts/ALE	VSI	-	100, 434, 62
	§	test originali	VSI	+	465, 74, 58
pre 12	§	test originali	Vsep/VE	-	190, 351, 51
Riżoluzzjoni					
wara § 3	13	MASTENBROEK u al		-	
wara § 4	14	MASTENBROEK u al	VE	-	263, 276, 51
wara pre E	3	UEN		-	
Votazzjoni: Riżoluzzjoni (shiġha)			VSI	+	403, 89, 92

Talba għal votazzjoni separata

PSE: preital 12
 ALDE: preital 12
 Verts/ALE: preital 12

Talbiet għal votazzjoni b'sejha ta' l-ismijiet

Verts/ALE: em 1 u 2
 PPE-DE: Votazzjoni finali
 IND/DEM: Art. 12 § 1, Art. 14 § 1, Art. 20 § 3, Art 27 §§ 1 u 2 u Votazzjoni finali

Talbiet għal votazzjoni maqsuma

PSE:

Art. 23 § 2

L-ewwel parti: "The payments due ... monthly in euro"
It-tieni parti: "nota biex tfakkar"

Varji

Il-Grupp tal-PPE-DE irtira l-emenda nr 12.

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2. Tqeghid fis-suq u użu ta' ċerti sustanzi u preparazzjonijiet perikolużi (CMR) ***I

Rapport: FLORENZ (A6-0163/2005)

Suġġett	VSI, eċċ.	Votazzjoni	VSI/VE — rimarki
Votazzjoni waħda		+	

3. Iċ-ċaqliq ta' persuni minn naha għal ohra tal-fruntieri ***I

Rapport: CASHMAN (A6-0188/2005)

Suġġett	VSI, eċċ.	Votazzjoni	VSI/VE — rimarki
Votazzjoni waħda		+	

4. Regolamentazzjoni dwar l-esekuzzjoni tal-Baġit *

Rapport: DAVID MARTIN (A6-0154/2005)

Suġġett	VSI, eċċ.	Votazzjoni	VSI/VE — rimarki
Votazzjoni waħda		+	

5. Il-kwalità tad-data ta' l-istatistika fil-kuntest ta' Proċedura ta' Defiċits Eċċessivi *

Rapport: GAUZÈS (A6-0181/2005)

Suġġett	VSI, eċċ.	Votazzjoni	VSI/VE — rimarki
Votazzjoni waħda		+	

6. Miżuri restrittivi kontra persuni li jostakolaw il-proċess tal-paċi u li jiksru l-liġi internazzjonali fil-kunflitt fir-reġjun ta' Darfur fis-Sudan *

Rapport: CAVADA (A6-0186/2005)

Suġġett	VSI, eċċ.	Votazzjoni	VSI/VE — rimarki
Votazzjoni waħda		+	

7. Ksur ta' l-embargo ta' l-armi impost fuq ir-Repubblika Demokratika tal-Kongo *

Rapport: CAVADA (A6-0194/2005)

Suġġett	VSI, eċċ.	Votazzjoni	VSI/VE — rimarki
Votazzjoni waħda		+	

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8. Arrangament tal-abbozz tal-baġit ta' emenda 2/2005 — BUDG

BAGIT (Emendi)

Suġġett	Em. Nr	Awtur	VSI, eċċ.	Votazzjoni	VSI/VE — rimarki
AB No 2/2005	1-3	Kumitat		+	maġġoranza kwalifikata

9. Abbozz tal-baġit ta' emenda 2/2005 — BUDG

Rapport: GARRIGA POLLEDO/JENSEN (A6-0190/2005)

Suġġett	Em. Nr	Awtur	VSI, eċċ.	Votazzjoni	VSI/VE — rimarki
Votazzjoni: Riżoluzzjoni (shiha)				+	

10. Kontrolli fuq il-posizzjonijiet tal-baġit kif ukoll il-kontrolli u l-koordinazzjoni tal-politika ekonomika **II

Rapport: KARAS (A6-0204/2005)

Suġġett	Em. Nr	Awtur	VSI, eċċ.	Votazzjoni	VSI/VE — rimarki
Emendi mill- Kumitat risponsabbli — Votazzjoni bi blokk	1-6	Kumitat	VE	-	maġġoranza kwalifikata 257, 309, 1

11. Harsien ta' l-interessi finanzjarji tal-Komunità *I**

Rapport: DUCHOŇ (A6-0156/2005)

Suġġett	Em. Nr	Awtur	VSI, eċċ.	Votazzjoni	VSI/VE — rimarki
Emendi mill- Kumitat risponsabbli — Votazzjoni bi blokk	1-5 7-8 10-12	Kumitat		+	
Emendi mill- Kumitat risponsabbli — Votazzjoni separata	6	Kumitat	Vmaq	+	
	9	Kumitat	Vmaq	+	
Votazzjoni: proposta emendata				+	
Votazzjoni: Riżoluzzjoni leġiżlattiva				+	

Talbiet għal votazzjoni separata

PPE-DE: ems 6 u 9

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12. Aċċess għal għajjnuna esterna tal-Komunità ***I

Rapport: GAHLER (A6-0182/2005)

Suġġett	Em. Nr	Awtur	VSI, eċċ.	Votazzjoni	VSI/VE — rimarki
Emendi mill- Kumitat risponsabbli — Votazzjoni bi blokk	1-31	Kumitat		+	
Votazzjoni: proposta emendata				+	
Votazzjoni: Riżoluzzjoni leġiżlattiva				+	

13. Pjan ta' bini mill-ġdid tal-provvista tal-halibatt għall-Atlantiku tal-Majjistral *

Rapport: KRISTENSEN (A6-0116/2005)

Suġġett	Em. Nr	Awtur	VSI, eċċ.	Votazzjoni	VSI/VE — rimarki
Emendi mill- Kumitat risponsabbli — Votazzjoni bi blokk	1-10	Kumitat		+	
Votazzjoni: proposta emendata				+	
Votazzjoni: Riżoluzzjoni leġiżlattiva				+	540, 12, 12

Talba għal votazzjoni b'seġha ta' l-ismijiet

PPE-DE: Votazzjoni finali

14. Kwistjoni Lloyd

Mozjoni għal riżoluzzjoni: B6-0385/2005

Suġġett	Em. Nr	Awtur	VSI, eċċ.	Votazzjoni	VSI/VE — rimarki
Riżoluzzjoni mil-Kumitat fuq il-petizzjonijiet (B6-0385/2005)					
preital B	1	PPE-DE		+	
Votazzjoni: Riżoluzzjoni (shiha)				+	

15. Riċerka fuq is-Sigurtà

Rapport: KLICH (A6-0103/2005)

Suġġett	Em. Nr	Awtur	VSI, eċċ.	Votazzjoni	VSI/VE — rimarki
	1-21	IND/DEM		-	
§ 35	22D	IND/DEM		-	
§ 38	23D	IND/DEM		-	
§ 39	24	IND/DEM		-	
§ 42	25	IND/DEM		-	
Votazzjoni: Riżoluzzjoni (shiha)				+	393, 97, 29

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Talbiet għal votazzjoni b'sejha ta' l-ismijiet

GUE/NGL: Votazzjoni finali

Varji

Votazzjoni bi blokk giet uzata dwar l-emendi 1 sa 21.

16. Soċjetà ta' l-Infurmazzjoni

Rapport: TRAUTMANN (A6-0172/2005)

Suġġett	Em. Nr	Awtur	VSI, eċċ.	Votazzjoni	VSI/VE — rimarki
§ 5, wara indent 5	1	GUE/NGL:	VE	-	178, 219, 8
§ 8, wara indent 6	2	GUE/NGL:		+	
Votazzjoni: Riżoluzzjoni (shiha)				+	

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ANNEX II

RIŻULTAT TAL-VOTAZZJONI B'SEJHA TA' L-ISMIJIET

1. Rapport Gargani A6-0189/2005

Artiklu 12, 1

Favur: 490

ALDE: Alvaro, Andria, Attwooll, Beaupuy, Birutis, Bonino, Bourlanges, Bowles, Budreikaitė, Busk, Chatzimakakis, Cocilovo, Cornillet, Davies, Degutis, Deprez, Drčar Murko, Duff, Duquesne, Ek, Fourtou, Gentvilas, Geremek, Gibault, Hall, Hennis-Plasschaert, in 't Veld, Jensen, Juknevičienė, Karim, Klinz, Krahmer, Kułakowski, Lax, Letta, Lynne, Maaten, Malmström, Manders, Matsakis, Mulder, Newton Dunn, Neyts-Uyttebroeck, Onyszkiewicz, Ortuondo Larrea, Pistelli, Prodi, Resetarits, Ries, Riis-Jørgensen, Samuelsen, Schuth, Staniszewska, Starkevičiūtė, Sterckx, Szent-Iványi, Takkula, Toia, Väyrynen, Virrankoski, Wallis, Watson

GUE/NGL: Adamou, Agnoletto, Guidoni, Kaufmann, Markov, Maštálka, Musacchio, Papadimoulis, Pflüger, Ransdorf, Rizzo, Seppänen, Triantaphyllides, Uca, Verges, Wurtz, Zimmer

IND/DEM: Belder, Blokland

NI: Battilocchio, Czarnecki Marek Aleksander, Czarnecki Ryszard, De Michelis, Helmer, Masiel, Mussolini, Rivera, Romagnoli, Rutowicz

PPE-DE: Albertini, Andriksen, Antoniozzi, Ashworth, Atkins, Audy, Ayuso González, Bachelot-Narquin, Barsi-Pataky, Bauer, Beazley, Becsey, Belet, Berend, Böge, Bowis, Bradbourn, Brepoels, Březina, Brok, Bushill-Matthews, Buzek, Cabrnock, Callanan, Carollo, Casa, Caspary, Castiglione, del Castillo Vera, Cederschiöld, Cesa, Chichester, Chmielewski, Coelho, Daul, Demetriou, Deva, De Veyrac, Díaz de Mera García Consuegra, Dimitrakopoulos, Dionisi, Doorn, Dover, Doyle, Duchoň, Duka-Zólyomi, Ehler, Elles, Esteves, Eurlings, Fajmon, Fatuzzo, Fernández Martín, Fjellner, Fontaine, Fraga Estévez, Gahler, Gál, Gała, Galeote Quecedo, García-Margallo y Marfil, Gargani, Garriga Polledo, Gaubert, Gauzès, Gawronski, Gklavakis, Glattfelder, Goepel, Graça Moura, de Grandes Pascual, Grosch, Grossetête, Gutiérrez-Cortines, Gyürk, Handzlik, Harbour, Heaton-Harris, Hennicot-Schoepges, Herranz García, Hieronymi, Higgins, Hökmark, Hudacký, Hybášková, Ibrisagic, Itälä, Iturgaiz Angulo, Jackson, Jałowiecki, Járóka, Jeggler, Jordan Cizelj, Kaczmarek, Kamall, Karas, Kasoulides, Kauppi, Kirkhope, Klamt, Klich, Koch, Korhola, Kratsa-Tsagaropoulou, Kudrycka, Kušks, Kuźmiuk, Lamassoure, Langen, Langendries, Lauk, Lehne, Lombardo, López-Istúriz White, Lulling, Maat, McGuinness, McMillan-Scott, Mann Thomas, Martens, Mato Adrover, Mauro, Mavrommatis, Mayor Oreja, Méndez de Vigo, Mikolášik, Millán Mon, Mitchell, Montoro Romero, Nassauer, Niebler, van Nistelrooij, Novak, Olajos, Olbrycht, Oomen-Ruijten, Óry, Pack, Pálfi, Panayotopoulos-Cassiotou, Papastamkos, Parish, Pinheiro, Piskorski, Pleštinská, Podkański, Poettering, Pomés Ruiz, Protasiewicz, Purvis, Queiró, Quisthoudt-Rowohl, Radwan, Roithová, Rudi Ubeda, Rübzig, Saïfi, Salafranca Sánchez-Neyra, Samaras, Sartori, Saryusz-Wolski, Schierhuber, Schmitt Pál, Schnellhardt, Schöpflin, Schröder, Schwab, Seeber, Seeberg, Siekierski, Silva Peneda, Škottová, Šťastný, Stenzel, Strejček, Stubb, Sturdy, Sudre, Sumberg, Surján, Szájer, Tajani, Tannock, Thyssen, Toubon, Trakatellis, Ulmer, Vakalis, Varvitsiotis, Vatanen, Ventre, Vernola, Vidal-Quadras Roca, Vlasák, Weber Manfred, Weisgerber, Wojciechowski, Wortmann-Kool, Wuermeling, Zahradil, Zaleski, Zappalà, Zvěřina, Zwiefka

PSE: Arif, Arnaoutakis, Assis, Attard-Montalto, Badía i Cutchet, Barón Crespo, Batzeli, Beglitis, Berès, van den Berg, Berger, Berlinguer, Berman, Bösch, Bourzai, Bozkurt, van den Burg, Busquin, Calabuig Rull, Capoulas Santos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Christensen, Corbett, Corbey, Correia, De Keyser, De Rossa, Désir, De Vits, Díez González, Dobolyi, Douay, El Khadraoui, Estrela, Ettl, Evans Robert, Falbr, Fava, Fazakas, Fernandes, Ferreira Elisa, Ford, García Pérez, Gebhardt, Geringer de Oedenberg, Gierek, Gill, Goebbels, Golik, Grabowska, Grech, Gröner, Gurmai, Guy-Quint, Hänsch, Harangozó, Hasse Ferreira, Hazan, Hedh, Hedkvist Petersen, Hegyi, Herczog, Honeyball, Howitt, Hughes, Jørgensen, Kindermann, Kinnock, Kósáné Kovács, Koterec, Krehl, Kreissl-Dörfler, Lehtinen, Leichtfried, Leinen, Liberadzki, Locatelli, McAvan, McCarthy, Madeira, Maňka, Mann Erika, Martin David, Martínez Martínez, Masip Hidalgo, Mastenbroek, Matsouka, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Mikko, Moraes, Moreno Sánchez, Morgan, Moscovici, Muscat, Myller, Napoletano, Obiols i Germà, Paasilinna, Paleckis, Panzeri, Patrie, Peillon, Pittella, Pleguezuelos Aguilar, Poignant, Prets, Rasmussen, Reynaud, Rosati, Rothe, Rouček, Roure, Sacconi, Sakalas, Salinas García, Sánchez Presedo, dos Santos, Schapira, Scheele, Schulz, Segelström, Sifunakis, Siwiec, Skinner, Sornosa Martínez, Stihler, Swoboda, Szejna, Tabajdi, Tarabella, Titley, Tzampazi, Valenciano Martínez-Orozco, Van Lancker, Vincenzi, Walter, Weiler, Westlund, Whitehead, Wiersma, Wynn, Yañez-Barnuevo García, Zani

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UEN: Aylward, Berlato, Camre, Crowley, Didžiokas, La Russa, Muscardini, Musumeci, Ó Neachtain, Ryan, Tatarella

Verts/ALE: Aubert, Auken, Bennahmias, Buitenweg, Cramer, Evans Jillian, Flautre, Frassoni, de Groen-Kouwenhoven, Hammerstein Mintz, Harms, Hasi, Horáček, Hudghton, Isler Béguin, Jonckheer, Kallenbach, Kusstatscher, Lagendijk, Lambert, Lichtenberger, Lipietz, Lucas, Özdemir, Onesta, Romeva i Rueda, Rühle, Schmidt, Schroedter, Smith, Staes, Trüpel, Turmes, Voggenhuber, Ždanoka

Kontra: 55

GUE/NGL: Figueiredo, Guerreiro, Liotard, Meijer, Strož, Svensson

IND/DEM: Batten, Bloom, Bonde, Booth, Borghezio, Chruszcz, Clark, Coûteaux, Farage, Giertych, Goudin, Grabowski, Knapman, Krupa, Louis, Lundgren, Natrass, Pęk, Piotrowski, Rogalski, Salvini, Speroni, Titford, Tomczak, Whittaker, Wise

NI: Claeys, Dillen, Lang, Le Rachinel, Martin Hans-Peter, Martinez, Mote, Schenardi, Vanhecke

PPE-DE: Deß, Friedrich, Gomolka, Gräßle, Lechner, Liese, Mayer, Posselt, Sommer, Wieland

PSE: Cottigny, Kuc

UEN: Szymański

Verts/ALE: Schlyter

Astensjonijiet: 42

ALDE: Cavada, Harkin, Morillon, Nicholson of Winterbourne

GUE/NGL: de Brún, Flasarová, Kohlíček, McDonald, Pafilis, Portas, Remek, Toussas

NI: Allister, Bobošíková, Kozlík

PPE-DE: Ebner, Guellec, Hoppenstedt, Konrad, Landsbergis, Laschet, Pieper, Reul, Ribeiro e Castro, Schmitt Ingo, Stevenson, von Wogau, Zatloukal, Zieleniec

PSE: Ferreira Anne, Le Foll, Lienemann, Pahor, Roth-Behrendt, Trautmann, Vaugrenard, Vergnaud

UEN: Fotyga, Janowski, Kamiński, Roszkowski

Verts/ALE: Breyer

2. Rapport Gargani A6-0189/2005

Artiklu 14, 1

Favur: 499

ALDE: Alvaro, Andria, Attwooll, Beaupuy, Birutis, Bonino, Bourlanges, Bowles, Budreikaitė, Busk, Chatzimarkakis, Cocilovo, Cornillet, Davies, Degutis, Deprez, Drčar Murko, Duff, Duquesne, Ek, Fourtou, Gentvilas, Geremek, Gibault, Hall, Harkin, Hennis-Plasschaert, in 't Veld, Jensen, Juknevičienė, Karim, Klinz, Kraemer, Kułakowski, Lax, Letta, Lynne, Maaten, Malmström, Manders, Matsakis, Mulder, Newton Dunn, Neyts-Uyttebroeck, Onyszkiewicz, Ortuondo Larrea, Pannella, Pistelli, Prodi, Ries, Riis-Jørgensen, Samuelsen, Schuth, Staniszewska, Starkevičiūtė, Sterckx, Szent-Iványi, Takkula, Toia, Väyrynen, Virrankoski, Wallis, Watson

GUE/NGL: Kaufmann, Pflüger, Rizzo, Zimmer

IND/DEM: Belder, Blokland, Borghezio, Chruszcz, Giertych, Grabowski, Krupa, Pęk, Piotrowski, Salvini, Speroni, Tomczak

NI: Allister, Battilocchio, Czarnecki Marek Aleksander, De Michelis, Helmer, Masiel, Mussolini, Rivera

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PPE-DE: Albertini, Andrikiénè, Antoniozzi, Ashworth, Atkins, Audy, Ayuso González, Bachelot-Narquin, Barsi-Pataky, Bauer, Beazley, Becsey, Belet, Berend, Böge, Bonsignore, Bowis, Bradbourn, Brepoels, Březina, Brok, Bushill-Matthews, Buzek, Cabrnock, Callanan, Carollo, Casa, Caspary, Castiglione, del Castillo Vera, Cederschiöld, Cesa, Chichester, Chmielewski, Coelho, Daul, Demetriou, Deß, Deva, De Veyrac, Díaz de Mera García Consuegra, Dimitrakopoulos, Dionisi, Doorn, Dover, Doyle, Duchoň, Duka-Zólyomi, Ehler, Elles, Esteves, Eurlings, Fajmon, Fatuzzo, Fernández Martín, Fjellner, Florenz, Fontaine, Fraga Estévez, Gahler, Gál, Galá, Galeote Quecedo, García-Margallo y Marfil, Gargani, Garriga Polledo, Gaubert, Gauzès, Gawronski, Gklavakis, Glattfelder, Goepel, Gomolka, Graça Moura, Gräßle, de Grandes Pascual, Grosch, Grossetête, Guellec, Gutiérrez-Cortines, Gyürk, Handzlik, Harbour, Heaton-Harris, Hennicot-Schoepges, Herranz García, Hieronymi, Higgins, Hökmark, Hudacký, Hybášková, Ibrisagic, Itälä, Iturgaiz Angulo, Jackson, Járóka, Jeggler, Jordan Cizelj, Kaczmarek, Kamall, Karas, Kasoulides, Kauppi, Kirkhope, Klamt, Klich, Koch, Korhola, Kratsa-Tsagaropoulou, Kudrycka, Kušis, Kuźmiuk, Lamassoure, Langen, Langendries, Lauk, Lechner, Lehne, Liese, Lombardo, López-Istúriz White, Lulling, Maat, McGuinness, McMillan-Scott, Mann Thomas, Martens, Mato Adrover, Mauro, Mavrommatis, Mayer, Mayor Oreja, Méndez de Vigo, Mikolášik, Millán Mon, Mitchell, Montoro Romero, Nassauer, Niebler, van Nistelrooij, Novak, Olajos, Olbrycht, Oomen-Ruijten, Óry, Pack, Pálfi, Panayotopoulos-Cassiotou, Papastamkos, Parish, Pinheiro, Piskorski, Pleštinská, Podkański, Poettering, Pomés Ruiz, Posselt, Protasiewicz, Purvis, Queiró, Quisthoudt-Rowohl, Radwan, Reul, Roithová, Rudi Ubeda, Rübig, Saïfi, Salafranca Sánchez-Neyra, Samaras, Sartori, Saryusz-Wolski, Schierhuber, Schmitt Pál, Schöpflin, Schröder, Schwab, Seeber, Seeberg, Siekierski, Silva Peneda, Škottová, Sommer, Štátný, Stenzel, Strejček, Stubb, Sturdy, Sudre, Sumberg, Surján, Szájer, Tajani, Tannock, Thyssen, Toubon, Trakatellis, Ulmer, Vakalis, Varvitsiotis, Vatanen, Ventre, Vernola, Vidal-Quadras Roca, Vlasák, Weber Manfred, Weisgerber, Wieland, Wijkman, von Wogau, Wojciechowski, Wortmann-Kool, Wuermeling, Zahradil, Zaleski, Zappalà, Zvěřina, Zwiefka

PSE: Arif, Arnaoutakis, Assis, Attard-Montalto, Badía i Cutchet, Barón Crespo, Batzeli, Beglitis, Berès, van den Berg, Berger, Berlinguer, Berman, Bösch, Bourzai, Bozkurt, van den Burg, Busquin, Calabuig Rull, Capoulas Santos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Christensen, Corbett, Corbey, Correia, De Keyser, De Rossa, Désir, De Vits, Díez González, Dobolyi, Douay, El Khadraoui, Estrela, Ettl, Evans Robert, Falbr, Fava, Fazakas, Fernandes, Ferreira Elisa, Ford, García Pérez, Gebhardt, Geringer de Oedenberg, Gierek, Gill, Goebbels, Golik, Grabowska, Gröner, Gurmai, Guy-Quint, Hänsch, Harangozó, Hasse Ferreira, Hazan, Hedh, Hedkvist Petersen, Hegyi, Herczog, Honeyball, Howitt, Hughes, Jørgensen, Kindermann, Kinnock, Kósáné Kovács, Koterec, Krehl, Kreissl-Dörfler, Kuc, Lehtinen, Leinen, Liberadzki, Locatelli, McAvan, McCarthy, Madeira, Maňka, Mann Erika, Martin David, Martínez Martínez, Masip Hidalgo, Mastenbroek, Matsouka, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Mikko, Moraes, Moreno Sánchez, Morgan, Moscovici, Muscat, Myller, Napoletano, Obiols i Germà, Paasilinna, Paleckis, Panzeri, Patrie, Peillon, Pittella, Pleguezuelos Aguilar, Poignant, Prets, Rasmussen, Reynaud, Riera Madurell, Rosati, Rothe, Rouček, Roure, Sacconi, Sakalas, Salinas García, Sánchez Presedo, Santoro, dos Santos, Schapira, Scheele, Schulz, Segelström, Sifunakis, Siwiec, Skinner, Sornosa Martínez, Stihler, Swoboda, Szejna, Tabajdi, Tarabella, Titley, Tzampazi, Valenciano Martínez-Orozco, Van Lancker, Vincenzi, Walter, Weiler, Westlund, Whitehead, Wiersma, Wynn, Yañez-Barnuevo García, Zani

UEN: Aylward, Berlato, Camre, Crowley, Didziokas, La Russa, Muscardini, Musumeci, Ó Neachtain, Ryan, Tatarella

Verts/ALE: Aubert, Auken, Bennahmias, Buitenweg, Cohn-Bendit, Cramer, Evans Jillian, Flautre, Frassoni, de Groen-Kouwenhoven, Hammerstein Mintz, Harms, Hassi, Horáček, Hudghton, Isler Béguin, Jonckheer, Kallenbach, Kusstatscher, Lagendijk, Lambert, Lipietz, Lucas, Özdemir, Onesta, Romeva i Rueda, Rühle, Schmidt, Schroedter, Smith, Staes, Trüpel, Voggenhuber, Ždanoka

Kontra: 33

GUE/NGL: Adamou, Agnoletto, de Brún, Figueiredo, Guerreiro, Guidoni, Liotard, McDonald, Markov, Maštálka, Meijer, Musacchio, Papadimoulis, Portas, Ransdorf, Seppänen, Strož, Svensson, Triantaphyllides, Uca, Verges, Wurtz

IND/DEM: Bonde, Goudin, Lundgren

NI: Bobošíková, Martin Hans-Peter, Mote

PPE-DE: Friedrich, Schnellhardt

PSE: Cottigny

UEN: Szymański

Verts/ALE: Schlyter

Il-Hamis, 23 ta' Ġunju 2005

Astensjonijiet: 65**ALDE:** Cavada, Morillon, Nicholson of Winterbourne, Resetarits**GUE/NGL:** Flasarová, Kohlíček, Pafilis, Remek, Toussas**IND/DEM:** Batten, Bloom, Booth, Clark, Coûteaux, Farage, Knapman, Louis, Natrass, Rogalski, Titford, Whittaker, Wise**NI:** Baco, Claeys, Czarnecki Ryszard, Dillen, Kozlík, Lang, Le Rachinel, Martinez, Romagnoli, Rutowicz, Schenardi, Vanhecke**PPE-DE:** Ebner, Hoppenstedt, Jałowiecki, Konrad, Landsbergis, Laschet, Pieper, Ribeiro e Castro, Schmitt Ingo, Sonik, Stevenson, Zatloukal, Zieleniec**PSE:** Ferreira Anne, Fruteau, Grech, Le Foll, Leichtfried, Lienemann, Pahor, Roth-Behrendt, Trautmann, Vaugrenard, Vergnaud**UEN:** Fotyga, Janowski, Kamiński, Roszkowski**Verts/ALE:** Breyer, Lichtenberger, Turmes**3. Rapport Gargani A6-0189/2005****Emenda 1****Favur: 99****GUE/NGL:** Adamou, Agnoletto, de Brún, Liotard, McDonald, Markov, Maštálka, Meijer, Musacchio, Papadimoulis, Pflüger, Portas, Ransdorf, Seppänen, Triantaphyllides, Uca, Verges, Wurtz, Zimmer**IND/DEM:** Borghezio, Chruszcz, Giertych, Grabowski, Krupa, Pęk, Piotrowski, Salvini, Speroni**NI:** Claeys, Dillen, Mussolini, Vanhecke**PPE-DE:** Brepoels, Doyle, Liese**PSE:** van den Berg, Berman, Bozkurt, van den Burg, Corbey, Désir, Gill, McAvan, Mann Erika, Mastenbroek, Mikko, Napolitano, Pleguezuelos Aguilar, Poignant, Rasmussen, Siwec**UEN:** Aylward, Crowley, Didžiokas, Fotyga, Janowski, Kamiński, Ó Neachtain, Roszkowski, Ryan**Verts/ALE:** Aubert, Auken, Beer, Bennahmias, Breyer, Buitenweg, Cohn-Bendit, Cramer, Evans Jillian, Flautre, Frassoni, de Groen-Kouwenhoven, Hammerstein Mintz, Harms, Hassi, Horáček, Hudghton, Isler Béguin, Jonckheer, Kallenbach, Kusstatscher, Lagendijk, Lambert, Lichtenberger, Lipietz, Lucas, Özdemir, Onesta, Romeva i Rueda, Rühle, Schlyter, Schmidt, Schroedter, Smith, Staes, Trüpel, Turmes, Voggenhuber, Ždanoka**Kontra: 440****ALDE:** Alvaro, Andria, Attwooll, Beaupuy, Birutis, Bonino, Bourlanges, Bowles, Budreikaitė, Busk, Chatzimarkakis, Cocilovo, Cornillet, Degutis, Deprez, Drčar Murko, Duff, Duquesne, Ek, Fourtou, Gentvilas, Geremek, Gibault, Hall, Harkin, Hennis-Plasschaert, in 't Veld, Jensen, Juknevičienė, Karim, Klinz, Krahmer, Kułakowski, Lax, Letta, Lynne, Maaten, Malmström, Manders, Matsakis, Mulder, Newton Dunn, Neyts-Uyttebroeck, Onyszkiewicz, Ortuondo Larrea, Pannella, Pistelli, Prodi, Ries, Riis-Jørgensen, Samuelsen, Schuth, Staniszevska, Starkevičiūtė, Sterckx, Szent-Iványi, Takkula, Toia, Väyrynen, Virrankoski, Wallis, Watson**GUE/NGL:** Kohlíček, Strož, Svensson**IND/DEM:** Batten, Belder, Blokland, Bloom, Booth, Clark, Farage, Goudin, Knapman, Lundgren, Natrass, Titford, Tomczak, Whittaker, Wise**NI:** Allister, Battilocchio, Czarnecki Marek Aleksander, Czarnecki Ryszard, De Michelis, Lang, Le Rachinel, Martinez, Masiel, Romagnoli, Rutowicz, Schenardi

Il-Hamis, 23 ta' Ġunju 2005

PPE-DE: Albertini, Andriksen, Antoniozzi, Ashworth, Atkins, Audy, Ayuso González, Bachelot-Narquin, Barsi-Pataky, Bauer, Beazley, Becsey, Belet, Berend, Böge, Bowis, Bradbourn, Březina, Brok, Bushill-Matthews, Buzek, Cabrnich, Carollo, Casa, Caspary, Castiglione, del Castillo Vera, Cederschiöld, Cesa, Chichester, Chmielewski, Coelho, Daul, Demetriou, Defs, Deva, De Veyrac, Díaz de Mera García Consuegra, Dimitrakopoulos, Dionisi, Doorn, Dover, Duchoň, Duka-Zólyomi, Ehler, Elles, Esteves, Eurlings, Fajmon, Fatuzzo, Fernández Martín, Fjellner, Florenz, Fontaine, Fraga Estévez, Friedrich, Gahler, Gál, Gaľa, Galeote Quecedo, García-Margallo y Marfil, Gargani, Garriga Polledo, Gaubert, Gauzès, Gklavakis, Glattfelder, Goepel, Gomolka, Graça Moura, Gräßle, de Grandes Pascual, Grossetête, Guellec, Gutiérrez-Cortines, Gyürk, Handzlik, Harbour, Hennicot-Schoepges, Herranz García, Hieronymi, Higgins, Hökmark, Hoppenstedt, Hudacký, Hybášková, Ibrisagic, Itälä, Iturgaiz Angulo, Jackson, Jałowiecki, Járóka, Jeggle, Jordan Cizelj, Kacmarek, Kamall, Karas, Kasoulides, Kauppi, Kirkhope, Klich, Koch, Korhola, Kratsa-Tsagaropoulou, Kudrycka, Kušis, Kuźmiuk, Lamassoure, Langen, Langendries, Lauk, Lechner, Lehne, Lombardo, López-Istúriz White, Lulling, Maat, McGuinness, McMillan-Scott, Mann Thomas, Martens, Mato Adrover, Mauro, Mavrommatis, Mayer, Mayor Oreja, Méndez de Vigo, Mikolášik, Millán Mon, Mitchell, Montoro Romero, Nassauer, Niebler, van Nistelrooij, Novak, Olajos, Olbrycht, Oomen-Ruijten, Óry, Pack, Pálfi, Panayotopoulos-Cassiotou, Papastamkos, Parish, Pinheiro, Piskorski, Pleštinská, Podkański, Poettering, Pomés Ruiz, Posselt, Protasiewicz, Purvis, Queiró, Quisthoudt-Rowohl, Radwan, Reul, Roithová, Rudi Ubeda, Rübig, Saifi, Salafraña Sánchez-Neyra, Samaras, Sartori, Saryusz-Wolski, Schierhuber, Schmitt Pál, Schöpflin, Schröder, Schwab, Seeber, Seeberg, Siekierski, Silva Peneda, Škottová, Šťastný, Stenzel, Strejček, Stubb, Sturdy, Sudre, Sumberg, Surján, Szájer, Tajani, Tannock, Thyssen, Toubon, Trakatellis, Ulmer, Vakalis, Varvitsiotis, Vatanen, Ventre, Vernola, Vidal-Quadras Roca, Vlasák, Weber Manfred, Weisgerber, Wieland, Wijkman, von Wogau, Wojciechowski, Wortmann-Kool, Wuermeling, Zahradil, Zaleski, Zappalà, Zvěřina, Zwiefka

PSE: Arif, Arnaoutakis, Assis, Attard-Montalto, Badía i Cutchet, Barón Crespo, Batzeli, Beglitis, Berès, Berger, Berlinguer, Bösch, Bourzai, Busquin, Calabuig Rull, Capoulas Santos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Christensen, Corbett, Correia, Cottigny, De Keyser, De Rossa, Díez González, Dobolyi, Douay, Estrela, Ettl, Evans Robert, Falbr, Fava, Fazakas, Fernandes, Ferreira Elisa, Ford, Fruteau, García Pérez, Gebhardt, Geringer de Oedenberg, Gierek, Goebbels, Golik, Grabowska, Gröner, Gurmai, Guy-Quint, Hänsch, Harangozó, Hasse Ferreira, Hazan, Hedh, Hedkvist Petersen, Hegyi, Herczog, Honeyball, Howitt, Hughes, Jørgensen, Kindermann, Kinnock, Kósáné Kovács, Koterec, Krehl, Kreissl-Dörfler, Kuc, Lehtinen, Leichtfried, Leinen, Liberadzki, Locatelli, McCarthy, Madeira, Maňka, Martin David, Martínez Martínez, Masip Hidalgo, Matsouka, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Moraes, Moreno Sánchez, Morgan, Moscovici, Myller, Obiols i Germà, Paasilinna, Paleckis, Panzeri, Patrie, Peillon, Pittella, Prets, Riera Madurell, Rosati, Roth-Behrendt, Rothe, Rouček, Sacconi, Sakalas, Salinas García, Sánchez Presedo, Santoro, dos Santos, Schapira, Scheele, Schulz, Segelström, Sifunakis, Skinner, Sornosa Martínez, Stihler, Swoboda, Szejna, Tabajdi, Titley, Tzampazi, Valenciano Martínez-Orozco, Vincenzi, Walter, Weber Henri, Weiler, Westlund, Whitehead, Wynn, Yañez-Barnuevo García, Zani

UEN: Berlato, Camre, La Russa, Muscardini, Musumeci, Szymański, Tatarella

Astensjonijiet: 57

ALDE: Cavada, Davies, Morillon, Nicholson of Winterbourne, Resetarits

GUE/NGL: Figueiredo, Flasarová, Guerreiro, Guidoni, Kaufmann, Pafilis, Remek, Rizzo, Toussas

IND/DEM: Bonde, Coûteaux, Louis, Rogalski

NI: Baco, Bobošíková, Helmer, Kozlák, Martin Hans-Peter, Mote, Rivera

PPE-DE: Callanan, Ebner, Gawronski, Grosch, Heaton-Harris, Konrad, Landsbergis, Laschet, Pieper, Ribeiro e Castro, Schmitt Ingo, Sommer, Sonik, Stevenson, Zatloukal, Zieleniec

PSE: De Vits, El Khadraoui, Ferreira Anne, Grech, Le Foll, Lienemann, Muscat, Pahor, Reynaud, Roure, Tarabella, Trautmann, Van Lancker, Vaugrenard, Vergnaud, Wiersma

4. Rapport Gargani A6-0189/2005**Artiklu 20, 3****Favur: 516**

ALDE: Alvaro, Andria, Attwooll, Beaupuy, Birutis, Bonino, Bourlanges, Bowles, Budreikaitė, Busk, Chatzimarkakis, Cocilovo, Cornillet, Davies, Degutis, Deprez, Drčar Murko, Duff, Duquesne, Ek, Fourtou, Gentvilas, Geremek, Gibault, Hall, Harkin, Hennis-Plasschaert, in 't Veld, Jensen, Juknevičienė, Karim, Klinz,

Krahmer, Kułakowski, Lax, Letta, Lynne, Maaten, Malmström, Manders, Matsakis, Mulder, Newton Dunn, Neyts-Uyttebroeck, Onyszkiewicz, Ortuondo Larrea, Pannella, Pistelli, Prodi, Resetarits, Ries, Riis-Jørgensen, Samuelsen, Schuth, Staniszewska, Starkevičiūtė, Sterckx, Szent-Iványi, Takkula, Toia, Väyrynen, Virrankoski, Wallis, Watson

GUE/NGL: Adamou, Agnoletto, de Brún, Figueiredo, Guerreiro, Kaufmann, McDonald, Markov, Maštálka, Musacchio, Pafilis, Papadimoulis, Pflüger, Portas, Ransdorf, Rizzo, Seppänen, Toussas, Triantaphyllides, Uca, Verges, Wurtz, Zimmer

IND/DEM: Belder, Blokland, Borghezio, Chruszcz, Giertych, Grabowski, Pęk, Salvini, Speroni

NI: Allister, Battilocchio, De Michelis, Helmer, Lang, Le Rachinel, Martinez, Mussolini, Rivera, Romagnoli, Schenardi

PPE-DE: Albertini, Andriekienė, Antoniozzi, Ashworth, Atkins, Audy, Ayuso González, Bachelot-Narquin, Barsi-Pataky, Bauer, Beazley, Becsey, Belet, Berend, Böge, Bonsignore, Bowis, Bradbourn, Brepoels, Březina, Brok, Bushill-Matthews, Buzek, Cabrnoc, Callanan, Carollo, Casa, Caspary, Castiglione, del Castillo Vera, Cederschiöld, Cesa, Chichester, Chmielewski, Coelho, Daul, Demetriou, Deß, Deva, De Veyrac, Díaz de Mera García Consuegra, Dimitrakopoulos, Dionisi, Doorn, Dover, Doyle, Duchoň, Duka-Zólyomi, Ehler, Elles, Esteves, Eurlings, Fajmon, Fatuzzo, Fernández Martín, Fjellner, Fontaine, Fraga Estévez, Friedrich, Gahler, Gál, Galá, Galeote Quecedo, García-Margallo y Marfil, Gargani, Garriga Polledo, Gaubert, Gauzès, Gawronski, Gklavakis, Glattfelder, Goepel, Gomolka, Graça Moura, Gräßle, de Grandes Pascual, Grosch, Grossetête, Guellec, Gutiérrez-Cortines, Gyürk, Handzlik, Harbour, Heaton-Harris, Hennicot-Schoepges, Herranz García, Hieronymi, Higgins, Hökmark, Hudacký, Hybášková, Ibrisagic, Itälä, Iturgaiz Angulo, Jackson, Jałowiecki, Járóka, Jeggle, Jordan Cizelj, Kaczmarek, Kamall, Karas, Kasoulides, Kauppi, Kirkhope, Klamt, Klich, Koch, Korhola, Kratsa-Tsagaropoulou, Kudrycka, Kušks, Kuźmiuk, Lamassoure, Langen, Langendries, Lauk, Lechner, Lehne, Liese, Lombardo, López-Istúriz White, Lulling, Maat, McGuinness, McMillan-Scott, Mann Thomas, Martens, Mato Adrover, Mauro, Mavrommatis, Mayer, Mayor Oreja, Méndez de Vigo, Mikolášik, Millán Mon, Mitchell, Montoro Romero, Nassauer, Niebler, van Nistelrooij, Novak, Olajos, Olbrycht, Oomen-Ruijten, Óry, Pack, Pálfi, Panayotopoulos-Cassiotou, Papastamkos, Parish, Pinheiro, Piskorski, Podkański, Poettering, Pomés Ruiz, Posselt, Protasiewicz, Purvis, Queiró, Quisthoudt-Rowohl, Radwan, Roithová, Rudi Ubeda, Rübig, Saïfi, Salafranca Sánchez-Neyra, Samaras, Sartori, Saryuszowski, Schierhuber, Schmitt Ingo, Schmitt Pál, Schnellhardt, Schöpflin, Schröder, Schwab, Seebler, Seeberg, Siekierski, Silva Peneda, Škottová, Sommer, Šťastný, Stenzel, Strejček, Stubb, Sturdy, Sudre, Sumberg, Surján, Szájer, Tajani, Tannock, Thyssen, Toubon, Trakatellis, Ulmer, Vakalis, Varvitsiotis, Vatanen, Ventre, Vernola, Vidal-Quadras Roca, Vlasák, Weber Manfred, Weisgerber, Wijkman, von Wogau, Wojciechowski, Wortmann-Kool, Wuermeling, Zahradil, Zaleski, Zappalà, Zvěřina, Zwiefka

PSE: Arif, Arnaoutakis, Assis, Attard-Montalto, Badía i Cutchet, Barón Crespo, Batzeli, Beglitis, van den Berg, Berger, Berlinguer, Berman, Bösch, Bourzai, Bozkurt, van den Burg, Busquin, Calabuig Rull, Capoulas Santos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Christensen, Corbett, Corbey, Correia, De Keyser, De Rossa, Désir, De Vits, Díez González, Dobolyi, Douay, El Khadraoui, Estrela, Ettl, Evans Robert, Falbr, Fava, Fazakas, Fernandes, Ferreira Elisa, Ford, García Pérez, Gebhardt, Geringer de Oedenberg, Gierek, Gill, Goebbels, Golik, Grabowska, Grech, Gröner, Gurmai, Guy-Quint, Hänsch, Harangozó, Hasse Ferreira, Hedh, Hedkvist Petersen, Hegyi, Herczog, Honeyball, Howitt, Hughes, Jørgensen, Kindermann, Kinnock, Kósáné Kovács, Koterec, Krehl, Kreissl-Dörfler, Kuc, Lehtinen, Locatelli, McAvan, McCarthy, Madeira, Mañka, Mann Erika, Martin David, Martínez Martínez, Masip Hidalgo, Mastenbroek, Matsouka, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Mikko, Moraes, Moreno Sánchez, Morgan, Moscovi, Muscat, Napoletano, Obiols i Germà, Paasilinna, Paleckis, Panzeri, Patrie, Peillon, Pittella, Pleguezuelos Aguilar, Poignant, Prets, Rasmussen, Reynaud, Riera Madurell, Rosati, Roth-Behrendt, Rothe, Rouček, Sacconi, Sakalas, Salinas García, Sánchez Presedo, Santoro, dos Santos, Scheele, Schulz, Segelström, Sifunakis, Siwiec, Skinner, Sornosa Martínez, Stihler, Swoboda, Szejna, Tabajdi, Tarabella, Titley, Tzampazi, Valenciano Martínez-Orozco, Van Lancker, Vincenzi, Walter, Weber Henri, Weiler, Westlund, Whitehead, Wiersma, Wynn, Yañez-Barnuevo García, Zani

UEN: Aylward, Berlatto, Camre, Crowley, Didžiokas, La Russa, Muscardini, Musumeci, Ó Neachtain, Ryan, Szymański, Tatarella

Verts/ALE: Aubert, Auken, Bennahmias, Breyer, Buitenweg, Cohn-Bendit, Cramer, Evans Jillian, Flautre, Frassoni, Hammerstein Mintz, Harms, Hassi, Horáček, Hudghton, Isler Béguin, Jonckheer, Kallenbach, Kusstatscher, Lagendijk, Lambert, Lipietz, Lucas, Özdemir, Onesta, Romeva i Rueda, Rühle, Schmidt, Schroedter, Smith, Staes, Trüpel, Turmes, Zdanoka

Il-Hamis, 23 ta' Ġunju 2005

Kontra: 33

GUE/NGL: Flasarová, Kohlíček, Stroj

IND/DEM: Batten, Bloom, Bonde, Booth, Clark, Farage, Goudin, Knapman, Krupa, Lundgren, Natrass, Piotrowski, Titford, Tomczak, Whittaker, Wise

NI: Bobošíková, Claeys, Czarnecki Marek Aleksander, Czarnecki Ryszard, Dillen, Martin Hans-Peter, Masiel, Mote, Rutowicz, Vanhecke

PPE-DE: Pleštinská

PSE: Cottigny, Leichtfried

Verts/ALE: Schlyter

Astensjonijiet: 44

ALDE: Cavada, Morillon, Nicholson of Winterbourne

GUE/NGL: Liotard, Meijer, Remek, Svensson

IND/DEM: Coûteaux, Louis, Rogalski

NI: Baco, Kozlík

PPE-DE: Ebner, Hoppenstedt, Konrad, Landsbergis, Laschet, Pieper, Reul, Ribeiro e Castro, Sonik, Stevenson, Zatloukal, Zieleniec

PSE: Ferreira Anne, Fruteau, Hazan, Le Foll, Liberadzki, Lienemann, Myller, Pahor, Roure, Schapira, Trautmann, Vaugrenard, Vergnaud

UEN: Fotyga, Janowski, Kamiński, Roszkowski

Verts/ALE: de Groen-Kouwenhoven, Lichtenberger, Voggenhuber

5. Rapport Gargani A6-0189/2005

Artiklu 27, 1

Favur: 502

ALDE: Alvaro, Andria, Attwooll, Beupuy, Birutis, Bonino, Bourlanges, Bowles, Budreikaitė, Busk, Chatzimarkakis, Cocilovo, Cornillet, Costa, Degutis, Deprez, Drčar Murko, Duff, Duquesne, Ek, Fourtou, Gentvilas, Geremek, Gibault, Hall, Harkin, Hennis-Plasschaert, in 't Veld, Juknevičienė, Karim, Klinz, Kraemer, Kułakowski, Lax, Letta, Lynne, Maaten, Malmström, Manders, Matsakis, Mulder, Newton Dunn, Neyts-Uyttebroeck, Onyszkiewicz, Ortuondo Larrea, Pannella, Pistelli, Prodi, Ries, Riis-Jørgensen, Samuelsen, Schuth, Staniszevska, Starkevičiūtė, Sterckx, Szent-Iványi, Takkula, Toia, Väyrynen, Virrankoski, Wallis, Watson

GUE/NGL: Adamou, Agnoletto, Guidoni, Maštálka, Musacchio, Papadimoulis, Pflüger, Portas, Ransdorf, Rizzo, Seppänen, Triantaphyllides, Uca, Verges, Zimmer

IND/DEM: Belder, Blokland, Borghesio, Chruszcz, Giertych, Grabowski, Knapman, Louis, Salvini, Speroni, Titford, Tomczak

NI: Czarnecki Marek Aleksander, Czarnecki Ryszard, Helmer, Lang, Le Rachinel, Martinez, Masiel, Mussolini, Rivera, Romagnoli, Rutowicz, Schenardi

PPE-DE: Albertini, Andriksen, Antonozzi, Ashworth, Atkins, Audy, Ayuso González, Bachelot-Narquin, Barsi-Pataky, Bauer, Becsey, Belet, Berend, Böge, Bonsignore, Bowis, Bradbourn, Brepoels, Březina, Brok, Buzek, Cabrnock, Callanan, Carollo, Casa, Caspary, Castiglione, del Castillo Vera, Cederschiöld, Cesa, Chichester, Chmielewski, Coelho, Daul, Demetriou, Deß, De Veyrac, Díaz de Mera García Consuegra, Dimitrakopoulos, Dionisi, Doorn, Dover, Doyle, Duchoň, Duka-Zólyomi, Ehler, Esteves, Eurlings, Fajmon, Fatuzzo, Fernández Martín, Fjellner, Florenz, Fontaine, Fraga Estévez, Friedrich, Gahler, Gál, Galá, Galeote Quecedo, García-Margallo y Marfil, Gargani, Garriga Polledo, Gaubert, Gauzès, Gawronski, Gklavakis, Glattfelder, Goepel, Gomolka, Graça Moura, Gräßle, de Grandes Pascual, Grosch, Grossetête, Gutiérrez-Cortines, Gyürk, Handzlik, Heaton-Harris, Hennicot-Schoepges, Herranz García, Hieronymi, Higgins,

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Hökmark, Hudacký, Hybášková, Ibrisagic, Itälä, Iturgaiz Angulo, Jackson, Jałowiecki, Járóka, Jeggel, Jordan Cizelj, Kaczmarek, Kamall, Karas, Kasoulides, Kauppi, Kirkhope, Klamt, Klich, Koch, Korhola, Kratsa-Tsagaropoulou, Kudrycka, Kuškis, Kuźmiuk, Lamassoure, Lauk, Lechner, Lehne, Liese, Lombardo, López-Istúriz White, Lulling, Maat, McGuinness, McMillan-Scott, Mann Thomas, Martens, Mato Adrover, Mauro, Mavrommatis, Mayer, Mayor Oreja, Méndez de Vigo, Mikolášik, Millán Mon, Mitchell, Montoro Romero, Nassauer, Niebler, van Nistelrooij, Novak, Olajos, Olbrycht, Oomen-Ruijten, Óry, Pack, Pálfi, Panayotopoulos-Cassiotou, Papastamkos, Parish, Pinheiro, Piskorski, Pleštinská, Podkański, Poettering, Pomés Ruiz, Posselt, Protasiewicz, Purvis, Queiró, Radwan, Reul, Roithová, Rudi Ubeda, Rübiger, Saifi, Salafranca Sánchez-Neyra, Samaras, Sartori, Saryusz-Wolski, Schierhuber, Schmitt Pál, Schöpflin, Schröder, Schwab, Seeber, Seeberg, Siekierski, Silva Peneda, Škottová, Sommer, Šťastný, Stenzel, Strejček, Stubb, Sturdy, Sudre, Sumberg, Surján, Szájer, Tajani, Tannock, Thyssen, Toubon, Trakatellis, Ulmer, Vakalis, Varvitsiotis, Vatanen, Ventre, Vernola, Vidal-Quadras Roca, Vlasák, Weber Manfred, Weisgerber, Wieland, Wijkman, von Wogau, Wojciechowski, Wortmann-Kool, Wuermeling, Zahradil, Zaleski, Zappalà, Zvěřina, Zwiefka

PSE: Arif, Arnaoutakis, Assis, Attard-Montalto, Badía i Cutchet, Barón Crespo, Batzeli, Beglitis, van den Berg, Berger, Berlinguer, Berman, Bösch, Bourzai, Bozkurt, van den Burg, Busquin, Calabuig Rull, Capoulas Santos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Christensen, Corbett, Corbey, Correia, De Keyser, De Rossa, Désir, De Vits, Díez González, Dobolyi, Douay, El Khadraoui, Estrela, Ettl, Evans Robert, Falbr, Fava, Fazakas, Fernandes, Ferreira Elisa, Ford, García Pérez, Gebhardt, Geringer de Oedenberg, Gierek, Gill, Goebbels, Golik, Grabowska, Gröner, Gurmai, Guy-Quint, Hänsch, Harangozó, Hasse Ferreira, Hazan, Hedh, Hedkvist Petersen, Hegyi, Herczog, Honeyball, Howitt, Hughes, Jørgensen, Kindermann, Kinnock, Kósáné Kovács, Koterec, Krehl, Kreissl-Dörfler, Kuc, Lehtinen, Leinen, Liberadzki, Locatelli, McAvan, McCarthy, Madeira, Maňka, Mann Erika, Martin David, Martínez Martínez, Masip Hidalgo, Mastenbroek, Matsouka, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Mikko, Moraes, Moreno Sánchez, Morgan, Moscovici, Muscat, Myller, Napoletano, Obiols i Germà, Paasilinna, Paleckis, Panzeri, Patrie, Peillon, Pittella, Pleguezuelos Aguilar, Poignant, Prets, Rasmussen, Reynaud, Riera Madurell, Rosati, Roth-Behrendt, Rothe, Rouček, Roure, Sacconi, Sakalas, Salinas García, Sánchez Presedo, Santoro, dos Santos, Schapira, Scheele, Schulz, Segelström, Sifunakis, Siwiec, Skinner, Sornosa Martínez, Stihler, Swoboda, Szejna, Tabajdi, Tarabella, Titley, Tzampazi, Valenciano Martínez-Orozco, Vincenzi, Weber Henri, Weiler, Whitehead, Wiersma, Wynn, Yañez-Barnuevo García, Zani

UEN: Aylward, Berlato, Camre, Crowley, Didžiokas, La Russa, Muscardini, Musumeci, Ó Neachtain, Ryan, Tatarella

Verts/ALE: Aubert, Auken, Beer, Bennahmias, Cohn-Bendit, Cramer, Evans Jillian, Frassoni, de Groen-Kouwenhoven, Hammerstein Mintz, Harms, Hassi, Horáček, Hudghton, Isler Béguin, Kallenbach, Kusstatscher, Lagendijk, Lambert, Lichtenberger, Lipietz, Lucas, Özdemir, Onesta, Rühle, Schmidt, Schroedter, Staes, Trüpel, Turmes, Voggenhuber, Ždanoka

Kontra: 22

ALDE: Resetarits

GUE/NGL: Kohlíček, Strož

IND/DEM: Bonde, Goudin, Lundgren

NI: Bobošíková, Martin Hans-Peter, Mote

PPE-DE: Beazley, Bushill-Matthews, Deva, Elles, Harbour, Hoppenstedt, Langen

PSE: Cottigny, Van Lancker

Verts/ALE: Breyer, Romeva i Rueda, Schlyter, Smith

Astensjonijiet: 71

ALDE: Cavada, Davies, Morillon, Nicholson of Winterbourne

GUE/NGL: de Brún, Figueiredo, Flasarová, Guerreiro, Kaufmann, Liotard, McDonald, Markov, Meijer, Pafilis, Remek, Svensson, Toussas

IND/DEM: Batten, Bloom, Booth, Clark, Couéteux, Farage, Krupa, Natrass, Pęk, Piotrowski, Rogalski, Whittaker, Wise

NI: Allister, Baco, Battilocchio, Claeys, De Michelis, Dillen, Kozlík, Vanhecke

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PPE-DE: Ebner, Guellec, Konrad, Landsbergis, Laschet, Pieper, Quisthoudt-Rowohl, Ribeiro e Castro, Schmitt Ingo, Schnellhardt, Sonik, Stevenson, Zatloukal, Zieleniec

PSE: Ferreira Anne, Fruteau, Grech, Jöns, Le Foll, Leichtfried, Lienemann, Pahor, Trautmann, Vaugrenard, Vergnaud

UEN: Fotyga, Janowski, Kamiński, Pirilli, Roszkowski, Szymański

Verts/ALE: Flautre, Jonckheer

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ALDE: Davies

GUE/NGL: Agnoletto, de Brún, Kaufmann, Liotard, McDonald, Markov, Maštálka, Meijer, Musacchio, Papadimoulis, Pflüger, Portas, Ransdorf, Seppänen, Triantaphyllides, Uca, Verges, Wurtz, Zimmer

IND/DEM: Batten, Bloom, Bonde, Booth, Clark, Farage, Goudin, Knapman, Louis, Lundgren, Natrass, Titford, Whittaker, Wise

NI: Claeys, Czarnecki Marek Aleksander, Dillen, Martin Hans-Peter, Masiel, Mussolini, Vanhecke

PPE-DE: Brepoels, De Veyrac, Liese, Schmitt Ingo

PSE: van den Berg, Berman, Bozkurt, Bullmann, van den Burg, Corbey, Gill, Kinnock, McAvan, McCarthy, Martin David, Mastenbroek, Mikko, Santoro, Stihler, Van Lancker

Verts/ALE: Aubert, Auken, Beer, Bennahmias, Breyer, Buitenweg, Cohn-Bendit, Cramer, Evans Jillian, Flautre, Frassoni, de Groen-Kouwenhoven, Hammerstein Mintz, Harms, Hassi, Horáček, Hudghton, Isler Béguin, Jonckheer, Kallenbach, Kusstatscher, Lagendijk, Lambert, Lichtenberger, Lipietz, Lucas, Özdemir, Onesta, Romeva i Rueda, Rühle, Schlyter, Schmidt, Schroedter, Smith, Staes, Trüpel, Turmes, Voggenhuber, Ždanoka

Kontra: 434

ALDE: Alvaro, Andria, Attwooll, Beupuy, Birutis, Bonino, Bourlanges, Bowles, Budreikaitė, Busk, Chatzimarkakis, Cocilovo, Cornillet, Costa, Degutis, Deprez, Drčar Murko, Duff, Duquesne, Ek, Fourtou, Gentvilas, Geremek, Gibault, Hall, Harkin, Hennis-Plasschaert, in 't Veld, Jensen, Juknevičienė, Karim, Klinz, Krahmer, Kułakowski, Lax, Letta, Lynne, Maaten, Malmström, Manders, Matsakis, Mulder, Newton Dunn, Neyts-Uyttebroeck, Onyszkiewicz, Ortuondo Larrea, Pannella, Pistelli, Prodi, Resetarits, Ries, Riis-Jørgensen, Samuelsen, Schuth, Staniszevska, Starkevičiūtė, Sterckx, Szent-Iványi, Takkula, Toia, Väyrynen, Virrankoski, Wallis, Watson

GUE/NGL: Kohlíček, Strož

IND/DEM: Belder, Blokland, Borghezio, Chruszcz, Giertych, Grabowski, Krupa, Pęk, Piotrowski, Rogalski, Salvini, Speroni, Tomczak

NI: Lang, Le Rachinel, Martinez, Romagnoli, Schenardi

PPE-DE: Albertini, Andrikenė, Antoniozzi, Ashworth, Atkins, Audy, Ayuso González, Bachelot-Narquin, Barsi-Pataky, Bauer, Beazley, Becsey, Belet, Berend, Böge, Bonignore, Bowis, Bradbourn, Březina, Brok, Bushill-Matthews, Buzek, Cabrnach, Carollo, Casa, Caspary, Castiglione, del Castillo Vera, Cederschiöld, Cesa, Chichester, Chmielewski, Coelho, Daul, Demetriou, Deß, Deva, Díaz de Mera García Consuegra, Dimitrakopoulos, Dionisi, Doorn, Dover, Doyle, Duchoň, Duka-Zólyomi, Ehler, Elles, Esteves, Eurlings, Fajmon, Fatuzzo, Fernández Martín, Fjellner, Florenz, Fontaine, Fraga Estévez, Friedrich, Gahler, Gál, Gala, Galeote Quecedo, García-Margallo y Marfil, Gargani, Garriga Polledo, Gaubert, Gauzès, Gklavakis, Glattfelder, Goepel, Gomolka, Graça Moura, Gräßle, de Grandes Pascual, Grosch, Grossetête, Guellec, Gutiérrez-Cortines, Gyürk, Handzlik, Harbour, Hennicot-Schoepges, Herranz García, Hieronymi, Higgins, Hökmark, Hoppenstedt, Hudacký, Hybášková, Ibrisagic, Itälä, Iturgaiz Angulo, Jackson, Jałowiecki, Járóka, Jęgle, Jordan Cizelj, Kaczmarek, Kamall, Karas, Kasoulides, Kauppi, Kirkhope, Klamt, Klich, Koch, Korhola, Kratsa-Tsagaropoulou, Kudrycka, Kušķis, Kuźmiuk, Lamassoure, Langen, Langendries, Lauk, Lechner, Lehne, Lombardo, López-Istúriz White, Lulling, Maat, McGuinness, McMillan-Scott, Mann Thomas, Martens, Mato Adrover, Mauro, Mavrommatis, Mayer, Mayor Oreja, Méndez de Vigo, Mikolášik, Millán Mon, Mitchell,

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Montoro Romero, Nassauer, Niebler, van Nistelrooij, Novak, Olajos, Olbrycht, Oomen-Ruijten, Óry, Pack, Pálfi, Panayotopoulos-Cassiotou, Papastamkos, Parish, Pinheiro, Piskorski, Pleštinská, Podkański, Poettering, Pomés Ruiz, Posselt, Protasiewicz, Purvis, Queiró, Radwan, Reul, Roithová, Rudi Ubeda, Rübiger, Saïfi, Salafranca Sánchez-Neyra, Samaras, Sartori, Saryusz-Wolski, Schierhuber, Schmitt Pál, Schöpflin, Schröder, Schwab, Seeber, Seeberg, Siekierski, Silva Peneda, Škottová, Sommer, Šťastný, Stenzel, Strejček, Stubb, Sturdy, Sudre, Sumberg, Surján, Szájer, Tajani, Tannock, Thyssen, Toubon, Trakatellis, Ulmer, Vakalis, Varvitsiotis, Vatanen, Ventre, Vernola, Vidal-Quadras Roca, Vlasák, Weber Manfred, Weisgerber, Wieland, Wijkman, von Wogau, Wojciechowski, Wortmann-Kool, Wuermeling, Zahradil, Zaleski, Zappalà, Zvěřina, Zwiefka

PSE: Arif, Arnaoutakis, Assis, Attard-Montalto, Badía i Cutchet, Barón Crespo, Batzeli, Beglitis, Berlinguer, Bourzai, Busquin, Calabuig Rull, Capoulas Santos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Christensen, Corbett, Correia, Cottigny, De Keyser, De Rossa, Désir, De Vits, Díez González, Dobolyi, Douay, El Khadraoui, Estrela, Evans Robert, Falbr, Fava, Fazakas, Fernandes, Ferreira Elisa, Fruteau, García Pérez, Gebhardt, Geringer de Oedenberg, Gierek, Goebbels, Golik, Grabowska, Gröner, Gurmai, Guy-Quint, Hänsch, Harangozó, Hasse Ferreira, Hazan, Hedh, Hedkvist Petersen, Hegyi, Herczog, Honeyball, Howitt, Hughes, Jørgensen, Kindermann, Kósáné Kovács, Koterec, Krehl, Kuc, Le Foll, Lehtinen, Leinen, Liberadzki, Locatelli, Madeira, Mañka, Mann Erika, Martínez Martínez, Masip Hidalgo, Matsouka, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Moraes, Moreno Sánchez, Morgan, Moscovici, Myller, Obiols i Germà, Paasilinna, Paleckis, Panzeri, Patrie, Peillon, Pittella, Pleguezuelos Aguilar, Poignant, Prets, Rasmussen, Riera Madurell, Rosati, Roth-Behrendt, Rothe, Rouček, Roure, Sacconi, Sakalas, Salinas García, Sánchez Presedo, dos Santos, Schapira, Scheele, Segelström, Sifunakis, Siwec, Skinner, Sornosa Martínez, Szejna, Tabajdi, Titley, Tzampazi, Valenciano Martínez-Orozco, Vincenzi, Weber Henri, Weiler, Westlund, Whitehead, Wynn, Yañez-Barnuevo García, Zani

UEN: Aylward, Berlato, Camre, Crowley, Didžiokas, La Russa, Muscardini, Musumeci, Ó Neachtain, Ryan, Tatarella

Astensjonijiet: 62

ALDE: Cavada, Morillon, Nicholson of Winterbourne

GUE/NGL: Adamou, Figueiredo, Flasarová, Guerreiro, Guidoni, Pafilis, Remek, Rizzo, Svensson, Toussas

NI: Allister, Baco, Battilocchio, Bobošíková, Czarnecki Ryszard, De Michelis, Helmer, Kozlík, Mote, Rivera, Rutowicz

PPE-DE: Callanan, Ebner, Gawronski, Heaton-Harris, Konrad, Landsbergis, Laschet, Pieper, Quisthoudt-Rowohl, Ribeiro e Castro, Sonik, Stevenson, Zatloukal, Zieleniec

PSE: Berger, Bösch, Ettl, Ferreira Anne, Grech, Kreissl-Dörfler, Leichtfried, Lienemann, Muscat, Napolitano, Pahor, Reynaud, Swoboda, Tarabella, Trautmann, Vaugrenard, Vergnaud, Wiersma

UEN: Fotyga, Janowski, Kamiński, Pirilli, Roszkowski, Szymański

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Artiklu 27, 2

Favur: 465

ALDE: Alvaro, Andria, Attwooll, Beaupuy, Birutis, Bonino, Bourlanges, Bowles, Budreikaitė, Busk, Chatzimarkakis, Cocilovo, Cornillet, Costa, Davies, Degutis, Deprez, Drčar Murko, Duff, Duquesne, Ek, Fourtou, Gentvilas, Geremek, Gibault, Hall, Harkin, Hennis-Plasschaert, in 't Veld, Jensen, Juknevičienė, Karim, Klinz, Krahmer, Kułakowski, Lax, Letta, Lynne, Maaten, Malmström, Manders, Matsakis, Mulder, Newton Dunn, Neyts-Uyttebroeck, Onyszkiewicz, Ortuondo Larrea, Pannella, Pistelli, Prodi, Ries, Riis-Jørgensen, Schuth, Staniszevska, Starkevičiūtė, Sterckx, Takkula, Toia, Väyrynen, Virrankoski, Wallis, Watson

GUE/NGL: Adamou, Agnoletto, de Brún, Guidoni, Kohlíček, Liotard, McDonald, Maštálka, Meijer, Musacchio, Papadimoulis, Pflüger, Portas, Ransdorf, Rizzo, Seppänen, Svensson, Triantaphyllides, Uca, Verges, Wurtz, Zimmer

IND/DEM: Belder, Blokland, Borghezio, Chruszcz, Giertych, Grabowski, Krupa, Louis, Pęk, Salvini, Speroni

NI: Allister, Czarnecki Marek Aleksander, Czarnecki Ryszard, Helmer, Lang, Le Rachinel, Martinez, Masiel, Rivera, Schenardi

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PPE-DE: Albertini, Andriksen, Antonozzi, Ashworth, Atkins, Audy, Ayuso González, Bachelot-Narquin, Barsi-Pataky, Bauer, Beazley, Becsey, Belet, Berend, Böge, Bowis, Bradbourn, Březina, Brok, Bushill-Matthews, Buzek, Cabrnock, Callanan, Carollo, Casa, Castiglione, del Castillo Vera, Cesa, Chichester, Coelho, Daul, Demetriou, Deß, Deva, De Veyrac, Dimitrakopoulos, Dionisi, Doorn, Dover, Duchoň, Duka-Zólyomi, Ehler, Elles, Esteves, Eurlings, Fajmon, Fatuzzo, Fernández Martín, Fjellner, Florenz, Fontaine, Fraga Estévez, Friedrich, Gahler, Gál, Gala, Galeote Quecedo, García-Margallo y Marfil, Gargani, Garriga Polledo, Gaubert, Gauzès, Gawronski, Gklavakis, Glattfelder, Goepel, Gomolka, Graça Moura, Gräßle, de Grandes Pascual, Grosch, Grossetête, Guellec, Gutiérrez-Cortines, Gyürk, Handzlik, Harbour, Heaton-Harris, Hennicot-Schoepges, Herranz García, Hieronymi, Higgins, Hudacký, Hybášková, Ibrisagic, Itälä, Iturgaiz Angulo, Jackson, Jałowiecki, Járóka, Jeggle, Jordan Cizelj, Kaczmarek, Kamall, Karas, Kasoulides, Kauppi, Kirkhope, Klamt, Klich, Koch, Korhola, Kratsa-Tsagaropoulou, Kudrycka, Kušksis, Kuźmiuk, Lamassoure, Langen, Langendries, Lauk, Lechner, Lehne, Liese, Lombardo, López-Istúriz White, Lulling, Maat, McGuinness, McMillan-Scott, Mann Thomas, Martens, Mato Adrover, Mauro, Mavrommatis, Mayer, Mayor Oreja, Méndez de Vigo, Mikolášik, Millán Mon, Mitchell, Montoro Romero, Nassauer, Niebler, van Nistelrooij, Novak, Olajos, Olbrycht, Oomen-Ruijten, Óry, Pack, Pálfi, Panayotopoulos-Cassiotou, Papastamkos, Parish, Pinheiro, Piskorski, Pleštinská, Podkański, Poettering, Pomés Ruiz, Posselt, Protasiewicz, Purvis, Queiró, Radwan, Reul, Roithová, Rudi Ubeda, Rübig, Saïfi, Salafranca Sánchez-Neyra, Samaras, Sartori, Saryusz-Wolski, Schierhuber, Schmitt Ingo, Schmitt Pál, Schnellhardt, Schöpflin, Schröder, Schwab, Seeber, Seeberg, Siekierski, Škottová, Sommer, Štátný, Stenzel, Strejček, Stubb, Sturdy, Sudre, Sumberg, Surján, Szájer, Tajani, Tannock, Thyssen, Toubon, Trakatellis, Ulmer, Vakalis, Varvitsiotis, Vatanen, Ventre, Vernola, Vidal-Quadras Roca, Vlasák, Weber Manfred, Weisgerber, Wieland, Wijkman, von Wogau, Wojciechowski, Wortmann-Kool, Wuermeling, Zahradil, Zaleski, Zappalà, Zvěřina, Zwiefka

PSE: Arnaoutakis, Assis, Attard-Montalto, Badía i Cutchet, Barón Crespo, Batzeli, Beglitis, Berger, Berlinguer, Bösch, Bourzai, Busquin, Calabuig Rull, Capoulas Santos, Carlotti, Carnero González, Casaca, Cashman, Cercas, Christensen, Corbett, Correia, De Keyser, De Rossa, Désir, De Vits, Díez González, Dobolyi, Douay, El Khadraoui, Estrela, Ettl, Evans Robert, Falbr, Fava, Fazakas, Fernandes, Ferreira Elisa, Ford, García Pérez, Gebhardt, Geringer de Oedenberg, Gierek, Goebbels, Golik, Grabowska, Gröner, Gurmai, Guy-Quint, Hänsch, Harangozó, Hasse Ferreira, Hedh, Hedkvist Petersen, Hegyi, Herczog, Honeyball, Howitt, Hughes, Jöns, Jørgensen, Kindermann, Kinnock, Krehl, Kreissl-Dörfler, Kuc, Leinen, Locatelli, McAvan, McCarthy, Madeira, Maňka, Mann Erika, Martin David, Martínez Martínez, Masip Hidalgo, Matsouka, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Mikko, Moraes, Moreno Sánchez, Morgan, Moscovici, Muscat, Myller, Napolitano, Obiols i Germà, Paasilinna, Paleckis, Panzeri, Patrie, Peillon, Pittella, Pleguezuelos Aguilar, Poignant, Prets, Reynaud, Riera Madurell, Rosati, Roth-Behrendt, Rothe, Rouček, Sacconi, Sakalas, Salinas García, Sánchez Presedo, Santoro, dos Santos, Schapira, Scheele, Segelström, Sifunakis, Siwec, Skinner, Sornosa Martínez, Stihler, Swoboda, Szejna, Tabajdi, Tarabella, Titley, Tzampazi, Valenciano Martínez-Orozco, Vincenzi, Walter, Weber Henri, Weiler, Westlund, Whitehead, Wynn, Yañez-Barnuevo García, Zani

UEN: Aylward, Berlato, Camre, Crowley, Didžiokas, La Russa, Musumeci, Ó Neachtain, Ryan, Tatarella

Verts/ALE: Cramer, Flautre, Horáček, Lipietz, Turmes

Kontra: 74

ALDE: Resetarits, Samuelsen, Szent-Iványi

GUE/NGL: Strož

IND/DEM: Batten, Bloom, Bonde, Booth, Clark, Farage, Goudin, Knapman, Lundgren, Natrass, Titford, Whittaker, Wise

NI: Bobošíková, Martin Hans-Peter, Mote, Mussolini, Romagnoli, Rutowicz

PPE-DE: Cederschiöld, Chmielewski, Doyle, Hökmark, Silva Peneda

PSE: van den Berg, Berman, Bozkurt, Corbey, Cottigny, Gill, Kósáné Kovács, Koterec, Lehtinen, Mastenbroek, Rasmussen

UEN: Muscardini

Verts/ALE: Aubert, Auken, Beer, Bennahmias, Breyer, Buitenweg, Cohn-Bendit, Evans Jillian, Frassoni, de Groen-Kouwenhoven, Hammerstein Mintz, Harms, Hassi, Hudghton, Isler Béguin, Jonckheer, Kallenbach, Kusstatscher, Lagendijk, Lambert, Lichtenberger, Lucas, Özdemir, Onesta, Romeva i Rueda, Rühle, Schlyter, Schmidt, Schroedter, Smith, Staes, Trüpel, Voggenhuber, Zdanoka

Astensjonijiet: 58

ALDE: Cavada, Morillon, Nicholson of Winterbourne

GUE/NGL: Figueiredo, Flasarová, Guerreiro, Markov, Pafilis, Remek, Toussas

IND/DEM: Coûteaux, Piotrowski, Rogalski, Tomczak

NI: Baco, Battilocchio, Claeys, De Michelis, Dillen, Kozlík, Vanhecke

PPE-DE: Brepoels, Caspary, Ebner, Hoppenstedt, Konrad, Landsbergis, Laschet, Pieper, Quisthoudt-Rowohl, Ribeiro e Castro, Sonik, Stevenson, Zatloukal, Zieleniec

PSE: van den Burg, Ferreira Anne, Fruteau, Grech, Hazan, Le Foll, Leichtfried, Liberadzki, Lienemann, Pahor, Roure, Schulz, Trautmann, Van Lancker, Vaugrenard, Vergnaud, Wiersma

UEN: Fotyga, Janowski, Kamiński, Pirilli, Roszkowski, Szymański

8. Rapport Gargani A6-0189/2005**Riżoluzzjoni****Favur: 403**

ALDE: Alvaro, Andria, Attwooll, Beaupuy, Birutis, Bonino, Bourlanges, Bowles, Busk, Chatzimarkakis, Cocilovo, Cornillet, Costa, Davies, Degutis, Deprez, Drčar Murko, Duff, Duquesne, Ek, Fourtou, Gentvilas, Gibault, Hall, Harkin, Hennis-Plasschaert, in 't Veld, Jensen, Juknevičienė, Karim, Klinz, Krahmer, Lax, Letta, Lynne, Maaten, Malmström, Manders, Matsakis, Mulder, Newton Dunn, Neyts-Uyttebroeck, Onyszkiewicz, Ortuondo Larrea, Pannella, Pistelli, Prodi, Resetarits, Ries, Riis-Jørgensen, Samuelsen, Schuth, Staniszevska, Starkevičiūtė, Sterckx, Szent-Iványi, Takkula, Toia, Väyrynen, Virrankoski, Wallis, Watson

GUE/NGL: Adamou, Agnoletto, de Brún, Guidoni, Kaufmann, Liotard, McDonald, Markov, Meijer, Musacchio, Papadimoulis, Pflüger, Rizzo, Seppänen, Uca, Verges, Wurtz, Zimmer

IND/DEM: Belder, Blokland, Bonde

NI: Allister, Battilocchio, De Michelis, Helmer, Mussolini, Rivera

PPE-DE: Albertini, Andriksen, Antonozzi, Ashworth, Atkins, Audy, Bachelot-Narquin, Barsi-Pataky, Bauer, Beazley, Becsey, Belet, Bonsignore, Bowis, Bradbourn, Brepoels, Březina, Brok, Bushill-Matthews, Buzek, Cabrnock, Callanan, Carollo, Casa, Castiglione, Cederschiöld, Cesa, Chmielewski, Coelho, Daul, Demetriou, Dimitrakopoulos, Dionisi, Doorn, Dover, Doyle, Duchoň, Duka-Zólyomi, Elles, Esteves, Eurlings, Fajmon, Fatuzzo, Fjellner, Fontaine, Gahler, Gál, Gala, García-Margallo y Marfil, Gargani, Gaubert, Gauzès, Gawronski, Gklavakis, Glattfelder, Graça Moura, Grossetête, Gyürk, Handzlik, Harbour, Heaton-Harris, Hennicot-Schoepges, Hieronymi, Higgins, Hökmark, Hudacký, Hybášková, Ibrisagic, Itälä, Jackson, Járóka, Jeggle, Jordan Cizelj, Karas, Kasoulides, Kauppi, Kirkhope, Klich, Korhola, Kratsa-Tsagaropoulou, Kudrycka, Kušis, Lamassoure, Langendries, Lauk, Lechner, Lehne, Liese, Lombardo, Lulling, Maat, McGuinness, McMillan-Scott, Martens, Mauro, Mavrommatis, Mayer, Mikolášik, Mitchell, Novak, Olajos, Olbrycht, Oomen-Ruijten, Óry, Pack, Pálfi, Panayotopoulos-Cassiotou, Papastamkos, Parish, Pinheiro, Poettering, Queiró, Rübzig, Saïfi, Samaras, Sartori, Saryusz-Wolski, Schierhuber, Schmitt Pál, Schöpflin, Seeber, Seeberg, Siekierski, Silva Peneda, Škottová, Šťastný, Stenzel, Strejček, Stubb, Sudre, Sumberg, Surján, Szájer, Tajani, Thyssen, Toubon, Trakatellis, Vakalis, Varvitsiotis, Vatanen, Ventre, Vernola, Vidal-Quadras Roca, Vlasák, Wieland, von Wogau, Wortmann-Kool, Zahradil, Zaleski, Zatloukal, Zvěřina, Zwiefka

PSE: Arnaoutakis, Assis, Attard-Montalto, Badía i Cutchet, Barón Crespo, Batzeli, Beglitis, van den Berg, Berger, Berlinguer, Berman, Bösch, Bozkurt, van den Burg, Busquin, Calabuig Rull, Capoulas Santos, Carnero González, Casaca, Cashman, Cercas, Christensen, Corbett, Corbey, Correia, De Keyser, De Rossa, De Vits, Díez González, Dobolyi, El Khadraoui, Estrela, Ettl, Evans Robert, Falbr, Fava, Fazakas, Fernandes, Ferreira Elisa, Ford, García Pérez, Geringer de Oedenberg, Gierek, Gill, Goebbels, Golik, Grabowska, Grech, Gurmai, Guy-Quint, Hänsch, Harangozó, Hasse Ferreira, Hedh, Hedkvist Petersen, Hegyi, Honeyball, Hewitt, Hughes, Jørgensen, Kinnock, Kósáné Kovács, Koterec, Kreissl-Dörfler, Kuc, Lehtinen, Leichtfried, Leinen, Liberadzki, Locatelli, McAvan, McCarthy, Madeira, Mañka, Mann Erika, Martin David, Martínez Martínez, Masip Hidalgo, Mastenbroek, Matsouka, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Mikko, Moraes, Moreno Sánchez, Morgan, Moscovici, Muscat, Myller, Napoletano, Obiols i Germà, Paasilinna, Pahor, Paleckis, Panzeri, Patrie, Peillon, Pittella, Pleguezuelos Aguilar, Prets, Rasmussen, Riera Madurell,

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Rothe, Rouček, Sacconi, Sakalas, Salinas García, Sánchez Presedo, Santoro, dos Santos, Scheele, Schulz, Segelström, Siwec, Skinner, Sornosa Martínez, Stihler, Swoboda, Szejna, Tabajdi, Tarabella, Titley, Tzampazi, Valenciano Martínez-Orozco, Van Lancker, Vincenzi, Weiler, Westlund, Whitehead, Wiersma, Wynn, Yañez-Barnuevo García, Zani

UEN: Aylward, Berlato, Camre, Crowley, La Russa, Musumeci, Ó Neachtain, Ryan, Tatarella

Verts/ALE: Aubert, Auken, Evans Jillian, Flautre, Frassoni, de Groen-Kouwenhoven, Hammerstein Mintz, Hassi, Horáček, Hudghton, Jonckheer, Kusstatscher, Lambert, Lucas, Onesta, Rühle, Schroedter, Smith, Staes

Kontra: 89

GUE/NGL: Flasarová, Guerreiro, Kohlíček, Maštálka, Pafilis, Ransdorf, Strož, Toussas

IND/DEM: Batten, Bloom, Booth, Chruszcz, Clark, Coûteaux, Farage, Giertych, Goudin, Grabowski, Knapman, Krupa, Louis, Lundgren, Natrass, Pęk, Piotrowski, Rogalski, Salvini, Titford, Tomczak, Whittaker, Wise

NI: Bobošíková, Claeys, Czarnecki Marek Aleksander, Czarnecki Ryszard, Dillen, Lang, Le Rachinel, Martin Hans-Peter, Martinez, Masiel, Mote, Romagnoli, Rutowicz, Schenardi, Vanhecke

PPE-DE: Böge, Caspary, Chichester, Deß, Ebner, Ehler, Florenz, Gomolka, Gräßle, Hoppenstedt, Klamt, Konrad, Kuźmiuk, Langen, Mann Thomas, Nassauer, Niebler, van Nistelrooij, Pieper, Posselt, Protasiewicz, Purvis, Quisthoudt-Rowohl, Radwan, Reul, Schmitt Ingo, Schwab, Sommer, Sturdy, Ulmer, Weber Manfred, Weisgerber, Wuermeling

PSE: Bullmann, Cottigny

UEN: Fotyga, Janowski, Kamiński, Muscardini, Roszkowski, Szymański

Verts/ALE: Breyer, Schlyter

Astensjonijiet: 92

ALDE: Budreikaitė, Cavada, Geremek, Kułakowski, Morillon, Nicholson of Winterbourne

GUE/NGL: Portas, Remek, Svensson, Triantaphyllides

IND/DEM: Borghezio, Speroni

NI: Baco, Kozlík

PPE-DE: Ayuso González, del Castillo Vera, Deva, Díaz de Mera García Consuegra, Fernández Martín, Fraga Estévez, Galeote Quecedo, Garriga Polledo, de Grandes Pascual, Grosch, Guellec, Gutiérrez-Cortines, Herranz García, Iturgaiz Angulo, Jałowiecki, Kaczmarek, Landsbergis, López-Istúriz White, Marques, Mato Adrover, Mayor Oreja, Méndez de Vigo, Millán Mon, Montoro Romero, Piskorski, Pleštinská, Podkański, Pomés Ruiz, Ribeiro e Castro, Roithová, Rudi Ubeda, Salafranca Sánchez-Neyra, Sonik, Stevenson, Tannock, Wojciechowski, Zappalà, Zieleniec

PSE: Berès, Bourzai, Carlotti, Désir, Douay, Fruteau, Gröner, Hazan, Jöns, Kindermann, Le Foll, Lienemann, Reynaud, Rosati, Roure, Schapira, Trautmann, Vaugrenard, Vergnaud, Weber Henri

UEN: Didžiokas, Pirilli

Verts/ALE: Beer, Bennaïmias, Buitenweg, Cohn-Bendit, Cramer, Harms, Isler Béguin, Kallenbach, Lagendijk, Lichtenberger, Lipietz, Özdemir, Romeva i Rueda, Schmidt, Trüpel, Turmes, Voggenhuber, Ždanoka

9. Rapport Kristensen A6-0116/2005**Riżoluzzjoni****Favur: 540**

ALDE: Alvaro, Andria, Attwooll, Beaupuy, Birutis, Bonino, Bourlanges, Bowles, Budreikaitė, Busk, Cavada, Chatzimarkakis, Cocilovo, Costa, Davies, Degutis, Deprez, Drčar Murko, Duff, Duquesne, Ek, Fourtou, Gentvilas, Geremek, Gibault, Hall, Harkin, in 't Veld, Jensen, Juknevičienė, Karim, Klinz, Kraher,

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Kułakowski, Lax, Letta, Lynne, Manders, Matsakis, Morillon, Mulder, Newton Dunn, Neyts-Uyttebroeck, Nicholson of Winterbourne, Onyszkiewicz, Ortuondo Larrea, Pannella, Pistelli, Prodi, Resetarits, Ries, Riis-Jørgensen, Schuth, Staniszevska, Starkevičiūtė, Sterckx, Szent-Iványi, Takkula, Toia, Väyrynen, Van Hecke, Virrankoski, Wallis

GUE/NGL: Adamou, Agnoletto, de Brún, Figueiredo, Flasarová, Guerreiro, Guidoni, Kaufmann, Kohlíček, Liotard, McDonald, Maštálka, Meijer, Musacchio, Pafilis, Papadimoulis, Pflüger, Portas, Ransdorf, Remek, Rizzo, Seppänen, Strož, Svensson, Toussas, Triantaphyllides, Uca, Verges, Wurtz, Zimmer

IND/DEM: Belder, Blokland, Borghezio, Chruszcz, Giertych, Goudin, Grabowski, Krupa, Lundgren, Pęk, Piotrowski, Rogalski, Salvini, Speroni, Tomczak

NI: Battilocchio, Bobošíková, Claeys, Czarnecki Marek Aleksander, Czarnecki Ryszard, De Michelis, Dillen, Lang, Le Rachinel, Martinez, Masiel, Mussolini, Rivera, Romagnoli, Rutowicz, Schenardi, Vanhecke

PPE-DE: Albertini, Andriksen, Antoniazzi, Ashworth, Audy, Ayuso González, Bachelot-Narquin, Barsi-Pataky, Bauer, Beazley, Becsey, Belet, Berend, Böge, Bonsignore, Bowis, Brepoels, Březina, Brok, Buzek, Cabrnock, Carollo, Casa, Caspary, Castiglione, del Castillo Vera, Cederschiöld, Cesa, Chichester, Chmielewski, Coelho, Daul, Demetriou, Deß, Deva, Díaz de Mera García Consuegra, Dimitrakopoulos, Dionisi, Doorn, Dover, Doyle, Duchoň, Duka-Zólyomi, Ebner, Ehler, Elles, Esteves, Eurlings, Fajmon, Fatuzzo, Fernández Martín, Fjellner, Fontaine, Fraga Estévez, Friedrich, Gahler, Gál, Gała, Galeote Quecedo, García-Margallo y Marfil, Gargani, Gaubert, Gauzès, Gawronski, Gklavakis, Glattfelder, Gomolka, Graça Moura, Gräßle, de Grandes Pascual, Grosch, Grossetête, Gutiérrez-Cortines, Gyürk, Handzlik, Harbour, Hennicot-Schoepges, Herranz García, Hieronymi, Higgins, Hökmark, Hoppenstedt, Hudacký, Hybášková, Ibrisagic, Itälä, Iturgaiz Angulo, Jackson, Jałowicki, Járóka, Jeggler, Jordan Cizelj, Kaczmarek, Kamall, Karas, Kasoulides, Kauppi, Kirkhope, Klamt, Klich, Korhola, Kratsa-Tsagaropoulou, Kudrycka, Kušks, Kuźmiuk, Lamassoure, Landsbergis, Langen, Langendries, Lauk, Lechner, Liese, López-Istúriz White, Lulling, Maat, McGuinness, McMillan-Scott, Mann Thomas, Marques, Martens, Mato Adrover, Mauro, Mavrommatis, Mayer, Mayor Oreja, Méndez de Vigo, Mikolášik, Millán Mon, Mitchell, Montoro Romero, Nassauer, Niebler, van Nistelrooij, Novak, Olajos, Olbrycht, Oomen-Ruijten, Óry, Pálfi, Panayotopoulos-Cassiotou, Papastamkos, Parish, Pieper, Pinheiro, Piskorski, Pleštiná, Podkański, Poettering, Pomés Ruiz, Posselt, Protasiewicz, Purvis, Queiró, Quisthoudt-Rowohl, Radwan, Reul, Ribeiro e Castro, Roithová, Rudi Ubeda, Rübiger, Saïfi, Salafraña Sánchez-Neyra, Samaras, Sartori, Saryusz-Wolski, Schierhuber, Schmitt Ingo, Schmitt Pál, Schnellhardt, Schöpflin, Schröder, Schwab, Seeber, Seeberg, Siekierski, Silva Peneda, Škottová, Sonik, Šťastný, Stenzel, Stevenson, Strejček, Stubb, Sturdy, Sudre, Surján, Szájer, Tajani, Tannock, Thyssen, Toubon, Trakatellis, Ulmer, Vakalis, Varvitsiotis, Vatanen, Ventre, Vernola, Vlasák, Weber Manfred, Weisgerber, Wieland, von Wogau, Wojciechowski, Wortmann-Kool, Wuermeling, Zahradil, Zaleski, Zappalà, Zatloukal, Zieleniec, Zvěřina, Zwiefka

PSE: Arif, Arnaoutakis, Assis, Badía i Cutchet, Barón Crespo, Batzeli, Beglitis, Berès, van den Berg, Berger, Berlinguer, Berman, Bösch, Bourzai, Bozkurt, Bullmann, van den Burg, Busquin, Calabuig Rull, Capoulas Santos, Carlotti, Carnero González, Casaca, Cashman, Castex, Cercas, Christensen, Corbett, Corbey, Correia, Cottigny, De Keyser, De Rossa, Désir, De Vits, Díez González, Dobolyi, Douay, El Khadraoui, Estrela, Ettl, Evans Robert, Falbr, Fava, Fazakas, Fernandes, Ferreira Anne, Ferreira Elisa, Ford, Fruteau, García Pérez, Gebhardt, Geringer de Oedenberg, Gierak, Gill, Glante, Golik, Grabowska, Grech, Gröner, Gurmai, Guy-Quint, Hänsch, Harangozó, Hasse Ferreira, Hedh, Hedkvist Petersen, Hegyi, Herczog, Honeyball, Howitt, Hughes, Jöns, Jørgensen, Kindermann, Kinnock, Kósáné Kovács, Koterec, Kreissl-Dörfler, Kuc, Le Foll, Lehtinen, Leichtfried, Leinen, Liberadzki, Lienemann, Locatelli, McAvan, McCarthy, Madeira, Mañka, Mann Erika, Martin David, Martínez Martínez, Masip Hidalgo, Mastenbroek, Matsouka, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Mikko, Moreno Sánchez, Morgan, Moscovici, Muscat, Myller, Napoletano, Obiols i Germà, Paasilinna, Pahor, Paleckis, Panzeri, Patrie, Peillon, Piecyk, Pittella, Pleguezuelos Aguilar, Poignant, Prets, Rasmussen, Reynaud, Riera Madurell, Rosati, Roth-Behrendt, Rothe, Rouček, Roue, Sacconi, Sakalas, Salinas García, Sánchez Presedo, Santoro, dos Santos, Schapira, Segelström, Sifunakis, Siwiec, Sornosa Martínez, Stihler, Swoboda, Tabajdi, Titley, Trautmann, Tzampazi, Valenciano Martínez-Orozco, Van Lancker, Vergnaud, Vincenzi, Walter, Weber Henri, Weiler, Westlund, Whitehead, Wiersma, Wynn, Yañez-Barnuevo García, Zani

UEN: Aylward, Berlato, Camre, Crowley, Didžiokas, La Russa, Muscardini, Pirilli, Tatarella

Verts/ALE: Auken, Beer, Bennahmias, Breyer, Buitenweg, Cohn-Bendit, Cramer, Evans Jillian, Flautre, Frassoni, de Groen-Kouwenhoven, Hammerstein Mintz, Harms, Hassi, Horáček, Isler Béguin, Jonckheer, Kallenbach, Kusstatscher, Lagendijk, Lambert, Lipietz, Lucas, Özdemir, Onesta, Romeva i Rueda, Rühle, Schlyter, Schmidt, Schroedter, Smith, Staes, Trüpel, Turmes, Voggenhuber, Ždanoka

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Kontra: 12

ALDE: Maaten, Malmström, Samuelson

IND/DEM: Batten, Booth, Clark, Titford, Whittaker, Wise

NI: Martin Hans-Peter

PPE-DE: Wijkman

UEN: Ryan

Astensjonijiet: 12

IND/DEM: Bonde, Coûteaux, Louis

NI: Kozlík

PPE-DE: Koch, Konrad

UEN: Fotyga, Janowski, Kamiński, Musumeci, Roszkowski, Szymański

10. Rapport Klich A6-0103/2005

Riżoluzzjoni

Favur: 393

ALDE: Alvaro, Andria, Attwooll, Beauvuy, Birutis, Bourlanges, Bowles, Budreikaitė, Busk, Cavada, Chatzimarkakis, Cocilovo, Costa, Degutis, Deprez, Drčar Murko, Duff, Ek, Fourtou, Gentvilas, Geremek, Gibault, Hall, Harkin, in 't Veld, Jensen, Juknevičienė, Karim, Klinz, Krahmer, Lax, Letta, Lynne, Maaten, Malmström, Manders, Matsakis, Morillon, Mulder, Newton Dunn, Neyts-Uyttebroeck, Onyszkiewicz, Ortuondo Larrea, Pannella, Pistelli, Prodi, Resetarits, Ries, Riis-Jørgensen, Samuelson, Schuth, Staniszevska, Starkevičiūtė, Sterckx, Szent-Iványi, Toia, Virrankoski, Wallis

NI: Battilocchio, Czarnecki Marek Aleksander, De Michelis, Masiel, Mussolini, Rivera, Romagnoli

PPE-DE: Antoniozzi, Audy, Ayuso González, Bachelot-Narquin, Barsi-Pataky, Bauer, Beazley, Becsey, Belet, Bonsignore, Brepoels, Březina, Brok, Buzek, Cabrnock, Carollo, Caspary, Castiglione, del Castillo Vera, Cesa, Chmielewski, Coelho, Daul, Demetriou, Deß, Díaz de Mera García Consuegra, Dimitrakopoulos, Dionisi, Doorn, Doyle, Duka-Zólyomi, Ebner, Ehler, Esteves, Eurlings, Fajmon, Fatuzzo, Fjellner, Florenz, Fontaine, Fraga Estévez, Friedrich, Gahler, Gál, Gała, Galeote Quecedo, García-Margallo y Marfil, Gargani, Garriga Polledo, Gaubert, Gauzès, Gawronski, Gklavakis, Glattfelder, Gomolka, Graça Moura, Gräßle, de Grandes Pascual, Grosch, Grossetête, Gutiérrez-Cortines, Gyürk, Handzlik, Hennicot-Schoepges, Herranz García, Hieronymi, Higgins, Hökmark, Hoppenstedt, Hudacký, Hybášková, Ibrisagic, Itälä, Jackson, Jałowiecki, Járóka, Jeggel, Jordan Cizelj, Kaczmarek, Karas, Kasoulides, Kauppi, Klich, Koch, Korhola, Kratsa-Tsagaropoulou, Kudrycka, Kušks, Kuźmiuk, Lamassoure, Landsbergis, Langen, Langendries, Lauk, Lombardo, López-Istúriz White, Lulling, Maat, McGuinness, McMillan-Scott, Mann Thomas, Marques, Martens, Mato Adrover, Mauro, Mavrommatis, Mayer, Mayor Oreja, Mikolášik, Millán Mon, Mitchell, Montoro Romero, Nassauer, Niebler, van Nistelrooij, Novak, Olajos, Olbrycht, Oomen-Ruijten, Óry, Pálfi, Panayotopoulos-Cassiotou, Papastamkos, Pieper, Pinheiro, Piskorski, Pleštinská, Podkański, Poettering, Posselt, Protasiewicz, Quisthoudt-Rowohl, Radwan, Reul, Roithová, Rudi Ubeda, Rübig, Saïfi, Salafrañca Sánchez-Neyra, Samaras, Sartori, Saryusz-Wolski, Schierhuber, Schmitt Ingo, Schmitt Pál, Schnellhardt, Schöpflin, Schröder, Schwab, Seeber, Seeburg, Siekierski, Silva Peneda, Sonik, Štátný, Stenzel, Stubb, Sudre, Surján, Szájer, Tajani, Thyssen, Toubon, Trakatellis, Ulmer, Vakalis, Varvitsiotis, Vatanen, Weber Manfred, Weisgerber, Wieland, Wijkman, von Wogau, Wojciechowski, Wortmann-Kool, Zahradil, Zaleski, Zappalà, Zatloukal, Zieleniec, Zwiefka

PSE: Arif, Arnaoutakis, Assis, Badía i Cutchet, Barón Crespo, Batzeli, Beglitis, Berès, van den Berg, Berger, Bösch, Bourzai, Bozkurt, Bullmann, van den Burg, Busquin, Calabuig Rull, Capoulas Santos, Carlotti, Carnero González, Casaca, Cashman, Castex, Cercas, Christensen, Corbett, Corbey, Cottigny, De Keyser, De Rosa, Désir, De Vits, Díez González, Dobolyi, Douay, El Khadraoui, Estrela, Evans Robert, Falbr, Fava, Fazakas, Fernandes, Ferreira Anne, Ferreira Elisa, Ford, Fruteau, García Pérez, Gebhardt, Geringer de Oedenberg, Gierek, Gill, Glante, Golik, Grabowska, Gröner, Gurmai, Guy-Quint, Hänsch, Harangozó, Hasse Ferreira, Hedkvist Petersen, Hegyi, Herczog, Honeyball, Howitt, Hughes, Jöns, Jørgensen, Kindermann, Kinnock, Kósáné Kovács, Koterec, Kreissl-Dörfler, Kuc, Le Foll, Lehtinen, Leichtfried, Liberadzki,

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Lienemann, Locatelli, McAvan, McCarthy, Madeira, Mañka, Mann Erika, Martin David, Martínez Martínez, Masip Hidalgo, Mastenbroek, Matsouka, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Mikko, Moreno Sánchez, Morgan, Moscovici, Napoletano, Obiols i Germà, Paasilinna, Pahor, Paleckis, Piecyk, Pittella, Rasmussen, Reynaud, Riera Madurell, Rosati, Rothe, Rouček, Roure, Sacconi, Sakalas, Salinas García, Sánchez Presedo, Santoro, dos Santos, Schapira, Sifunakis, Siwec, Stihler, Swoboda, Szejna, Tabajdi, Titley, Trautmann, Tzampazi, Valenciano Martínez-Orozco, Van Lancker, Vergnaud, Vincenzi, Walter, Weber Henri, Weiler, Westlund, Whitehead, Wiersma, Yañez-Barnuevo García, Zani

UEN: Berlato, Fotyga, Janowski, Kamiński, La Russa, Roszkowski, Szymański, Tatarella

Kontra: 97

ALDE: Nicholson of Winterbourne

GUE/NGL: Adamou, Agnoletto, de Brún, Flasarová, Guerreiro, Kohlíček, Liotard, McDonald, Maštálka, Meijer, Musacchio, Pafilis, Papadimoulis, Pflüger, Portas, Ransdorf, Remek, Rizzo, Seppänen, Strož, Svensson, Toussas, Triantaphyllides, Verges, Wurtz, Zimmer

IND/DEM: Batten, Belder, Blokland, Borghezio, Chruszcz, Clark, Coûteaux, Giertych, Goudin, Grabowski, Krupa, Louis, Lundgren, Peł, Piotrowski, Rogalski, Salvini, Speroni, Titford, Tomczak, Whittaker, Wise

NI: Claeys, Dillen, Martin Hans-Peter, Martinez, Schenardi, Vanhecke

PPE-DE: Andrikiénė, Harbour, Méndez de Vigo

PSE: Berman

UEN: Aylward, Crowley, Didžiokas, Musumeci, Pirilli, Ryan

Verts/ALE: Aubert, Auken, Beer, Bennahmias, Breyer, Buitenweg, Cohn-Bendit, Evans Jillian, Flautre, Hammerstein Mintz, Harms, Hassi, Horáček, Isler Béguin, Jonckheer, Kallenbach, Kusstatscher, Lagendijk, Lambert, Lipietz, Lucas, Özdemir, Onesta, Romeva i Rueda, Rühle, Schlyter, Schmidt, Schroedter, Smith, Staes, Trüpel, Ždanoka

Astensjonijiet: 29

ALDE: Takkula, Väyrynen

GUE/NGL: Guidoni

IND/DEM: Bonde, Booth

NI: Czarnecki Ryszard, Kozlík, Rutowicz

PPE-DE: Ashworth, Bowis, Chichester, Deva, Dover, Duchoň, Kamall, Konrad, Parish, Purvis, Škottová, Stevenson, Strejček, Sturdy, Tannock, Zvěřina

PSE: Berlinguer, Grech, Muscat

UEN: Camre, Muscardini

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TESTI ADOTTATI ⁽¹⁾

P6_TA(2005)0245

Members' Statute

European Parliament resolution on the amendment of the decision of 4 June 2003 on the adoption of the Statute for Members of the European Parliament (2005/2124(INI))

The European Parliament,

- having regard to Article 190(5) of the Treaty establishing the European Community and Article 108(4) of the Treaty establishing the European Atomic Energy Community,
 - having regard to its resolution of 4 June 2003 on the adoption of a Statute for Members of the European Parliament ⁽²⁾,
 - having regard to Rule 45 of its Rules of Procedure,
 - having regard to the report of the Committee on Legal Affairs (A6-0189/2005),
- A. having regard to its resolution of 17 December 2003 on the Members' Statute ⁽³⁾,
- B. whereas it is appropriate to amend the decisions previously taken concerning the Statute for Members of the European Parliament,
- C. whereas the amended text does not contain any substantive new provisions which would require fresh consultation of the Commission,
- D. noting the Council's letter of 6 June 2005,
- E. noting the commitment made on 3 June 2005 by the representatives of the Member States meeting with the Council to examine the request by the European Parliament to revise the relevant provisions of the Protocol on the privileges and immunities of the European Communities of 1965 as regards the part relating to Members of the European Parliament, in order to reach a conclusion as soon as possible,
1. Amends its decision of 4 June 2003 on the Statute for Members of the European Parliament, as shown in the attached text;
 2. Calls on the Council to give its approval to the text as amended;
 3. Calls on the Bureau to ensure that the new rules governing the reimbursement of Members' expenses come into force at the same time as the entry into force of the Statute;
 4. Insists that the overall compromise on the Statute for Members of the European Parliament should consist of the following elements:
 - (a) a separate and independent examination of that part of the Statute which falls under secondary law and of that part which falls under primary law, and approval of both parts in accordance with the institutional provisions applicable to each of them;
 - (b) with regard to that part which falls under primary law, the Member States are called upon to review the Protocol on the privileges and immunities of the European Communities of 8 April 1965 in respect of the provisions relating to Members of the European Parliament, taking the Statute approved on 3 and 4 June 2003 as a model;
 5. Instructs its President to forward this resolution to the Council and the Commission and to the parliaments of the Member States and of the applicant States.

⁽¹⁾ Ghalissa dawn it-testi m'humix disponibbli bil-Malti

⁽²⁾ OJ C 68, 18.3.2004, p. 210.

⁽³⁾ OJ C 91 E, 15.4.2004, p. 230.

ANNEX

DECISION OF THE EUROPEAN PARLIAMENT
ADOPTING THE STATUTE FOR MEMBERS OF THE EUROPEAN PARLIAMENT

The European Parliament

having regard to the Treaty establishing the European Community, and in particular Article 190(5) thereof,

having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 108(4) thereof,

having regard to the opinion of the Commission,

with the approval of the Council,

whereas:

- (1) Parliament consists of “representatives of the peoples of the States brought together in the Community”. These representatives are, as is also affirmed in Article 190(1) of the EC Treaty, the “representatives of the peoples of the States brought together in the Community”. The same term is used in Article 190(2) of the EC Treaty (“the number of representatives elected in each Member State”) and in Article 190(3) of the EC Treaty (“representatives shall be elected for a term of five years”). These provisions, whereby Members are the representatives of the peoples, justify the use in the Statute of the term “Member”.
- (2) Parliament has the right to regulate its own business in its Rules of Procedure, in accordance with the first paragraph of Article 199 of the EC Treaty and in conformity with this Statute.
- (3) Article 1 of the Statute takes the concept of “Member” and makes it clear that the Statute does not deal with Members’ rights and obligations, but covers the rules and general conditions applicable to the exercise of their mandate.
- (4) The freedom and independence of Members, which are enshrined in Article 2 and which are not mentioned in any provision of primary law, should receive statutory protection. Undertakings made by Members to relinquish their office at a given time, or declarations of their intent to relinquish office on an unspecified date, which political parties can make use of at their discretion, should be considered as incompatible with Members’ freedom and independence and should therefore not be binding in law.
- (5) Article 3(1) reproduces in full the provisions of Article 6(1) of the Act of 20 September 1976 concerning the election of the members of the European Parliament by direct universal suffrage.
- (6) The right of initiative referred to in Article 5 is the key right of every Member. Parliament’s Rules of Procedure may not render that right nugatory.
- (7) The right to inspect files, provided for in Article 6, which is already enshrined in Parliament’s Rules of Procedure, is an essential aspect of the exercise of a Member’s mandate and should therefore be provided for by the Statute.
- (8) Article 7 is intended to ensure that, despite statements to the contrary, linguistic diversity will continue to be preserved. Any discrimination against any of the official languages should be ruled out. This principle should continue to apply after any enlargement of the European Union.
- (9) Pursuant to Articles 9 and 10, Members are to receive a salary for performing their duties. Regarding the amount of the salary, a group of experts convened by Parliament submitted a study in May 2000, pursuant to which a salary of 38,5% of the basic salary of a judge at the Court of Justice of the European Communities is justified.
- (10) Since the salary and transitional allowance, as well as the old-age, invalidity and survivor’s pensions, are funded from the general budget of the European Union, it is appropriate for them to be subject to tax for the benefit of the Communities.

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- (11) On account of Members' specific circumstances, in particular the fact that they are under no obligation to reside in any of Parliament's places of work and their specific ties to the State in which they are elected, it is appropriate to provide for the possibility for Member States to apply the provisions of their national tax law to the salary and transitional allowance as well as to the old-age, invalidity and survivor's pensions.
- (12) Article 9(3) is necessary because parties often expect the benefits referred to in Article 9(1) and (2) to be used in part for their purposes. This form of party funding should be prohibited.
- (13) The transitional allowance provided for in Articles 9(2) and 13 is intended, in particular, to bridge the period between the end of a Member's term of office and his/her taking up a new post. When the former Member takes up another mandate or assumes a public office, this purpose ceases to be relevant.
- (14) In light of the developments in the Member States in old-age pensions, it seems appropriate for former Members to be entitled to an old-age pension as from their 63rd birthday. Article 14 does not affect the right of the Member States to take account of old-age pensions payable under national law when calculating Members' old-age pensions.
- (15) The arrangements for provision for survivors are essentially in line with current law in the European Community. The entitlement of a surviving spouse who has remarried is based on the modern idea that it relates to a personal benefit and is not intended merely as "provision". Such an entitlement is not ruled out even when a surviving spouse is "provided for" by virtue of his or her own income or personal wealth.
- (16) Article 18 is necessary because when the Statute enters into force, Member States will cease to reimburse the costs that Members incur as a result of sickness or to pay part of medical insurance contributions. These benefits are often retained after a Member's term of office is over.
- (17) The provisions concerning the reimbursement of expenses must be in conformity with the principles set out by the Court of Justice of the European Communities in the "Lord Bruce" judgment⁽¹⁾. Parliament is thus allowed to effect such reimbursement by means of a flat-rate sum, in those cases in which it is appropriate, in order to reduce the administrative costs and burdens inherent in a system involving the verification of each individual item of expense. This therefore represents sound administration.
- (18) On 28 May 2003, Parliament's Bureau adopted a set of new rules governing the payment of expenses and allowances to Members on the basis of expenses actually incurred, which should enter into force at the same time as this Statute.
- (19) The Member States should ensure that the rules placing Members of the European Parliament, when exercising their mandate in their Member State, on the same footing as members of the national parliament are retained. It is not possible for this problem to be solved at European level, as numerous very disparate arrangements exist in the Member States. Without such rules, the exercise of the mandate of a Member of the European Parliament in the Member State where a Member was elected would be considerably hampered, if not impossible. Effective exercise of the mandate is also in the interests of the Member States.
- (20) Article 25(1) is required because the very disparate national provisions to which Members have so far been subject make it impossible to solve at European level all the problems associated with the transition from an old to a new European system. Giving Members a choice will make it impossible for Members' rights to be reduced or for them to suffer financial loss as a result of the transition. The rule contained in Article 25(2) is the consequence of the decision made pursuant to Article 25(1).
- (21) The diversity of national situations is addressed in Article 29, under which the Member States are allowed to adopt rules different from the provisions of this Statute as a transitional measure. That very diversity also justifies the possibility whereby Member States may retain parity of remuneration between Members of the European Parliament and members of national parliaments.

⁽¹⁾ Judgment of 15 September 1981, Case 208/80 Rt. Hon. Lord Bruce of Donington v Eric Gordon Aspden [1981] ECR 2205.

DECIDES:

TITLE I

REGULATIONS AND GENERAL CONDITIONS GOVERNING THE PERFORMANCE
OF THE DUTIES OF THE MEMBERS OF THE EUROPEAN PARLIAMENT

Article 1

This Statute lays down the regulations and general conditions governing the performance of the duties of Members of the European Parliament.

Article 2

- (1) Members shall be free and independent.
- (2) Agreements concerning the resignation from office of a Member before or at the end of a parliamentary term shall be null and void.

Article 3

- (1) Members shall vote on an individual and personal basis. They shall not be bound by any instructions and shall not receive a binding mandate.
- (2) Agreements concerning the way in which the mandate is to be exercised shall be null and void.

Article 4

Documents and electronic records which a Member has received, drafted or sent shall not be treated as Parliament documents unless they have been tabled in accordance with the Rules of Procedure.

Article 5

- (1) Each Member shall be entitled to table proposals for Community acts in the context of Parliament's right of initiative.
- (2) Parliament shall lay down in its Rules of Procedure the conditions for the exercise of this right.

Article 6

- (1) Members shall be entitled to inspect any files held by Parliament.
- (2) Paragraph 1 shall not apply to personal files and accounts.
- (3) Paragraph 1 shall apply without prejudice to acts of the European Union and agreements by the Institutions concerning access to documents.
- (4) Parliament shall lay down the conditions for the exercise of this right.

Article 7

- (1) Parliament's documents shall be translated into all the official languages.
- (2) Speeches shall be interpreted simultaneously into all the other official languages.
- (3) Parliament shall lay down the conditions for the implementation of this Article.

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Article 8

- (1) Members may form themselves into political groups.
- (2) Parliament shall lay down in its Rules of Procedure the conditions for the exercise of this right.

Article 9

- (1) Members shall be entitled to an appropriate salary to safeguard their independence.
- (2) At the end of their term of office, they shall be entitled to a transitional allowance and a pension.
- (3) Agreements on the use of the salary, the transitional end-of-service allowance and the pension for other than private purposes shall be null and void.
- (4) The surviving dependants of Members or former Members shall be entitled to a survivor's pension.

Article 10

The amount of the salary shall be 38,5% of the basic salary of a judge at the Court of Justice of the European Communities.

Article 11

The salary received by a Member for the exercise of a mandate in another parliament shall be offset against the salary.

Article 12

- (1) The salary provided for in Article 9 shall be subject to tax for the benefit of the Communities on the same terms and conditions as those laid down, on the basis of Article 13 of the Protocol on the privileges and immunities of the Communities, for the officials and other servants of the European Communities.
- (2) The abatements for occupational and personal expenses and those of a family and social nature, provided for in Article 3(2) to (4) of Regulation (EEC, Euratom, ECSC) No 260/68 of the Council of 29 February 1968 laying down the conditions and procedure for applying the tax for the benefit of the European Communities⁽¹⁾, shall not be applicable.
- (3) Paragraph 1 shall be without prejudice to the Member States' power to make the salary subject to national tax law provisions, provided that any double taxation is avoided.
- (4) Member States shall have the right to take the salary into account when setting the rate of taxation applicable to other revenue.
- (5) This Article shall also apply to the transitional allowance as well as to the old-age, invalidity and survivor's pensions, which are paid pursuant to Articles 13, 14, 15 and 17.
- (6) Benefits under Articles 18, 19 and 20 and contributions to the Pension Fund under Article 27 shall not be subject to tax.

Article 13

- (1) At the end of their term of office Members shall be entitled to a transitional allowance equivalent to the salary pursuant to Article 10.
- (2) This entitlement shall continue for one month per year in which their mandate has been exercised, but not for less than six months or more than 24 months.

⁽¹⁾ OJ L 56, 4.3.1968, p. 8. Regulation as last amended by Regulation (EC, Euratom) No 723/2004 (OJ L 124, 27.4.2004, p. 1).

- (3) In the event of a Member's assuming a mandate in another parliament or taking public office, the transitional allowance shall be paid until the mandate starts or the public office is taken up.
- (4) In the event of death, the transitional allowance shall be paid for the last time in the month in which the former Member died.

Article 14

- (1) Former Members shall be entitled to an old-age pension from the age of 63.
- (2) This pension shall be, for each full year's exercise of a mandate, 3,5 % of the salary pursuant to Article 10 and one-twelfth thereof for each further full month, but not more than 70 % in total.
- (3) Entitlement to the old-age pension shall exist irrespective of any other pension.
- (4) Article 11 shall apply "mutatis mutandis".

Article 15

- (1) Members who become incapacitated during their term of office shall be entitled to a pension.
- (2) Article 14(2) shall apply "mutatis mutandis". However, the amount of the pension shall be at least 35 % of the salary pursuant to Article 10.
- (3) The entitlement shall take effect when the Member concerned stands down.
- (4) Parliament shall lay down the conditions for the exercise of this right.
- (5) Article 11 shall apply "mutatis mutandis".

Article 16

Should a former Member be entitled simultaneously to the payment of the transitional allowance pursuant to Article 13 and the pension pursuant to Article 14 or Article 15, he or she shall decide which arrangement shall be applied.

Article 17

- (1) In the event of the death of a Member or of a former Member who at the time of his/her death was or would have been entitled in future to a pension pursuant to Article 14 or Article 15, the spouse and dependent children shall be entitled to a survivor's pension.
- (2) The total amount of the pension shall not exceed the pension to which the Member would have been entitled at the end of the parliamentary term or to which the former Member was or would have been entitled.
- (3) The surviving spouse shall receive 60 % of the amount referred to in paragraph 2, but in any case at least 30 % of the salary pursuant to Article 10. Such entitlement shall not be affected if the surviving spouse remarries. Such entitlement shall be forfeited if the specific circumstances of an individual case leave no reasonable doubt that the marriage was concluded solely for the purpose of securing a pension.
- (4) A dependent child shall receive 20 % of the amount referred to in paragraph 2.
- (5) Should it be necessary, the maximum amount of the pension to be paid shall be divided between the spouse and the children in the ratio of the percentages laid down in paragraphs 3 and 4.
- (6) The pension shall be paid from the first day of the month following the date of death.

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- (7) Should the spouse die, the entitlement shall expire at the end of the month during which the death occurred.
- (8) A child's entitlement shall expire at the end of the month in which he/she reaches the age of 21. However, it shall continue for the duration of education or vocational training, but shall expire at the latest at the end of the month during which he/she reaches the age of 25. The entitlement shall continue if the child is unable to support himself/herself on account of sickness or infirmity.
- (9) Partners from relationships recognised in the Member States shall be treated as equivalent to spouses.
- (10) Parliament shall lay down the conditions for the exercise of this right.

Article 18

- (1) Members and former Members drawing a pension, and persons entitled to the survivor's pension, shall be entitled to reimbursement of two-thirds of the costs that they incur as a result of sickness, pregnancy or the birth of a child.
- (2) Parliament shall lay down the conditions for the exercise of this right.

Article 19

- (1) Members shall be entitled to insurance cover for the risks connected with the exercise of their mandate.
- (2) Parliament shall lay down the conditions for the exercise of this right. Members shall pay one-third of the resulting insurance premiums.

Article 20

- (1) Members shall be entitled to reimbursement of expenses incurred in the exercise of their mandate.
- (2) Parliament shall reimburse the actual expenses incurred by Members in travelling to and from the places of work and in connection with other duty travel.
- (3) Others expenses incurred by Members in the exercise of their mandate may be reimbursed by means of a flat-rate sum.
- (4) Parliament shall lay down the conditions for the exercise of this right.
- (5) Article 9(3) shall apply "mutatis mutandis".

Article 21

- (1) Members shall be entitled to assistance from personal staff whom they may freely choose.
- (2) Parliament shall meet the expenses actually incurred by Members in employing such personal staff.
- (3) Parliament shall lay down the conditions for the exercise of this right.

Article 22

- (1) Members shall be entitled to use Parliament's office facilities, telecommunications equipment and official vehicles.
- (2) Parliament shall lay down the conditions for the exercise of this right.

Article 23

- (1) All payments shall be made from the budget of the European Union.
- (2) The payments due pursuant to Articles 10, 13, 14, 15 and 17 shall be made monthly in euro or — at the option of the Member — in the currency of the Member State where he/she is domiciled. Parliament shall lay down the conditions under which the payments are to be made.

Article 24

Decisions concerning the implementation of this Statute shall come into force once they have been published in the Official Journal of the European Union.

TITLE II

Transitional provisions

Article 25

- (1) Members who belonged to Parliament prior to the entry into force of this Statute and were re-elected may opt for the national system applicable hitherto in respect of the salary, transitional allowance and pensions for the entire duration of their membership of the European Parliament.
- (2) These payments shall be made from the budget of the Member State in question.

Article 26

- (1) Members who wish to continue with the national system applicable hitherto pursuant to Article 25(1) shall notify the President of Parliament of this decision in writing within 30 days of the entry into force of this Statute.
- (2) The decision shall be final and irrevocable.
- (3) Should such notification not be made within the time-limit, the provisions of this Statute shall apply.

Article 27

- (1) The voluntary pension fund set up by Parliament shall be maintained after the entry into force of this Statute for Members or former Members who have already acquired rights or future entitlements in that fund.
- (2) Acquired rights and future entitlements shall be maintained in full. Parliament may lay down criteria and conditions governing the acquisition of new rights or entitlements.
- (3) Members who receive the salary pursuant to Article 10 may not acquire any new rights or future entitlements in the voluntary pension fund.
- (4) The fund shall not be open to Members who are first elected to Parliament after this Statute becomes applicable.
- (5) Articles 9(3) and 14(3) shall apply “mutatis mutandis”.

Article 28

- (1) Any pension entitlement that a Member has acquired in accordance with national arrangements at the time when this Statute is applied shall be retained in full.
- (2) If the length of the term of office served in the European Parliament or in a national parliament is not sufficient under national arrangements to give rise to any pension entitlement, the period concerned shall be taken into account in calculating the pension based on this Statute. Parliament may conclude agreements with the competent authorities of the Member States on the transfer of acquired entitlements.

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Article 29

- (1) Each Member State may adopt, for the Members elected in it, rules different from the provisions of this Statute as regards the salary, transitional allowance and pensions for a transitional period which may not exceed the length of two European Parliament parliamentary terms.
- (2) Those rules shall place the Members on at least an equal footing with the members of their respective national parliament.
- (3) All payments shall be made from the budget of the Member State in question.
- (4) The entitlements of Members pursuant to Articles 18 to 22 shall not be affected by such rules.

TITLE III
FINAL PROVISION

Article 30

This Statute shall enter into force on the first day of the European Parliament parliamentary term beginning in 2009.

P6_TA(2005)0246

Marketing and use of certain dangerous substances and preparations (c/m/r) *I**

European Parliament legislative resolution on the proposal for a directive of the European Parliament and of the Council amending, for the twenty-ninth time, Council Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations (substances classified as carcinogen, mutagen or toxic to reproduction — c/m/r) (COM(2004)0638 — C6-0136/2004 — 2004/0225(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2004) 0638) ⁽¹⁾,
 - having regard to Article 251(2) and Article 95 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0136/2004),
 - having regard to Rule 51 of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety (A6-0163/2005),
1. Approves the Commission proposal;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ Not yet published in OJ.

P6_TA(2005)0247

Community Border Code *I****European Parliament legislative resolution on the proposal for a regulation of the European Parliament and of the Council establishing a Community Code on the rules governing the movement of persons across borders (COM(2004)0391 — C6-0080/2004 — 2004/0127(COD))**

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2004) 0391)⁽¹⁾,
 - having regard to Article 251(2) and Article 62(1) and (2)(a) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0080/2004),
 - having regard to Rule 51 of its Rules of Procedure,
 - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs and the opinion of the Committee on Development (A6-0188/2005),
- A. having regard to the Council's intention, as expressed by the Presidency at the sitting of the European Parliament of 22 June 2005, to approve all the amendments contained in the European Parliament's draft position (A6-0188/2005),
- B. having regard to the Commission's intention, as expressed at the sitting of the European Parliament of 22 June 2005, to approve all the amendments contained in the European Parliament's draft position (A6-0188/2005),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ Not yet published in OJ.

P6_TC1_COD(2004)0127**Position of the European Parliament adopted at first reading on 23 June 2005 with a view to the adoption of Regulation (EC) No .../2005 of the European Parliament and of the Council establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code)**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 62(1) and (2)(a) thereof,

Having regard to the proposal from the Commission,

Acting in accordance with the procedure laid down in Article 251 of the Treaty⁽¹⁾,

Whereas:

- (1) The adoption of measures under Article 62(1) of the Treaty with a view to ensuring the absence of any controls on persons crossing internal borders forms part of the Union's objective of establishing an area without internal borders in which the free movement of persons is ensured, as set out in Article 14 of the Treaty.

⁽¹⁾ *Position of the European Parliament of 23 June 2005.*

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- (2) In accordance with Article 61 of the Treaty, the creation of an area in which persons may move freely is to be flanked by other measures. The common policy on the crossing of external borders, as provided for by Article 62(2) of the Treaty, is such a measure.
- (3) The adoption of common measures on the crossing of internal borders by persons and border control at external borders should reflect the Schengen "acquis" incorporated in the European Union framework, and in particular the relevant provisions of the Convention implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders⁽¹⁾ and the Common Manual⁽²⁾.
- (4) As regards border control at external borders, the establishment of a "common corpus" of legislation, particularly via consolidation and development of the acquis, is one of the fundamental components of the common policy on the management of the external borders, as defined in the Commission Communication of 7 May 2002 "Towards integrated management of the external borders of the Member States of the European Union". This objective was included in the "Plan for the management of the external borders of the Member States of the European Union", approved by the Council on 13 June 2002 and endorsed by the Seville European Council on 21 and 22 June 2002 and by the Thessaloniki European Council on 19 and 20 June 2003.
- (5) The definition of common rules on the movement of persons across borders neither calls into question nor affects the rights of free movement enjoyed by Union citizens and members of their families and by third-country nationals and members of their families who, under agreements between the Community and its Member States, on the one hand, and those third countries, on the other hand, enjoy rights of free movement equivalent to those of Union citizens.
- (6) Border control is in the interest not only of the Member State at whose external borders it is carried out but of all Member States which have abolished internal border control. Border control should help to combat illegal immigration and trafficking in human beings and to prevent any threat to the Member States' internal security, public policy, public health and international relations.
- (7) Border checks should be carried out in such a way as to fully respect human dignity. Border control should be carried out in a professional and respectful manner and be proportionate to the objectives pursued.
- (8) Border control comprises not only checks on persons at border crossing points and surveillance between these border crossing points, but also an analysis of the risks for internal security and analysis of the threats that may affect the security of external borders. It is therefore necessary to lay down the conditions, criteria and detailed rules governing checks at border crossing points and surveillance.
- (9) Provision should be made for relaxing checks at external borders in the event of exceptional and unforeseeable circumstances in order to avoid excessive waiting time at borders crossing-points. The systematic stamping of the documents of third-country nationals remains an obligation in the event of border checks being relaxed. Stamping makes it possible to establish, with certainty, the date on which, and where, the border was crossed, without establishing in all cases that all required travel document control measures have been carried out.
- (10) In order to reduce the waiting times of persons enjoying the Community right of free movement, separate lanes, indicated by uniform signs in all Member States, should, where circumstances allow, be provided at border crossing points. Separate lanes should be provided in international airports. Where it is deemed appropriate and if local circumstances so allow, Member States should consider installing separate lanes at sea and land border crossing points.
- (11) Member States should ensure that control procedures at external borders do not constitute a major barrier to trade and social and cultural interchange. To that end, they should deploy appropriate numbers of staff and resources.

⁽¹⁾ OJ L 239, 22.9.2000, p. 19. Convention as last amended by Regulation (EC) 1160/2005 of the European Parliament and of the Council (OJ L 191, 22.7.2005, p. 18).

⁽²⁾ OJ C 313, 16.12.2002, p. 97. Common Manual as last amended by Council Regulation (EC) No 2133/2004 (OJ L 369, 16.12.2004, p. 5).

- (12) Member States should designate the national service or services responsible for border-control tasks in accordance with their national law. Where more than one service is responsible in the same Member State, there should be close and constant cooperation between them.
- (13) Operational cooperation and assistance between Member States in relation to border control should be managed and coordinated by the European Agency for the Management of Operational Cooperation at the External Borders of the Member States established by Regulation (EC) No 2007/2004⁽¹⁾.
- (14) This Regulation is without prejudice to checks carried out under general police powers and security checks on persons identical to those carried out for domestic flights, to the possibilities for Member States to carry out exceptional checks on baggage in accordance with Council Regulation (EEC) No 3925/91 of 19 December 1991 concerning the elimination of controls and formalities applicable to the cabin and hold baggage of persons taking an intra-Community flight and the baggage of persons making an intra-Community sea crossing⁽²⁾, and to national law on carrying travel or identity documents or to the requirement that persons notify the authorities of their presence on the territory of the Member State in question.
- (15) Member States should also have the possibility of temporarily reintroducing border control at internal borders in the event of a serious threat to their public policy or internal security. The conditions and procedures for doing so should be laid down, so as to ensure that any such measure is exceptional and that the principle of proportionality is respected. The scope and duration of any temporary reintroduction of border control at internal borders should be restricted to the bare minimum needed to respond to that threat.
- (16) In an area where persons may move freely, the reintroduction of border control at internal borders should remain an exception. Border control should not be carried out or formalities imposed solely because such a border is crossed.
- (17) Provision should be made for a procedure enabling the Commission to adapt certain detailed practical rules governing border control. In such cases, the measures needed to implement this Regulation should be taken pursuant to Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁽³⁾.
- (18) Provision should also be made for a procedure enabling the Member States to notify the Commission of changes to other detailed practical rules governing border control.
- (19) Since the objective of this Regulation, namely the establishment of rules applicable to the movement of persons across borders cannot be sufficiently achieved by the Member States and can therefore be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.
- (20) This Regulation respects fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. It should be applied in accordance with the Member States' obligations as regards international protection and non-refoulement.
- (21) By way of derogation from Article 299 of the Treaty, the only territories of France and the Netherlands to which this Regulation applies are those in Europe. It does not affect the specific arrangements applied in Ceuta and Melilla, as defined in the Agreement on the Accession of the Kingdom of Spain to the Convention implementing the Schengen Agreement of 14 June 1985⁽⁴⁾.

⁽¹⁾ Council Regulation (EC) No 2007/2004 of 26 October 2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (OJ L 349, 25.11.2004, p. 1).

⁽²⁾ OJ L 374, 31.12.1991, p. 4. Regulation as last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (EC) (OJ L 284, 31.10.2003, p. 1).

⁽³⁾ OJ L 184, 17.7.1999, p. 23.

⁽⁴⁾ OJ L 239, 22.9.2000, p. 69.

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- (22) In accordance with Articles 1 and 2 of the Protocol on the Position of Denmark annexed to the Treaty on European Union and to the Treaty establishing the European Community, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application. Given that this Regulation builds upon the Schengen “acquis” under the provisions of Title IV of Part Three of the Treaty establishing the European Community, Denmark should, in accordance with Article 5 of the said Protocol, decide within a period of six months after the date of adoption of this Regulation whether it will implement it in its national law or not.
- (23) As regards Iceland and Norway, this Regulation constitutes a development of provisions of the Schengen “acquis” within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen acquis⁽¹⁾ which fall within the area referred to in Article 1, point A, of Council Decision 1999/437/EC of 17 May 1999⁽²⁾ on certain arrangements for the application of that Agreement.
- (24) An arrangement has to be made to allow representatives of Iceland and Norway to be associated with the work of committees assisting the Commission in the exercise of its implementing powers. Such an arrangement has been contemplated in the Exchanges of Letters between the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning committees which assist the European Commission in the exercise of its executive powers⁽³⁾, annexed to the abovementioned Agreement.
- (25) As regards Switzerland, this Regulation constitutes a development of provisions of the Schengen “acquis” within the meaning of the Agreement signed between the European Union, the European Community and the Swiss Confederation concerning the association of the Swiss Confederation with the implementation, application and development of the Schengen acquis, which fall within the area referred to in Article 1, point A, of Decision 1999/437/EC read in conjunction with Article 4(1) of Council Decisions 2004/849/EC⁽⁴⁾ and 2004/860/EC⁽⁵⁾.
- (26) An arrangement has to be made to allow representatives of Switzerland to be associated with the work of committees assisting the Commission in the exercise of its implementing powers. Such an arrangement has been contemplated in the Exchange of Letters between the Community and Switzerland, annexed to the abovementioned Agreement.
- (27) This Regulation constitutes a development of provisions of the Schengen “acquis” in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen acquis⁽⁶⁾. The United Kingdom is therefore not taking part in its adoption and is not bound by it or subject to its application.
- (28) This Regulation constitutes a development of provisions of the Schengen “acquis” in which Ireland does not take part, in accordance with Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen acquis⁽⁷⁾. Ireland is therefore not taking part in its adoption and is not bound by it or subject to its application.
- (29) In this Regulation, the first sentence of Article 1, Article 5(4)(a), Title III and the provisions of Title II and the annexes thereto referring to the Schengen Information System (SIS) constitute provisions building on the Schengen “acquis” or otherwise related to it within the meaning of Article 3(2) of the 2003 Act of Accession,

(1) OJ L 176, 10.7.1999, p. 36.

(2) OJ L 176, 10.7.1999, p. 31.

(3) OJ L 176, 10.7.1999, p. 53.

(4) Council Decision 2004/849/EC of 25 October 2004 on the signing, on behalf of the European Union, and on the provisional application of certain provisions of the Agreement between the European Union, the European Community and the Swiss Confederation concerning the Swiss Confederation's association with the implementation, application and development of the Schengen “acquis” (OJ L 368, 15.12.2004, p. 26).

(5) Council Decision 2004/860/EC of 25 October 2004 on the signing, on behalf of the European Community, and on the provisional application of certain provisions of the Agreement between the European Union, the European Community and the Swiss Confederation, concerning the Swiss Confederation's association with the implementation, application and development of the Schengen “acquis” (OJ L 370, 17.12.2004, p. 78).

(6) OJ L 131, 1.6.2000, p. 43.

(7) OJ L 64, 7.3.2002, p. 20.

HAVE ADOPTED THIS REGULATION:

TITLE I
GENERAL PROVISIONS

Article 1

Subject-matter and principles

This Regulation provides for the absence of border control of persons crossing the internal borders between the Member States of the European Union.

It establishes rules governing border control of persons crossing the external borders of the Member States of the European Union.

Article 2

Definitions

For the purposes of this Regulation the following definitions shall apply:

- 1) "internal borders" means:
 - (a) the common land borders, including river and lake borders, of the Member States;
 - (b) the airports of the Member States for internal flights;
 - (c) sea, river and lake ports of the Member States for regular ferry connections;
- 2) "external borders" means the Member States' land borders, including river and lake borders, sea borders and their airports, river ports, sea ports and lake ports, provided that they are not internal borders;
- 3) "internal flight" means any flight exclusively to or from the territories of the Member States and not landing in the territory of a third country;
- 4) "regular ferry connection" means any ferry connection between the same two or more ports situated in the territory of the Member States, not calling at any ports outside the territory of the Member States and consisting of the transport of passengers and vehicles according to a published timetable;
- 5) "persons enjoying the Community right of free movement" means:
 - (a) Union citizens within the meaning of Article 17(1) of the Treaty, and third-country nationals who are members of the family of a Union citizen exercising his or her right to free movement to whom Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States⁽¹⁾ applies,
 - (b) third-country nationals and their family members, whatever their nationality, who, under agreements between the Community and its Member States, on the one hand, and those third countries, on the other hand, enjoy rights of free movement equivalent to those of Union citizens;
- 6) "third-country national" means any person who is not a Union citizen within the meaning of Article 17 (1) of the Treaty and who is not covered by point 5 of this Article;
- 7) "persons for whom an alert has been issued for the purposes of refusing entry" means any third-country national for whom an alert has been issued in the Schengen Information System ("SIS") in accordance with and for the purposes laid down in Article 96 of the Schengen Convention;
- 8) "border crossing point" means any crossing-point authorised by the competent authorities for the crossing of external borders;
- 9) "border control" means the activity carried out at a border, in accordance with and for the purposes of this Regulation, in response exclusively to an intention to cross or the act of crossing that border, regardless of any other consideration, consisting of border checks and border surveillance;

⁽¹⁾ OJ L 158, 30.4.2004, p. 77.

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- 10) "border checks" means the checks carried out at border crossing points, to ensure that persons, including their means of transport and the objects in their possession, may be authorised to enter the territory of the Member States or authorised to leave it;
- 11) "border surveillance" means the surveillance of borders between border crossing points and the surveillance of border crossing points outside the fixed opening hours, in order to prevent persons from circumventing border checks;
- 12) "second line check" means a further check which may be carried out in a special location away from the location at which all persons are checked (first line);
- 13) "border guard" means any public official assigned, in accordance with national law, to a border crossing point or along the border or the immediate vicinity of that border who carries out, in accordance with this Regulation and national law, border control tasks;
- 14) "carrier" means any natural or legal person whose profession it is to provide transport of persons;
- 15) "residence permit" means:
 - (a) all residence permits issued by the Member States according to the uniform format laid down by Council Regulation (EC) No 1030/2002 of 13 June 2002 laying down a uniform format for residence permits for third-country nationals⁽¹⁾;
 - (b) all other documents issued by a Member State to third-country nationals authorising a stay in, or re-entry into, its territory, with the exception of temporary permits issued pending examination of a first application for a residence permit as referred to in point (a) or an application for asylum;
- 16) "cruise ship" means a ship which follows a given itinerary in accordance with a predetermined programme, which includes a programme of tourist activities in the various ports, and which normally neither takes passengers on nor allows passengers to disembark during the voyage;
- 17) "pleasure boating" means the use of pleasure boats for sporting or tourism purposes;
- 18) "coastal fisheries" means fishing carried out with the aid of vessels which return every day or within 36 hours to a port situated in the territory of a Member State without calling at a port situated in a third country;
- 19) "threat to public health" means any disease with epidemic potential as defined by the International Health Regulations of the World Health Organisation and other infectious diseases or contagious parasitic diseases if they are the subject of protection provisions applying to nationals of the Member States.

Article 3

Scope

This Regulation shall apply to any person crossing the internal or external borders of Member States, without prejudice to:

- (a) the rights of persons enjoying the Community right of free movement;
- (b) the rights of refugees and persons requesting international protection, in particular as regards non-refoulement.

⁽¹⁾ OJ L 157, 15.6.2002, p. 1.

TITLE II
EXTERNAL BORDERS

Chapter I
Crossing of external borders and conditions for entry

Article 4
Crossing of external borders

1. External borders may be crossed only at border crossing points and during the fixed opening hours. The opening hours shall be clearly indicated at border crossing points which are not open 24 hours a day.

Member States shall notify the list of their border crossing points to the Commission in accordance with Article 34.

2. By way of derogation from paragraph 1, exceptions to the obligation to cross external borders only at border crossing points and during the fixed opening hours may be allowed:

- (a) in connection with pleasure boating or coastal fishing;
- (b) for seamen going ashore to stay in the area of the port where their ships call or in the adjacent municipalities;
- (c) for individuals or groups of persons, where there is a requirement of a special nature, provided that they are in possession of the permits required by national law and that there is no conflict with the interests of public policy and the internal security of the Member States;
- (d) for individuals or groups of persons in the event of an unforeseen emergency situation.

3. Without prejudice to the exceptions provided for in paragraph 2 or to their international protection obligations, Member States shall introduce penalties, in accordance with their national law, for the unauthorised crossing of external borders at places other than border crossing points or at times other than the fixed opening hours. These penalties shall be effective, proportionate and dissuasive.

Article 5
Entry conditions for third-country nationals

1. For stays not exceeding three months per six-month period, the entry conditions for third-country nationals shall be the following:

- (a) they are in possession of a valid travel document or documents authorising them to cross the border;
- (b) they are in possession of a valid visa, if required pursuant to Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement⁽¹⁾, except where they hold a valid residence permit;
- (c) they justify the purpose and conditions of the intended stay, and they have sufficient means of subsistence, both for the duration of the intended stay and for the return to their country of origin or transit to a third country into which they are certain to be admitted, or are in a position to acquire such means lawfully;
- (d) they are not persons for whom an alert has been issued in the SIS for the purposes of refusing entry;
- (e) they are not considered to be a threat to public policy, internal security, public health or the international relations of any of the Member States, in particular where no alert has been issued in Member States' national data bases for the purposes of refusing entry on the same grounds.

⁽¹⁾ OJ L 81, 21.3.2001, p. 1. Regulation as last amended by Regulation (EC) No 851/2005 (OJ L 141, 4.6.2005, p. 3).

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2. A non-exhaustive list of supporting documents which the border guard may request from the third-country national in order to verify the fulfilment of the conditions set out in paragraph 1, point c, is included in Annex I.

3. Means of subsistence shall be assessed in accordance with the duration and the purpose of the stay and by reference to average prices in the Member State(s) concerned for board and lodging in budget accommodation, multiplied by the number of days stayed.

Reference amounts set by the Member States shall be notified to the Commission in accordance with Article 34.

The assessment of sufficient means of subsistence may be based on the cash, travellers' cheques and credit cards in the third-country national's possession. Declarations of sponsorship, where such declarations are provided for by national law and letters of guarantee from hosts, as defined by national law, where the third-country national is staying with a host, may also constitute evidence of sufficient means of subsistence.

4. By way of derogation from paragraph 1:

- (a) third-country nationals who do not fulfil all the conditions laid down in paragraph 1 but hold a residence permit or a re-entry visa issued by one of the Member States or, where required, both documents, shall be authorised to enter the territories of the other Member States for transit purposes so that they may reach the territory of the Member State which issued the residence permit or re-entry visa, unless their names are on the national list of alerts of the Member State whose external borders they are seeking to cross and the alert is accompanied by instructions to refuse entry or transit;
- (b) third-country nationals who fulfil the conditions laid down in paragraph 1, except for that laid down in point (b), and who present themselves at the border may be authorised to enter the territories of the Member States, if a visa is issued at the border in accordance with Council Regulation (EC) No 415/2003 of 27 February 2003 on the issue of visas at the border, including the issue of such visas to seamen in transit⁽¹⁾.

Visas issued at the border shall be recorded on a list.

If it is not possible to affix a visa in the document, it shall, exceptionally, be affixed on a separate sheet inserted in the document. In such a case, the uniform format for forms for affixing the visa, laid down by Council Regulation (EC) No 333/2002 of 18 February 2002 on a uniform format for forms for affixing the visa issued by Member States to persons holding travel documents not recognised by the Member State drawing up the form⁽²⁾, shall be used.

- (c) third-country nationals who do not fulfil one or more of the conditions laid down in paragraph 1 may be authorised by a Member State to enter its territory on humanitarian grounds, on grounds of national interest or because of international obligations. Where the third-country national concerned is the subject of an alert as referred to in paragraph 1, point (d), the Member State authorising him or her to enter its territory shall inform the other Member States accordingly.

Chapter II

Control of external borders and refusal of entry

Article 6

Conduct of border checks

1. Border guards shall, in the performance of their duties, fully respect human dignity.

Any measures taken in the performance of their duties shall be proportionate to the objectives pursued by such measures.

2. While carrying out border checks, border guards shall not discriminate against persons on grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

⁽¹⁾ OJ L 64, 7.3.2003, p. 1.

⁽²⁾ OJ L 53, 23.2.2002, p. 4.

Article 7

Border checks on persons

1. Cross-border movement at external borders shall be subject to checks by border guards. Checks shall be carried out in accordance with this chapter.

The checks may also cover the means of transport and objects in the possession of the persons crossing the border. The law of the Member State concerned shall apply to any searches which are carried out.

2. All persons shall undergo a minimum check in order to establish their identities on the basis of the production or presentation of their travel documents. Such a minimum check shall consist of a rapid and straightforward verification, where appropriate by using technical devices and by consulting, in the relevant databases, information exclusively on stolen, misappropriated, lost and invalidated documents, of the validity of the document authorising the legitimate holder to cross the border and of the presence of signs of falsification or counterfeiting.

The minimum check referred to in the first subparagraph shall be the rule for persons enjoying the Community right of free movement.

However, on a non-systematic basis, when carrying out minimum checks on persons enjoying the Community right of free movement, border guards may consult national and European databases in order to ensure that such persons do not represent a genuine, present and sufficiently serious threat to the internal security, public policy, international relations of the Member States or a threat to the public health.

The consequences of such consultations shall not jeopardise the right of entry of persons enjoying the Community right of free movement into the territory of the Member State concerned as laid down in Directive 2004/38/EC.

3. On entry and exit, third-country nationals shall be subject to thorough checks.
- (a) thorough checks on entry shall comprise verification of the conditions governing entry laid down in Article 5(1) and, where applicable, of documents authorising residence and the pursuit of a professional activity. This shall include a detailed examination covering the following aspects:
- (i) verification that the third-country national is in possession of a document which is valid for crossing the border and which has not expired, and that the document is accompanied, where applicable, by the requisite visa or residence permit;
 - (ii) thorough scrutiny of the travel document for signs of falsification or counterfeiting;
 - (iii) examination of the entry and exit stamps on the travel document of the third-country national concerned, in order to verify, by comparing the dates of entry and exit, that the person has not already exceeded the maximum duration of authorised stay in the territory of the Member States;
 - (iv) verification regarding the point of departure and the destination of the third-country national concerned and the purpose of the intended stay, checking if necessary, the corresponding supporting documents;
 - (v) verification that the third-country national concerned has sufficient means of subsistence for the duration and purpose of the intended stay, for his or her return to the country of origin or transit to a third country into which he or she is certain to be admitted, or that he or she is in a position to acquire such means lawfully;
 - (vi) verification that the third-country national concerned, his or her means of transport and the objects he or she is transporting are not likely to jeopardise the public policy, internal security, public health or international relations of any of the Member States. Such verification shall include direct consultation of the data and alerts on persons and, where necessary, objects included in the SIS and in national data files and the action to be performed, if any, as a result of an alert;

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- (b) thorough checks on exit shall comprise:
- (i) verification that the third-country national is in possession of a document valid for crossing the border;
 - (ii) verification of the travel document for signs of falsification or counterfeiting;
 - (iii) whenever possible, verification that the third-country national is not considered to be a threat to public policy, internal security or the international relations of any of the Member States.
- (c) In addition to the checks referred to in point (b) thorough checks on exit may also comprise:
- (i) verification that the person is in possession of a valid visa, if required pursuant to Regulation (EC) No 539/2001, except where he or she holds a valid residence permit;
 - (ii) verification that the person did not exceed the maximum duration of authorised stay in the territory of the Member States;
 - (iii) consultation of alerts on persons and objects included in the SIS and reports in national data files.

4. Where facilities exist and if requested by the third-country national, such thorough checks shall be carried out in a private area.

5. Third-country nationals subject to a thorough second line check shall be given information on the purpose of, and procedure for, such a check.

This information shall be available in all the official languages of the Union and in the language(s) of the country or countries bordering the Member State concerned and shall indicate that the third-country national may request the name or service identification number of the border guards carrying out the thorough second line check, the name of the border crossing point and the date on which the border was crossed.

6. Checks on a person enjoying the Community right on free movement shall be carried out in accordance with Directive 2004/38/EC.

7. Detailed rules governing the information to be registered are laid down in Annex II.

Article 8

Relaxation of border checks

1. Border checks at external borders may be relaxed as a result of exceptional and unforeseen circumstances. Such exceptional and unforeseen circumstances shall be deemed to be those where unforeseeable events lead to traffic of such intensity that the waiting time at the border crossing point becomes excessive, and all resources have been exhausted as regards staff, facilities and organisation.

2. Where border checks are relaxed in accordance with paragraph 1, border checks on entry movements shall in principle take priority over border checks on exit movements.

The decision to relax checks shall be taken by the border guard in command at the border crossing point.

Such relaxation of checks shall be temporary, adapted to the circumstances justifying it and introduced gradually.

3. Even in the event that checks are relaxed, the border guard shall stamp the travel documents of third-country nationals both on entry and exit, in accordance with Article 10.

4. Each Member State shall transmit once a year a report on the application of this Article to the European Parliament and the Commission.

Article 9

Separate lanes and information on signs

1. Member States shall provide separate lanes, in particular at air border crossing points in order to carry out checks on persons, in accordance with Article 7. Such lanes shall be differentiated by means of the signs bearing the indications set out in the Annex III.

Member States may provide separate lanes at their sea and land border crossing points and at borders between Member States not applying Article 20 at their common borders. The signs bearing the indications set out in the Annex III shall be used if Member States provide separate lanes at those borders.

Member States shall ensure that such lanes are clearly signposted, including where the rules relating to the use of the different lanes are waived as provided for in paragraph 4, in order to ensure optimal flow levels of persons crossing the border.

2. (a) Persons enjoying the Community right of free movement are entitled to use the lanes indicated by the sign in Part A of Annex III. They may also use the lanes indicated by the sign in Part B of Annex III.

(b) All other persons shall use the lanes indicated by the sign in Part B of Annex III.

The indications on the signs referred to in points (a) and (b) may be displayed in such language or languages as each Member State considers appropriate.

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

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

4. In the event of a temporary imbalance in traffic flows at a particular border crossing point, the rules relating to the use of the different lanes may be waived by the competent authorities for the time necessary to eliminate such imbalance.

5. The adaptation of existing signs to the provisions of paragraphs 1, 2 and 3 shall be completed by 31 May 2009. Where Member States replace existing signs or put up new ones before that date, they shall comply with the indications provided for in those paragraphs.

Article 10

Stamping of the travel documents
of third-country nationals

1. The travel documents of third-country nationals shall be systematically stamped on entry and exit. In particular an entry or exit stamp shall be affixed to:

(a) the documents, bearing a valid visa, enabling third-country nationals to cross the border;

(b) the documents enabling third-country nationals to whom a visa is issued at the border by a Member State to cross the border;

(c) the documents enabling third-country nationals not subject to a visa requirement to cross the border.

2. The travel documents of nationals of third countries who are members of the family of a Union citizen to whom Directive 2004/38/EC applies, but who do not present the residence card provided for in Article 10 of that Directive, shall be stamped on entry or exit.

The travel documents of nationals of third countries who are members of the family of nationals of third countries enjoying the Community right of free movement, but who do not present the residence card provided for in Article 10 of Directive 2004/38/EC, shall be stamped on entry or exit.

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3. No entry or exit stamp shall be affixed:
 - (a) to the travel documents of Heads of State and dignitaries whose arrival has been officially announced in advance through diplomatic channels;
 - (b) to pilots' licences or the certificates of aircraft crew members;
 - (c) to the travel documents of seamen who are present within the territory of a Member State only when their ship puts in and in the area of the port of call;
 - (d) to the travel documents of crew and passengers of cruise ships who are not subject to border checks in accordance with point 3.2.3 of Annex VI;
 - (e) to documents enabling nationals of Andorra, Monaco and San Marino to cross the border.

Exceptionally, at the request of a third-country national, insertion of an entry or exit stamp may be dispensed with if insertion might cause serious difficulties for that person. In that case, entry or exit shall be recorded on a separate sheet indicating the name and passport number. That sheet shall be given to the third-country national.

4. The practical arrangements for stamping are set out in Annex IV.
5. Whenever possible, third-country nationals shall be informed of the border guard's obligation to stamp their travel document on entry and exit, even where checks are relaxed in accordance with Article 8.
6. The Commission shall report to the European Parliament and the Council by the end of 2008 on the operation of the provisions on stamping travel documents.

Article 11**Presumption as regards fulfilment of conditions of duration of stay**

1. If the travel document of a third-country national does not bear an entry stamp, the competent national authorities may presume that the holder does not fulfil, or no longer fulfils, the conditions of duration of stay applicable within the Member State concerned.
2. The presumption referred to in paragraph 1 may be rebutted where the third-country national provides, by any means, credible evidence, such as transport tickets or proof of his or her presence outside the territory of the Member States, that he or she has respected the conditions relating to the duration of a short stay.

In such a case:

- (a) where the third-country national is found on the territory of a Member State applying the Schengen "acquis" in full, the competent authorities shall indicate, in accordance with national law and practice, in his or her travel document the date on which, and the place where, he or she crossed the external border of one of the Member States applying the Schengen "acquis" in full;
- (b) where the third-country national is found on the territory of a Member State in respect of which the decision contemplated in Article 3(2) of the 2003 Act of Accession has not been taken, the competent authorities shall indicate, in accordance with national law and practice, in his or her travel document the date on which, and the place where, he or she crossed the external border of such a Member State.

In addition to the indications referred to in points (a) and (b), a form as shown in Annex VIII may be given to the third-country national.

Member States shall inform each other and the Commission and the Council General Secretariat of their national practices with regard to the indications referred to in this Article.

3. Should the presumption referred to in paragraph 1 not be rebutted, the third-country national may be expelled by the competent authorities from the territory of the Member States concerned.

Article 12

Border surveillance

1. The main purpose of border surveillance shall be to prevent unauthorised border crossings, to counter cross-border criminality and to take measures against persons who have crossed the border illegally.
2. The border guards shall use stationary or mobile units to carry out border surveillance.

That surveillance shall be carried out in such a way as to prevent and discourage persons from circumventing the checks at border crossing points.

3. Surveillance between border crossing points shall be carried out by border guards whose numbers and methods shall be adapted to existing or foreseen risks and threats. It shall involve frequent and sudden changes to surveillance periods, so that unauthorised border crossings are always at risk of being detected.
4. Surveillance shall be carried out by stationary or mobile units which perform their duties by patrolling or stationing themselves at places known or perceived to be sensitive, the aim of such surveillance being to apprehend individuals crossing the border illegally. Surveillance may also be carried out by technical means, including electronic means.
5. Additional rules governing surveillance may be adopted in accordance with the procedure referred to in Article 33(2).

Article 13

Refusal of entry

1. A third-country national who does not fulfil all the entry conditions laid down in Article 5(1) and does not belong to the categories of persons referred to in Article 5(4) shall be refused entry to the territories of the Member States. This shall be without prejudice to the application of special provisions concerning the right of asylum and to international protection or the issue of long-stay visas.
2. Entry may only be refused by a substantiated decision stating the precise reasons for the refusal. The decision shall be taken by an authority empowered by national law. It shall take effect immediately.

The substantiated decision stating the precise reasons for the refusal shall be given by means of a standard form, as set out in Annex V, Part B, filled in by the authority empowered by national law to refuse entry. The completed standard form shall be handed to the third-country national concerned, who shall acknowledge receipt of the decision to refuse entry by means of that form.

3. Persons refused entry shall have the right to appeal. Appeals shall be conducted in accordance with national law. A written indication of contact points able to provide information on representatives competent to act on behalf of the third-country national in accordance with national law shall also be given to the third-country national.

Lodging such an appeal shall not have suspensive effect on a decision to refuse entry.

Without prejudice to any compensation granted in accordance with national law, the third-country national concerned shall, where the appeal concludes that the decision to refuse entry was ill-founded, be entitled to correction of the cancelled entry stamp, and any other cancellations or additions which have been made, by the Member State which refused entry.

4. The border guards shall ensure that a third-country national refused entry does not enter the territory of the Member State concerned.

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5. Member States shall collect statistics on the number of persons refused entry, the grounds for refusal, the nationality of the persons refused and the type of border (land, air or sea) at which they were refused entry. Member States shall transmit those statistics once a year to the Commission. The Commission shall publish every two years a compilation of the statistics provided by the Member States.

6. Detailed rules governing refusal of entry are given in Part A of Annex V.

Chapter III

Staff and resources for border control
and cooperation between Member States

Article 14

Staff and resources for border control

Member States shall deploy appropriate staff and resources in sufficient numbers to carry out border control at the external borders, in accordance with Articles 6 to 13, in such a way as to ensure an efficient, high and uniform level of control at their external borders.

Article 15

Implementation of controls

1. The border control provided for by Articles 6 to 13 shall be carried out by border guards in accordance with the provisions of this Regulation and with national law.

When carrying out that border control, the powers to instigate criminal proceedings conferred on border guards by national law and falling outside the scope of this Regulation shall remain unaffected.

Member States shall ensure that the border guards are specialised and properly trained professionals. Member States shall encourage border guards to learn languages, in particular those necessary for the carrying-out of their tasks.

2. Member States shall notify to the Commission the list of national services responsible for border control under their national law in accordance with Article 34.

3. To control borders effectively, each Member State shall ensure close and constant cooperation between its national services responsible for border control.

Article 16

Cooperation between Member States

1. The Member States shall assist each other and shall maintain close and constant cooperation with a view to the effective implementation of border control, in accordance with Articles 6 to 15. They shall exchange all relevant information.

2. Operational cooperation between Member States in the field of management of external borders shall be coordinated by the European Agency for the Management of Operational Cooperation at the External Borders of the Member States (hereinafter referred to as "the Agency") established by Regulation (EC) No 2007/2004.

3. Without prejudice to the competences of the Agency, Member States may continue operational cooperation with other Member States and/or third countries at external borders, including the exchange of liaison officers, where such cooperation complements the action of the Agency.

Member States shall refrain from any activity which could jeopardise the functioning of the Agency or the attainment of its objectives.

Member States shall report to the Agency on the operational cooperation referred to in the first subparagraph.

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4. Member States shall provide for training on the rules for border control and on fundamental rights. In that regard, account shall be taken of the common training standards as established and further developed by the Agency.

Article 17

Joint control

1. Member States which do not apply Article 20 to their common land borders may, up to the date of application of that Article, jointly control those common borders, in which case a person may be stopped only once for the purpose of carrying out entry and exit checks, without prejudice to the individual responsibility of Member States arising from Articles 6 to 13.

To that end, Member States may conclude bilateral arrangements between themselves.

2. Member States shall inform the Commission of any arrangements concluded in accordance with paragraph 1.

Chapter IV

Specific rules for border checks

Article 18

Specific rules for the various types of border and the various means of transport used for crossing the external borders

The specific rules set out in Annex VI shall apply to the checks carried out at the various types of border and on the various means of transport used for crossing border crossing points.

Those specific rules may contain derogations from Articles 5 and 7 to 13.

Article 19

Specific rules for checks on certain categories of persons

1. The specific rules set out in Annex VII shall apply to checks on the following categories of persons:

- (a) Heads of State and the members of their delegation(s);
- (b) pilots of aircraft and other crew members;
- (c) seamen;
- (d) holders of diplomatic, official or service passports and members of international organisations;
- (e) cross-border workers;
- (f) minors.

Those specific rules may contain derogations from Articles 5 and 7 to 13.

2. Member States shall notify to the Commission the model cards issued by their Ministries of Foreign Affairs to accredited members of diplomatic missions and consular representations and members of their families in accordance with Article 34.

Il-Hamis, 23 ta' Ġunju 2005

TITLE III

INTERNAL BORDERS

Chapter I

Abolition of border control at internal borders

Article 20

Crossing internal borders

Internal borders may be crossed at any point without a border check on persons, irrespective of their nationality, being carried out.

Article 21

Checks within the territory

The abolition of border control at internal borders shall not affect:

- (a) the exercise of police powers by the competent authorities of the Member States under national law, insofar as the exercise of those powers does not have an effect equivalent to border checks; that shall also apply in border areas. Within the meaning of the first sentence, the exercise of police powers may not, in particular, be considered equivalent to the exercise of border checks when the police measures:
 - (i) do not have border control as an objective,
 - (ii) are based on general police information and experience regarding possible threats to public security and aim, in particular, to combat cross-border crime,
 - (iii) are devised and executed in a manner clearly distinct from systematic checks on persons at the external borders,
 - (iv) are carried out on the basis of spot-checks;
- (b) security checks on persons carried out at ports and airports by the competent authorities under the law of each Member State, by port or airport officials or carriers, provided that such checks are also carried out on persons travelling within a Member State;
- (c) the possibility for a Member State to provide by law for an obligation to hold or carry papers and documents;
- (d) the obligation on third-country nationals to report their presence on the territory of any Member State pursuant to the provisions of Article 22 of the Schengen Convention.

Article 22

Removal of obstacles to traffic
at road crossing-points at internal borders

Member States shall remove all obstacles to fluid traffic flow at road crossing-points at internal borders, in particular any speed limits not exclusively based on road-safety considerations.

At the same time, Member States shall be prepared to provide for facilities for checks in the event that internal border controls are reintroduced.

Chapter II

Temporary reintroduction of border control at internal borders

Article 23

Temporary reintroduction of border control at internal borders

1. Where there is a serious threat to public policy or internal security, a Member State may exceptionally reintroduce border control at its internal borders for a limited period of no more than 30 days or for the foreseeable duration of the serious threat if its duration exceeds the period of 30 days, in accordance with the procedure laid down in Article 24 or, in urgent cases, with that laid down in Article 25. The scope and duration of the temporary reintroduction of border control at internal borders shall not exceed what is strictly necessary to respond to the serious threat.

2. If the serious threat to public policy or internal security persists beyond the period provided for in paragraph 1, the Member State may prolong border control on the same grounds as those referred to in paragraph 1 and, taking into account any new elements, for renewable periods of up to 30 days, in accordance with the procedure laid down in Article 26.

Article 24

Procedure for foreseeable events

1. Where a Member State is planning to reintroduce border control at internal borders under Article 23 (1), it shall as soon as possible notify the other Member States and the Commission accordingly, and shall supply the following information as soon as available:

- (a) the reasons for the proposed reintroduction, detailing the events that constitute a serious threat to public policy or internal security;
- (b) the scope of the proposed reintroduction, specifying where border control is to be reintroduced;
- (c) the names of the authorised crossing-points;
- (d) the date and duration of the proposed reintroduction;
- (e) where appropriate, the measures to be taken by the other Member States.

2. Following the notification from the Member State concerned, and with a view to the consultation provided for in paragraph 3, the Commission may issue an opinion without prejudice to Article 64(1) of the Treaty.

3. The information referred to in paragraph 1, as well as the opinion that the Commission may provide in accordance with paragraph 2, shall be the subject of consultations between the Member State planning to reintroduce border control, the other Member States and the Commission, with a view to organising, where appropriate, mutual cooperation between the Member States and to examining the proportionality of the measures to the events giving rise to the reintroduction of border control and the threats to public policy or internal security.

4. The consultation referred to in paragraph 3 shall take place at least fifteen days before the date planned for the reintroduction of border control.

Article 25

Procedure for cases requiring urgent action

1. Where considerations of public policy or internal security in a Member State demand urgent action to be taken, the Member State concerned may exceptionally and immediately reintroduce border control at internal borders.

2. The Member State reintroducing border control at internal borders shall notify the other Member States and the Commission accordingly, without delay, and shall supply the information referred to in Article 24(1) and the reasons that justify the use of this procedure.

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Article 26

Procedure for prolonging border control at internal borders

1. Member States may only prolong border control at internal borders under the provisions of Article 23 (2) after having notified the other Member States and the Commission.
2. The Member State planning to prolong border control shall supply the other Member States and the Commission with all relevant information on the reasons for prolonging the border control at internal borders. The provisions of Article 24(2) shall apply.

Article 27

Informing the European Parliament

The Member State concerned or, where appropriate, the Council shall inform the European Parliament as soon as possible of the measures taken under Articles 24, 25 and 26. As of the third consecutive prolongation pursuant to Article 26, the Member State concerned shall, if requested, report to the European Parliament on the need for border control at internal borders.

Article 28

Provisions to be applied where border control is reintroduced at internal borders

Where border control at internal borders is reintroduced, the relevant provisions of Title II shall apply "mutatis mutandis".

Article 29

Report on the reintroduction of border control at internal borders

The Member State which has reintroduced border control at internal borders under Article 23 shall confirm the date on which that control is lifted and, at the same time or soon afterwards, present a report to the European Parliament, the Council and the Commission on the reintroduction of border control at internal borders, outlining, in particular, the operation of the checks and the effectiveness of the reintroduction of border control.

Article 30

Informing the public

The decision to reintroduce border control at internal borders shall be taken in a transparent manner and the public informed in full thereof, unless there are overriding security reasons for not doing so.

Article 31

Confidentiality

At the request of the Member State concerned, the other Member States, the European Parliament and the Commission shall respect the confidentiality of information supplied in connection with the reintroduction and prolongation of border control and the report drawn up under Article 29.

TITLE IV

FINAL PROVISIONS

Article 32

Amendments to the Annexes

Annexes III, IV and VIII shall be amended in accordance with the procedure referred to in Article 33(2).

Article 33

Committee

1. The Commission shall be assisted by a committee, hereinafter "the Committee".
2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof and provided that the implementing measures adopted in accordance with this procedure do not modify the essential provisions of this Regulation.

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

3. The Committee shall adopt its rules of procedure.
4. Without prejudice to the implementing measures already adopted, the application of the provisions of this Regulation concerning the adoption of technical rules and decisions in accordance with the procedure referred in paragraph 2 shall be suspended four years after the entry into force of this Regulation. On a proposal from the Commission, the European Parliament and the Council may renew the provisions concerned in accordance with the procedure laid down in Article 251 of the Treaty and, to that end, shall review them prior to the expiry of the four-year period.

Article 34

Notifications

1. Member States shall notify the Commission of:
 - the list of residence permits,
 - the list of their border crossing points,
 - the reference amounts required for the crossing of their external borders fixed annually by the national authorities,
 - the list of national services responsible for border control,
 - the specimen of model cards issued by Foreign Ministries.
2. The Commission shall make the information notified in conformity with paragraph 1 available to the Member States and the public through publication in the Official Journal of the European Union, C Series, and by any other appropriate means.

Article 35

Local border traffic

This Regulation shall be without prejudice to Community rules on local border traffic and to existing bilateral agreements on local border traffic.

Article 36

Ceuta and Melilla

The provisions of this Regulation shall not affect the special rules applying to the cities of Ceuta and Melilla, as defined in the Declaration by the Kingdom of Spain on the cities of Ceuta and Melilla in the Final Act to the Agreement on the Accession of the Kingdom of Spain to the Convention implementing the Schengen Agreement of 14 June 1985⁽¹⁾.

⁽¹⁾ OJ L 239, 22.9.2000, p. 73.

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Article 37

Notification of information by the Member States

By ... ^(*), the Member States shall notify the Commission of national provisions relating to Article 21(c) and (d), the penalties as referred to in Article 4(3) and the bilateral arrangements concluded in accordance with Article 17(1). Subsequent changes to those provisions shall be notified within five working days.

The information notified by the Member States shall be published in the Official Journal of the European Union, C Series.

Article 38

Report on the application of Title III

The Commission shall submit to the European Parliament and the Council by ... ^(**) a report on the application of Title III.

The Commission shall pay particular attention to any difficulties arising from the reintroduction of border control at internal borders. Where appropriate, it shall present proposals aimed at resolving such difficulties.

Article 39

Repeals

1. Articles 2 to 8 of the Convention implementing the Schengen Agreement of 14 June 1985 shall be repealed with effect from ... ^(***).

2. The following shall be repealed with effect from the date referred to in paragraph 1:

- (a) the Common Manual, including its annexes;
- (b) the decisions of the Schengen Executive Committee of 26 April 1994 (SCH/Com-ex (94) 1, rev. 2), 22 December 1994 (SCH/Com-ex (94)17, rev. 4) and 20 December 1995 (SCH/Com-ex (95) 20, rev. 2);
- (c) Annex 7 to the Common Consular Instructions;
- (d) Council Regulation (EC) No 790/2001 of 24 April 2001 reserving to the Council implementing powers with regard to certain detailed provisions and practical procedures for carrying out border checks and surveillance ⁽¹⁾;
- (e) Council Decision 2004/581/EC of 29 April 2004 determining the minimum indications to be used on signs at external border crossing points ⁽²⁾;
- (f) Council Decision 2004/574/EC of 29 April 2004 amending the Common Manual ⁽³⁾;
- (g) Council Regulation (EC) No 2133/2004 of 13 December 2004 on the requirement for the competent authorities of the Member States to stamp systematically the travel documents of third country nationals when they cross the external borders of the Member States and amending the provisions of the Convention implementing the Schengen agreement and the Common Manual to this end ⁽⁴⁾.

3. References to the Articles deleted and instruments repealed shall be construed as references to this Regulation.

^(*) Ten working days from the entry into force of this Regulation.

^(**) Three years from the entry into force of this Regulation.

^(***) Date of entry into force of this Regulation.

⁽¹⁾ OJ L 116, 26.4.2001, p. 5. Regulation amended by Decision 2004/927/EC (OJ L 396, 31.12.2004, p. 45).

⁽²⁾ OJ L 261, 6.8.2004, p. 119.

⁽³⁾ OJ L 261, 6.8.2004, p. 36.

⁽⁴⁾ OJ L 369, 16.12.2004, p. 5.

Article 40

Entry into force

This Regulation shall enter into force on ... (*). However, Article 34 shall enter into force on the day after its publication in the Official Journal of the European Union.

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaty establishing the European Community.

Done at ..., on ...

For the European Parliament
The President

For the Council
The President

(*) Six months after its publication in the Official Journal of the European Union.

ANNEX I

SUPPORTING DOCUMENTS TO VERIFY THE FULFILMENT OF ENTRY CONDITIONS

The documentary evidence referred to in Article 5(2) may include the following:

- (a) for business trips:
 - (i) an invitation from a firm or an authority to attend meetings, conferences or events connected with trade, industry or work;
 - (ii) other documents which show the existence of trade relations or relations for work purposes;
 - (iii) entry tickets for fairs and congresses if attending one;
- (b) for journeys undertaken for the purposes of study or other types of training:
 - (i) a certificate of enrolment at a teaching institute for the purposes of attending vocational or theoretical courses in the framework of basic and further training;
 - (ii) student cards or certificates for the courses attended;
- (c) for journeys undertaken for the purposes of tourism or for private reasons:
 - (i) supporting documents as regards lodging:
 - an invitation from the host if staying with one;
 - a supporting document from the establishment providing lodging or
 - any other appropriate document indicating the accommodation envisaged;
 - (ii) supporting documents as regards the itinerary:
confirmation of the booking of an organised trip or any other appropriate document indicating the envisaged travel plans;
 - (iii) supporting documents as regards return:
a return or round-trip ticket.
- (d) for journeys undertaken for political, scientific, cultural, sports or religious events or other reasons:
invitations, entry tickets, enrolments or programmes stating wherever possible the name of the host organisation and the length of stay or any other appropriate document indicating the purpose of the visit.

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ANNEX II

REGISTRATION OF INFORMATION

At all border crossing points, all service information and any other particularly important information shall be registered manually or electronically. The information to be registered shall include in particular:

- (a) the names of the border guard responsible locally for border checks and of the other officers in each team;
- (b) relaxation of checks on persons applied in accordance with Article 8;
- (c) the issuing, at the border, of documents in place of passports and of visas;
- (d) persons apprehended and complaints (criminal offences and administrative breaches);
- (e) persons refused entry in accordance with Article 13 (grounds for refusal and nationalities);
- (f) the security codes of entry and exit stamps, the identity of border guards to whom a given stamp is assigned at any given time or shift and the information relating to lost and stolen stamps;
- (g) complaints from persons subject to checks;
- (h) other particularly important police or judicial measures;
- (i) particular occurrences.

ANNEX III

MODEL SIGNS INDICATING LANES AT
BORDER CROSSING POINTS

Part A



(¹)

Part B



(¹) No logo is required for Norway and Iceland.

Part C

⁽¹⁾⁽¹⁾⁽¹⁾

⁽¹⁾ No logo is required for Norway and Iceland.

ANNEX IV

AFFIXING STAMPS

1. The travel documents of third-country nationals shall be systematically stamped on entry and exit, in accordance with Article 10. The specifications of those stamps are laid down in the Schengen Executive Committee Decision SCH/Com-ex (94) 16 rev. and SCH/Gem-Handb (93) 15 (CONFIDENTIAL).
2. The security codes on the stamps shall be changed at regular intervals not exceeding one month.
3. On the entry and exit of third-country nationals subject to the visa obligation, the stamp will, if possible, be affixed so that it covers the edge of the visa without affecting the legibility of the indications on the visa or the security features of the visa sticker. If several stamps must be affixed (for example in the case of a multiple-entry visa, this shall be done on the page facing the one on which the visa is affixed.

If that page cannot be used, the stamp shall be entered on the following page. The machine readable zone shall not be stamped.

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4. Member States shall designate national contact points responsible for exchanging information on the security codes of the entry and exit stamps used at border crossing points and shall inform the other Member States, the General Secretariat of the Council and the Commission thereof. Those contact points shall have access without delay to information regarding common entry and exit stamps used at the external border of the Member State concerned, and in particular to information on the following:

- (a) the border crossing point to which a given stamp is assigned;
- (b) the identity of the border guard to whom a given stamp is assigned at any given time;
- (c) the security code of a given stamp at any given time.

Any inquiries regarding common entry and exit stamps shall be made through the abovementioned national contact points.

The national contact points shall also forward immediately to the other contact points, the General Secretariat of the Council and the Commission information regarding a change in the contact points as well as lost and stolen stamps.

ANNEX V

Part A

Procedures for refusing entry at the border

1. When refusing entry, the competent border guard shall:
 - (a) fill in the standard form for refusing entry, as shown in Part B. The third-country national concerned shall sign the form and shall be given a copy of the signed form. Where the third-country national refuses to sign, the border guard shall indicate this refusal in the form under the section "comments";
 - (b) affix an entry stamp on the passport, cancelled by a cross in indelible black ink, and write opposite it on the right-hand side, also in indelible ink, the letter(s) corresponding to the reason(s) for refusing entry, the list of which is given on the abovementioned standard form for refusing entry;
 - (c) cancel the visa by applying a stamp stating "CANCELLED" in the cases referred to in paragraph 2. In such a case the optically variable feature of the visa sticker, the security feature "latent image effect" as well as the term "visa" shall be destroyed by crossing it out so as to prevent any later misuse. The border guard shall inform his/her central authorities of this decision forthwith;
 - (d) record every refusal of entry in a register or on a list stating the identity and nationality of the third-country national concerned, the references of the document authorising the third-country national to cross the border and the reason for, and date of, refusal of entry;
2. The visa shall be cancelled in the following cases:
 - (a) if the holder of the visa is the subject of an alert in the SIS for the purposes of being refused entry unless he or she holds a visa or re-entry visa issued by one of the Member States and wishes to enter for transit purposes in order to reach the territory of the Member State which issued the document;
 - (b) if there are serious grounds to believe that the visa was obtained in a fraudulent way.

However, the failure of the third-country national to produce, at the border, one or more of the supporting documents referred to in Article 5(2), shall not automatically lead to a decision to cancel the visa.

3. If a third-country national who has been refused entry is brought to the border by a carrier, the authority responsible locally shall:


- (a) order the carrier to take charge of the third-country national and transport him or her without delay to the third country from which he or she was brought, to the third country which issued the document authorising him or her to cross the border, or to any other third country where he or she is guaranteed admittance, or to find means of onward transportation in accordance with Article 26 of the Schengen Convention and Council Directive 2001/51/EC of 28 June 2001 supplementing the provisions of Article 26 of the Convention implementing the Schengen Agreement of 14 June 1985⁽¹⁾;
- (b) pending onward transportation, take appropriate measures, in compliance with national law and having regard to local circumstances, to prevent third-country nationals who have been refused entry from entering illegally.

4. If there are grounds both for refusing entry to a third-country national and arresting him or her, the border guard shall contact the authorities responsible to decide on the action to be taken in accordance with national law.

⁽¹⁾ OJ L 187, 10.7.2001, p. 45.

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Part B
Standard form for refusal of entry at the border

Name of State LOGO OF STATE	(Name of Office)	
..... (1)		
REFUSAL OF ENTRY AT THE BORDER		
On at (time) at the border crossing point		
We, the undersigned, have before us:		
Surname First name		
Date of birth Place of birth Sex:		
Nationality Resident in		
Type of identity document number		
Issued in on		
Visa number type issued by		
valid from until for a period of days on the following grounds:		
.....		
Coming from by means of (indicate means of transport used, e.g. flight number), he/she is hereby informed that he/she is refused entry into the country pursuant to (indicate references to the national law in force), for the following reasons:		
<input type="checkbox"/> (A) has no valid travel document(s)		
<input type="checkbox"/> (B) has a false/counterfeit/forged travel document		
<input type="checkbox"/> (C) has no valid visa or residence permit		
<input type="checkbox"/> (D) has a false/counterfeit/forged visa or residence permit		
<input type="checkbox"/> (E) has no appropriate documentation justifying the purpose and conditions of stay. The following document(s) could not be provided:		
<input type="checkbox"/> (F) has already stayed for three months during a six-month period on the territory of the Member States of the European Union		
<input type="checkbox"/> (G) does not have sufficient means of subsistence in relation to the period and form of stay, or the means to return to the country of origin or		
<input type="checkbox"/> (H) is a person for whom an alert has been issued for the purposes of refusing entry		
<input type="checkbox"/> in the SIS <input type="checkbox"/> in the national register		
<input type="checkbox"/> (I) is considered to be a threat to public policy, internal security, public health or the international relations of one or more of the Member States of the European Union (each State must indicate the references to national law relating to such cases of refusal of entry).		
Comments		
The person concerned may appeal against the decision to refuse entry as provided for in national law. The person concerned receives a copy of this document (each State must indicate the references to the national law and procedure relating to the right of appeal).		
Person concerned Officer responsible for checks		

(1) No logo is required for Norway and Iceland.

ANNEX VI

SPECIFIC RULES FOR THE VARIOUS TYPES OF BORDER
AND THE VARIOUS MEANS OF TRANSPORT USED
FOR CROSSING THE MEMBER STATES' EXTERNAL BORDERS

1. Land borders

1.1. Checks on road traffic

1.1.1. To ensure effective checks on persons, while ensuring the safety and smooth flow of road traffic, movements at border crossing points shall be regulated in an appropriate manner. Where necessary, Member States may conclude bilateral agreements to channel and block traffic. They shall inform the Commission thereof pursuant to Article 37.

1.1.2. At land borders, Member States may, where they deem appropriate and if circumstances allow, install or operate separate lanes at certain border crossing points, in accordance with Article 9.

Separate lanes may be dispensed with at any time by the Member States' competent authorities, in exceptional circumstances and where traffic and infrastructure conditions so require.

Member States may cooperate with neighbouring countries with a view to the installation of separate lanes at external border crossing points.

1.1.3. As a general rule, persons travelling in vehicles may remain inside them during checks. However, if circumstances so require, persons may be requested to alight from their vehicles. Thorough checks will be carried out, if local circumstances allow, in areas designated for that purpose. In the interests of staff safety, checks will be carried out, where possible, by two border guards.

1.2. Checks on rail traffic

1.2.1. Checks shall be carried out both on train passengers and on railway staff on trains crossing external borders, including those on goods trains or empty trains. Those checks shall be carried out in either one of the following two ways:

- on the platform, in the first station of arrival or departure on the territory of a Member State,
- on board the train, during transit.

Member States may conclude bilateral agreements on how to conduct those checks. They shall inform the Commission thereof pursuant to Article 37.

1.2.2. By way of derogation from point 1.2.1 and in order to facilitate rail traffic flows of high-speed passenger trains, the Member States on the itinerary of these trains from third countries may also decide, by common agreement with third countries concerned, to carry out entry checks on persons in trains from third countries in either one of the following ways:

- in the stations in a third country where persons board the train,
- in the stations where persons disembark within the territory of the Member States,
- on board the train during transit between the stations on the territory of the Member States, provided that the persons stay on board the train in the previous station/stations.

1.2.3. With respect to high-speed trains from third countries making several stops in the territory of the Member States, if the rail transport carrier is in a position to board passengers exclusively for the remaining part of the journey within the territory of the Member States, such passengers shall be subject to entry checks either on the train or at the station of destination except where checks have been carried out pursuant to points 1.2.1 or 1.2.2 first indent.

Persons who wish to take the train exclusively for the remaining part of the journey within the territory of the Member States shall receive clear notification prior to the train's departure that they will be subject to entry checks during the journey or at the station of destination.

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1.2.4. When travelling in the opposite direction, the persons on board the train shall be subject to exit checks under similar arrangements.

1.2.5. The border guard may order the cavities of carriages to be inspected if necessary with the assistance of the train inspector, to ensure that persons or objects subject to border checks are not concealed in them.

1.2.6. Where there are reasons to believe that persons who have been reported or are suspected of having committed an offence, or third-country nationals intending to enter illegally, are hiding on a train, the border guard, if he or she cannot act in accordance with his national provisions, shall notify the Member States towards or within whose territory the train is moving.

2. Air borders

2.1. Procedures for checks at international airports

2.1.1. The competent authorities of the Member States shall ensure that the airport operator takes the requisite measures to physically separate the flows of passengers on internal flights from the flows of passengers on other flights. Appropriate infrastructures shall be set in place at all international airports to that end.

2.1.2. The place where border checks are carried out shall be determined in accordance with the following procedure:

- (a) passengers on a flight from a third country who board an internal flight shall be subject to an entry check at the airport of arrival of the flight from a third country. Passengers on an internal flight who board a flight for a third country (transfer passengers) shall be subject to an exit check at the airport of departure of the latter flight,
- (b) for flights from or to third countries with no transfer passengers and flights making more than one stop-over at the airports of the Member States where there is no change of aircraft:
 - (i) passengers on flights from or to third countries where there is no prior or subsequent transfer within the territory of the Member States shall be subject to an entry check at the airport of entry and an exit check at the airport of exit;
 - (ii) passengers on flights from or to third countries with more than one stop-over on the territory of the Member States where there is no change of aircraft (transit passengers), and provided that passengers cannot board the aircraft for the leg situated within the territory of the Member States, shall be subject to an entry check at the airport of arrival and an exit check at the airport of departure;
 - (iii) where an airline may, for flights from third countries with more than one stop-over within the territory of the Member States, board passengers only for the remaining leg within that territory, passengers shall be subject to an exit check at the airport of departure and an entry check at the airport of arrival.

Checks on passengers who, during those stop-overs, are already on board the aircraft and have not boarded in the territory of the Member States shall be carried out in accordance with point (b)(ii). The reverse procedure shall apply to that category of flights where the country of destination is a third country.

2.1.3. Border checks will normally not be carried out on the aircraft or at the gate, unless it is justified on the basis of an assessment of the risks related to internal security and illegal immigration. In order to ensure that, at the airports designated as border crossing points, persons are checked in accordance with the rules set out in Articles 6 to 13, Member States shall ensure that the airport authorities take the requisite measures to channel passenger traffic to facilities reserved for checks.

Member States shall ensure that the airport operator takes the necessary measures to prevent unauthorised persons entering and leaving the reserved areas, for example the transit area. Checks will normally not be carried out in the transit area, unless it is justified on the basis of an assessment of the risks related to internal security and illegal immigration; in particular checks in this area may be carried out on persons subject to an airport transit visa in order to check that they are in possession of such a visa.

2.1.4. Where, in cases of force majeure or imminent danger or on the instructions of the authorities, an aircraft on a flight from a third country has to land on a landing ground which is not a border crossing point, that aircraft may continue its flight only after authorisation from the border guards and from customs. The same shall apply where an aircraft on a flight from a third country lands without permission. In any event, Articles 6 to 13 shall apply to checks on persons on those aircraft.

2.2. Procedures for checks in aerodromes

2.2.1. It shall be ensured that persons are also checked, in accordance with Articles 6 to 13, in airports which do not hold the status of international airport under the relevant national law ("aerodromes") but through which the routing of flights from or to third countries is authorised.

2.2.2. By way of derogation from point 2.1.1 it shall not be necessary to make appropriate arrangements in aerodromes to ensure that inflows of passengers from internal and other flights are physically separated, without prejudice to Regulation (EC) No 2320/2002 of the European Parliament and of the Council of 16 December 2002 establishing common rules in the field of civil aviation security⁽¹⁾. In addition, when the volume of traffic is low, the border guards need not be present at all times, provided that there is a guarantee that the necessary personnel can be deployed in good time.

2.2.3. When the presence of the border guards is not assured at all times in the aerodrome, the manager of the aerodrome shall give adequate notice to the border guards about the arrival and the departure of aircrafts on flights from or to third countries.

2.3. Checks on persons on private flights

2.3.1. In the case of private flights from or to third countries the captain shall transmit to the border guards of the Member State of destination and, where appropriate, of the Member State of first entry, prior to take-off, a general declaration comprising inter alia a flight plan in accordance with Annex 2 to the Convention on International Civil Aviation and information concerning the passengers' identity.

2.3.2. Where private flights coming from a third country and bound for a Member State make stop-overs in the territory of other Member States, the competent authorities of the Member State of entry shall carry out border checks and affix an entry stamp to the general declaration referred to in point 2.3.1.

2.3.3. Where uncertainty exists whether a flight is exclusively coming from, or solely bound for, the territories of the Member States without stop-over on the territory of a third country, the competent authorities shall carry out checks on persons in airports and aerodromes in accordance with points 2.1 to 2.2.

2.3.4. The arrangements for the entry and exit of gliders, micro-light aircraft, helicopters, small-scale aircraft capable of flying short distances only and airships shall be laid down by national law and, where applicable, by bilateral agreements.

3. Sea borders

3.1. General checking procedures on maritime traffic

3.1.1. Checks on ships shall be carried out at the port of arrival or departure, on board ship or in an area set aside for the purpose, located in the immediate vicinity of the vessel. However, in accordance with the agreements reached on the matter, checks may also be carried out during crossings or, upon the ship's arrival or departure, in the territory of a third country.

The purpose of checks is to ensure that both crew and passengers fulfil the conditions laid down in Article 5, without prejudice to Article 19(1)(c).

⁽¹⁾ OJ L 355, 30.12.2002, p. 1. Regulation as amended by Regulation (EC) No 849/2004 (OJ L 158, 30.4.2004, p. 1).

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3.1.2. The ship's captain or, failing that, the individual or corporation who represents the shipowner in all matters relating to the shipowner's duties in fitting out the vessel ("shipowner's agent"), shall draw up a list, in duplicate, of the crew and of any passengers. At the latest upon arriving in the port he or she shall give the list(s) to the border guards. If, for reasons of force majeure, the list or lists cannot be sent to the border guards, a copy will be sent to the appropriate border post or shipping authority, which shall forward it without delay to the border guards.

3.1.3. One copy of the two lists duly signed by the border guard shall be returned to the ship's captain, who shall produce it on request when in port.

3.1.4. The ship's captain, or failing that, the shipowner's agent shall report to the competent authority promptly any changes to the composition of the crew or the number of passengers.

In addition, the captain shall notify the competent authorities promptly, and if possible even before the ship enters port, of the presence on board of stowaways. Stowaways will, however, remain under the responsibility of the ship's captain.

3.1.5. The ship's captain shall notify the border guards of the ship's departure in due time and in accordance with the rules in force in the port concerned; if he or she is unable to notify them, he or she shall advise the appropriate shipping authority. The second copy of the previously completed and signed list(s) shall be returned to border guards or shipping authorities.

3.2. Specific check procedures for certain types of shipping

Cruise ships

3.2.1. The cruise ship's captain or, failing that, the shipowner's agent shall transmit to the respective border guards the itinerary and the programme of the cruise, at least 24 hours before leaving the port of departure and before the arrival at each port in the territory of the Member States.

3.2.2. If the itinerary of a cruise ship comprises exclusively ports situated in the territory of the Member States, by way of derogation from Articles 4 and 7, no border checks shall be carried out and the cruise ship may dock at ports which are not border crossing points.

Nevertheless, on the basis of an assessment of the risks related to internal security and illegal immigration, checks may be carried out on the crew and passengers of those ships.

3.2.3. If the itinerary of a cruise ship comprises both ports situated in the territory of the Member States and ports situated in third countries, by way of derogation from Article 7, border checks shall be carried out as follows:

- (a) where the cruise ship comes from a port situated in a third country and calls for the first time at a port situated in the territory of a Member State, crew and passengers shall be subject to entry checks on the basis of the nominal lists of crew and passengers, as referred to in point 3.2.4.

Passengers going ashore shall be subject to entry checks in accordance with Article 7 unless an assessment of the risks related to internal security and illegal immigration shows that there is no need to carry out such checks;

- (b) where the cruise ship comes from a port situated in a third country and calls again at a port situated in the territory of a Member State, crew and passengers shall be subject to entry checks on the basis of the nominal lists of crew and passengers as referred to in point 3.2.4 to the extent that those lists have been modified since the cruise ship called at the previous port situated in the territory of a Member State.

Passengers going ashore shall be subject to entry checks in accordance with Article 7 unless an assessment of the risks related to internal security and illegal immigration shows that there is no need to carry out such checks.

- (c) where the cruise ship comes from a port situated in a Member State and calls at such a port, passengers going ashore shall be subject to entry checks in accordance with Article 7 if an assessment of the risks related to internal security and illegal immigration so requires.

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- (d) where a cruise ship departs from a port situated in a Member State to a port in a third country, crew and passengers shall be subject to exit checks on the basis of the nominal lists of crew and passengers;
If an assessment of the risks related to internal security and illegal immigration so requires, passengers going on board shall be subject to exit checks in accordance with Article 7;
- (e) where a cruise ship departs from a port situated in a Member State to such a port, no exit checks shall be carried out;
Nevertheless, on the basis of an assessment of the risks related to internal security and illegal immigration, checks may be carried out on the crew and passengers of those ships.

3.2.4. The nominal lists of crew and passengers shall include:

- (a) name and surname
- (b) date of birth
- (c) nationality
- (d) number and type of travel document and, where applicable, visa number.

The cruise ship's captain or, failing that, the shipowner's agent shall transmit to the respective border guards the nominal lists at least 24 hours before the arrival at each port in the territory of the Member States or, where the journey to this port lasts less than 24 hours, immediately after the boarding is completed in the previous port.

The nominal list shall be stamped at the first port of entry into the territory of the Member States and in all cases thereafter if the list is modified. The nominal list shall be taken into account in the assessment of the risks as referred to in point 3.2.3.

Pleasure boating

3.2.5. By way of derogation from Articles 4 and 7, persons on board a pleasure boat coming from or departing to a port situated in a Member State shall not be subject to border checks and may enter a port which is not a border crossing point.

However, according to the assessment of the risks of illegal immigration, and in particular where the coastline of a third country is located in the immediate vicinity of the territory of the Member State concerned, checks on those persons and/or a physical search of the pleasure boat shall be carried out.

3.2.6. By way of derogation from Article 4, a pleasure boat coming from a third country may, exceptionally, enter a port which is not a border crossing point. In that case, the persons on board shall notify the port authorities in order to be authorised to enter that port. The port authorities shall contact the authorities in the nearest port designated as a border crossing point in order to report the vessel's arrival. The declaration regarding passengers shall be made by lodging the list of persons on board with the port authorities. That list shall be made available to the border guards, at the latest upon arrival.

Likewise, if for reasons of force majeure the pleasure boat coming from a third country has to dock in a port other than a border crossing point, the port authorities shall contact the authorities in the nearest port designated as a border crossing point in order to report the vessel's presence.

3.2.7. During those checks, a document containing all the technical characteristics of the vessel and the names of the persons on board shall be handed in. A copy of that document shall be given to the authorities in the ports of entry and departure. As long as the vessel remains in the territorial waters of one of the Member States, a copy of that document shall be included amongst the ship's papers.

Coastal fishing

3.2.8. By way of derogation from Articles 4 and 7, the crews of coastal fisheries vessels which return every day or within 36 hours to the port of registration or to any other port situated in the territory of the Member States without docking in a port situated in the territory of a third country shall not be systematically checked. Nevertheless, the assessment of the risks of illegal immigration, in particular where the coastline of a third country is located in the immediate vicinity of the territory of the Member State concerned, shall be taken into account in order to determine the frequency of the checks to be carried out. According to those risks, checks on persons and/or a physical search of the vessel shall be carried out.

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3.2.9. The crews of coastal fisheries vessels not registered in a port situated in the territory of a Member State shall be checked in accordance with the provisions relating to seamen.

The ship's captain shall notify the competent authorities of any alteration to the crew list and of the presence of any passengers.

Ferry connections

3.2.10. Checks shall be carried out on persons on board ferry connections with ports situated in third countries. The following rules shall apply:

- (a) where possible, Member States shall provide separate lanes, in accordance with Article 9;
- (b) checks on foot passengers shall be carried out individually;
- (c) checks on vehicle occupants shall be carried out while they are at the vehicle;
- (d) ferry passengers travelling by coach shall be considered as foot passengers. Those passengers shall alight from the coach for the checks;
- (e) checks on drivers of heavy goods vehicles and any accompanying persons shall be conducted while the occupants are at the vehicle. Those checks will in principle be organised separately from checks on the other passengers;
- (f) to ensure that checks are carried out quickly, there shall be an adequate number of gates;
- (g) so as to detect illegal immigrants in particular, random searches shall be made on the means of transport used by the passengers, and where applicable on the loads and other goods stowed in the means of transport;
- (h) ferry crew members shall be dealt with in the same way as commercial ship crew members.

4. Inland waterways shipping

4.1. "Inland waterways shipping involving the crossing of an external border" covers the use, for business or pleasure purposes, of all types of boat and floating vessels on rivers, canals and lakes.

4.2. As regards boats used for business purposes, the captain and the persons employed on board who appear on the crew list and members of the families of those persons who live on board shall be regarded as crew members or equivalent.

4.3. The relevant provisions of points 3.1 to 3.2 shall apply "mutatis mutandis" to checks on inland waterways shipping.

ANNEX VII**SPECIAL RULES FOR CERTAIN CATEGORIES OF PERSONS****1. Heads of State**

By way of derogation from Article 5 and Articles 7 to 13, Heads of State and the members of their delegation, whose arrival and departure have been officially announced through diplomatic channels to the border guards, may not be subject to border checks.

2. Pilots of aircraft and other crew members

2.1. By way of derogation from Article 5 the holders of a pilot's licence or a crew member certificate as provided for in Annex 9 to the Civil Aviation Convention of 7 December 1944 may, in the course of their duties and on the basis of those documents:

- (a) embark and disembark in the stop-over airport or the airport of arrival situated in the territory of a Member State;
- (b) enter the territory of the municipality of the stop-over airport or the airport of arrival situated in the territory of a Member State;
- (c) go, by any means of transport, to an airport situated in the territory of a Member State in order to embark on an aircraft departing from that same airport.

In all other cases, the requirements provided for by Article 5(1) shall be fulfilled.

2.2. Articles 6 to 13 shall apply to checks on aircraft crew members. Wherever possible, priority will be given to checks on aircraft crews. Specifically, they will be checked either before passengers or at special locations set aside for the purpose. By way of derogation from Article 7, crews known to staff responsible for border controls in the performance of their duties may be subject to random checks only.

3. Seamen

3.1. By way of derogation from Articles 4 and 7, Member States may authorise seamen holding a seafarer's identity document issued in accordance with the Geneva Convention of 19 June 2003 (No 185), the London Convention of 9 April 1965 and the relevant national law, to enter into the territory of the Member States by going ashore to stay in the area of the port where their ships call or in the adjacent municipalities without presenting themselves at a border crossing point, on condition that they appear on the crew list, which has previously been submitted for checking by the competent authorities, of the ship to which they belong.

However, according to the assessment of the risks of internal security and illegal immigration, seamen shall be subject to a check in accordance with Article 7 by the border guards before they go ashore.

If a seaman constitutes a threat to public policy, internal security or public health, he may be refused permission to go ashore.

3.2. Seamen who intend to stay outside the municipalities situated in the vicinity of ports shall comply with the conditions for entry to the territory of the Member States, as laid down in Article 5(1).

4. Holders of diplomatic, official or service passports and members of international organisations

4.1. In view of the special privileges or immunities they enjoy, the holders of diplomatic, official or service passports issued by third countries or their Governments recognised by the Member States, as well as the holders of documents issued by the international organisations listed in point 4.4 who are travelling in the course of their duties, may be given priority over other travellers at border crossing points even though they remain, where applicable, subject to the requirement for a visa.

By way of derogation from Article 5(1)(c), persons holding those documents shall not be required to prove that they have sufficient means of subsistence.

4.2. If a person presenting himself or herself at the external border invokes privileges, immunities and exemptions, the border guard may require him or her to provide evidence of his or her status by producing the appropriate documents, in particular certificates issued by the accrediting State or a diplomatic passport or other means. If he or she has doubts, the border guard may, in case of urgent need, apply direct to the Ministry of Foreign Affairs.

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4.3. Accredited members of diplomatic missions and of consular representations and their families may enter the territory of the Member States on presentation of the card referred to in Article 19(2) and of the document authorising them to cross the border. Moreover, by way of derogation from Article 13 border guards may not refuse the holders of diplomatic, official or service passports entry to the territory of the Member States without first consulting the appropriate national authorities. This shall also apply where an alert has been entered in the SIS for such persons.

4.4. The documents issued by the international organisations for the purposes specified in point 4.1 are in particular the following:

- United Nations “laissez-passer” issued to staff of the United Nations and subordinate agencies under the Convention on Privileges and Immunities of Specialised Agencies adopted by the United Nations General Assembly on 21 November 1947 in New York;
- European Community (EC) “laissez-passer”;
- European Atomic Energy Community (Euratom) “laissez-passer”;
- legitimacy certificate issued by the Secretary-General of the Council of Europe;
- documents issued pursuant to paragraph 2 of Article III of the Agreement between the Parties to the North Atlantic Treaty regarding the Status of their Force (military ID cards accompanied by a travel order, travel warrant, or an individual or collective movement order) as well as documents issued in the framework of the Partnership for Peace.

5. Cross-border workers

5.1. The procedures for checking cross-border workers are governed by the general rules on border control, in particular Articles 7 and 13.

5.2. By way of derogation from Article 7, cross-border workers who are well known to the border guards owing to their frequent crossing of the border at the same border crossing point and who have not been revealed by an initial check to be the subject of an alert in the SIS or in a national data file shall be subject only to random checks to ensure that they hold a valid document authorising them to cross the border and fulfil the necessary entry conditions. Thorough checks shall be carried out on those persons from time to time, without warning and at irregular intervals.

5.3. The provisions of point 5.2 may be extended to other categories of regular cross-border commuters.


6. Minors

6.1. Border guards shall pay particular attention to minors, whether travelling accompanied or unaccompanied. Minors crossing an external border shall be subject to the same checks on entry and exit as adults, as provided for in this Regulation.

6.2. In the case of accompanied minors, the border guard shall check that the persons accompanying minors have parental care over them, especially where minors are accompanied by only one adult and there are serious grounds for suspecting that they may have been unlawfully removed from the custody of the person(s) legally exercising parental care over them. In the latter case, the border guard shall carry out a further investigation in order to detect any inconsistencies or contradictions in the information given.

6.3. In the case of minors travelling unaccompanied, border guards shall ensure, by means of thorough checks on travel documents and supporting documents, that the minors do not leave the territory against the wishes of the person(s) having parental care over them.

ANNEX VIII

Name of State LOGO OF STATE	(Name of Office)	
..... ⁽¹⁾		
APPROVAL OF THE EVIDENCE REGARDING THE RESPECT OF THE CONDITION OF THE DURATION OF A SHORT STAY IN CASES WHERE THE TRAVEL DOCUMENT DOES NOT BEAR AN ENTRY STAMP		
On at (time) at (place)		
We, the undersigning authority, have before us:		
Surname First name		
Date of birth Place of birth Sex:		
Nationality Resident in		
Travel document number		
Issued in on		
Visa number (if applicable) issued by		
for a period of days on the following grounds:		
Having regard to the evidence relating to the duration of his/her stay on the territory of the Member States that he/she has provided, he/she is considered to have entered the territory of the Member State on at at the border crossing point		
Contact details of the undersigning authority:		
Tel:		
Fax:		
E-mail:		
The person concerned will receive a copy of this document.		
Person concerned	Officer responsible and stamp	

⁽¹⁾ No logo is required for Norway and Iceland.

Il-Hamis, 23 ta' Ġunju 2005

P6_TA(2005)0248

Execution of the budget *

European Parliament legislative resolution on the proposal for a Council regulation amending Regulation (EC) No 382/2001 as regards its expiry date and certain provisions related to the execution of the Budget (COM(2004)0840 — C6-0044/2005 — 2004/0288(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2004)0840) ⁽¹⁾,
 - having regard to Articles 133 and 181a of the EC Treaty, pursuant to which the Council consulted Parliament (C6-0044/2005),
 - having regard to Rule 51 of its Rules of Procedure,
 - having regard to the report of the Committee on International (A6-0154/2005),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
 3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 4. Calls for initiation of the conciliation procedure under the Joint Declaration of 4 March 1975 if the Council intends to depart from the text approved by Parliament;
 5. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
 6. Instructs its President to forward its position to the Council and Commission.

TEXT PROPOSED
BY THE COMMISSION

AMENDMENTS
BY PARLIAMENT

Amendment 1

ARTICLE 1, POINT -1 (new)
Recital 9a (new) (Regulation (EC) No 382/2001)

(-1) After recital 9, the following recital is inserted:

(9a) The Gateway to Japan Programme and the Executive Training Programme have been so successful that similar programmes should be envisaged in the future with other countries, e.g. China.

Amendment 2

ARTICLE 1, POINT -1A (new)
Article 4, point (ha) (new) (Regulation (EC) No 382/2001)

(-1a) In Article 4, the following point is added after point (h):

(ha) coordination between the activities within each partner country and between different partner countries.

⁽¹⁾ Not yet published in OJ.

P6_TA(2005)0249

Quality of statistical data concerning excessive deficits ***European Parliament legislative resolution on the proposal for a Council regulation amending Regulation (EC) No 3605/93 as regards the quality of statistical data in the context of the excessive deficit procedure (COM(2005)0071 — C6-0108/2005 — 2005/0013(CNS))**

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2005)0071) ⁽¹⁾,
 - having regard to Article 104(14), third subparagraph, of the EC Treaty, pursuant to which the Council consulted Parliament (C6-0108/2005),
 - having regard to Rule 51 of its Rules of Procedure,
 - having regard to the report of the Committee on Economic and Monetary Affairs (A6-0181/2005),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
 3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 4. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
 5. Instructs its President to forward its position to the Council and Commission.

TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 1

RECITAL 2

(2) The role of the Commission, as statistical authority, in that context is specifically exercised by Eurostat, on behalf of the Commission. As the Commission department responsible for carrying out the tasks devolving on the Commission as regards the production of Community statistics, Eurostat is required to execute its tasks in accordance with the principles of impartiality, reliability, relevance, cost-effectiveness, statistical confidentiality and transparency, as laid down in Commission Decision of 21 April 1997 on the role of Eurostat as regards the production of Community statistics.

(2) The role of the Commission, as statistical authority, in that context is specifically exercised by Eurostat, on behalf of the Commission. As the Commission department responsible for carrying out the tasks devolving on the Commission as regards the production of Community statistics, Eurostat is required to execute its tasks in accordance with the principles of impartiality, reliability, relevance, cost-effectiveness, statistical confidentiality and transparency, as laid down in Commission Decision of 21 April 1997 on the role of Eurostat as regards the production of Community statistics. ***The European Statistics Code of Practice, which will be set up jointly by the national statistical institutes and Eurostat, should enhance the principles of professional independence, adequacy of resources and quality of statistical data.***

⁽¹⁾ Not yet published in OJ.

Il-Hamis, 23 ta' Ġunju 2005

TEXT PROPOSED
BY THE COMMISSION

AMENDMENTS
BY PARLIAMENT

Amendment 2

RECITAL 5

(5) The credibility of budgetary surveillance crucially hinges upon reliable budgetary statistics. It is of the utmost importance that data reported by Member States under Regulation (EC) No 3605/93 and provided by the Commission to the Council in accordance with the Protocol are of high quality.

(5) The credibility of budgetary surveillance crucially hinges upon reliable budgetary statistics. It is of the utmost importance that data reported by Member States under Regulation (EC) No 3605/93 and provided by the Commission to the Council in accordance with the Protocol are of high quality. **In this context, points 1.5, 1.6 and 1.7 of the ECOFIN Council report of 20 March 2005 endorsed by the Brussels European Council of 22 and 23 March 2005 and the Fundamental Principles of Official Statistics of the Statistics Division of the United Nations Department of Economic and Social Affairs should be considered as a basis on which to meet the required high quality standards.**

Amendment 3

RECITAL 9

(9) A permanent dialogue should be established between the Commission and the Member States' statistical authorities in order to ensure the quality both of the actual data reported by Member States and of the underlying government accounts. To that end, both dialogue visits and in-depth monitoring visits may be carried out regularly by the Commission thus enhancing the monitoring of the reported data and providing a permanent assurance of the quality of the data. Member States have to promptly provide the Commission with access to the information

(9) A permanent dialogue should be established between the Commission and the Member States' statistical authorities in order to ensure the quality both of the actual data reported by Member States and of the underlying government accounts. To that end, both dialogue visits and in-depth monitoring visits may be carried out regularly by the Commission thus enhancing the monitoring of the reported data and providing a permanent assurance of the quality of the data. Member States have to promptly provide the Commission with access to the information **The Commission should regularly inform the European Parliament and the Council about the programme for and work on improving the quality of statistics in the European Union.**

Amendment 5

ARTICLE 1, POINT 2

Article 7, paragraph 2a (new) (Regulation (EC) No 3605/93)

2a. In the event that the planned government deficit and debt figures or the revisions thereof do not use the "common external assumptions", made public by the Commission in the context of the coordination of economic and fiscal policies to make comparisons between Member States, the Member States shall explain in depth the reason for the divergence and calculate the differential between the projections.

Amendment 6

ARTICLE 1, POINT 3

Article 9, paragraph 1 (Regulation (EC) No 3605/93)

1. The Commission (Eurostat) shall assess the quality both of actual data reported by Member States and of the underlying government accounts. Quality of actual data means the compliance with **accounting rules**, completeness, reliability, timeliness, and consistency of the data.

1. The Commission (Eurostat) shall **regularly** assess the quality both of actual data reported by Member States and of the underlying government accounts. Quality of actual data means the compliance with **the European System of Accounts 1995 (ESA 95) standards**, completeness, reliability, **comparability**, timeliness, and consistency of the data.

Il-Hamis, 23 ta' Ġunju 2005

TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 7

ARTICLE 1, POINT 3

Article 9, paragraph 2a (new) (Regulation (EC) No 3605/93)

2a. The Commission (Eurostat) shall report regularly to the European Parliament and Council on the quality of the actual data presented by the Member States and the development of Europe-wide minimum standards for the quality of statistics.

Amendment 8

ARTICLE 1, POINT 3

Article 12, paragraph 1 (Regulation (EC) No 3605/93)

The Commission (Eurostat) ensures a permanent dialogue with the Member States' statistical authorities. To this end, the Commission (Eurostat) will regularly carry out in all Member States dialogue visits **as well as** in-depth monitoring visits.

The Commission (Eurostat) ensures a permanent dialogue with the Member States' statistical authorities. To this end, the Commission (Eurostat) will regularly carry out in all Member States dialogue visits; **it can also carry out** in-depth monitoring visits **in compliance with Regulation (EC) No 322/97. The dialogue visits shall be carried out according to a timetable decided jointly by the Member States and the Commission (Eurostat). If possible, the dialogue visits shall take place simultaneously in all Member States on the basis of an annual report regarding the evaluation of the adaptation of statistical data and the perspectives in that field.**

Amendment 9

ARTICLE 1, POINT 3

Article 12, paragraph 2 (Regulation (EC) No 3605/93)

The dialogue visits are designed to review reported data, to examine methodological issues, and to assess compliance with the accounting rules. The in-depth monitoring visits are designed to monitor the processes and accounts which justify the reported data and to draw detailed conclusions as to compliance with accounting rules and the completeness, reliability, timeliness and consistency of the reported data.

The dialogue visits are designed to review reported data, to examine methodological issues, and to assess compliance with the accounting rules. **The results of the dialogue visits shall be reported to at least the national statistical institutes.** The in-depth monitoring visits are designed to monitor the processes and accounts which justify the reported data and to draw detailed conclusions as to compliance with accounting rules and the completeness, reliability, timeliness and consistency of the reported data. **The in-depth monitoring visits are decided upon by the Commission (Eurostat) where there is grave doubt as to the accuracy or consistency of the data submitted,** and as planned in the programme.

Amendment 10

ARTICLE 1, POINT 3

Article 13, paragraph 1 (Regulation (EC) No 3605/93)

1. When carrying out in-depth monitoring visits in Member States, the Commission (Eurostat) can be assisted by experts, **most notably** from other Member States, national authorities of the Member States being visited who have a functional responsibility for the control of the government accounts, and other Commission departments.

1. When carrying out in-depth monitoring visits in Member States, the Commission (Eurostat) can be assisted by experts from other Member States **who shall be officials from the national statistical authorities or, on specific occasions, by other** national authorities of the Member States being visited who have a functional responsibility for the control of the government accounts **or by** other Commission departments, **following an agreement between the Member State being visited and the Commission (Eurostat).**

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TEXT PROPOSED
BY THE COMMISSION

AMENDMENTS
BY PARLIAMENT

Amendment 11

ARTICLE 1, POINT 3

Article 13, paragraph 1a (new) (Regulation (EC) No 3605/93)

1a. Eurostat has the principal role amongst the Community authorities for monitoring the quality of statistical data. However, Eurostat must follow an internal procedure for contacts with and debriefing of the other competent Community authorities during the preparation of its monitoring and must decide with them during the decision making procedure once the monitoring visits are completed.

Amendment 12

ARTICLE 1, POINT 3

Article 14 (Regulation (EC) No 3605/93)

The Commission (Eurostat) shall report to the Economic and Financial Committee on the findings of dialogue **and in-depth monitoring visits**. These reports shall be made public.

The Commission (Eurostat) shall report to the Economic and Financial Committee on the findings of dialogue. **It shall report to the European Parliament and Council on the conclusions of the in-depth monitoring visits.** These reports shall be made public.

Amendment 13

ARTICLE 1, POINT 3

Article 16, paragraph 2a (new) (Regulation (EC) No 3605/93)

2a. The Commission (Eurostat) shall report to the European Parliament and Council on the amended data and the reasons for the amendment.

P6_TA(2005)0250

Specific restrictive measures against certain persons (Sudan) *

European Parliament legislative resolution on the proposal for a Council regulation imposing certain specific restrictive measures directed against certain persons impeding the peace process and breaking international law in the conflict in the Darfur region in Sudan (COM(2005)0180 — C6-0138/2005 — 2005/0068(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2005)0180) ⁽¹⁾,
- having regard to the Council text (8910/2005),
- having regard to Council Common Position 2005/411/CFSP ⁽²⁾,
- having regard to Articles 60 and 301 of the EC Treaty,
- having regard to Article 308 of the EC Treaty, pursuant to which the Council consulted Parliament (C6-0138/2005),

⁽¹⁾ Not yet published in OJ.

⁽²⁾ OJ L 139, 2.6.2005, p. 25.

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- having regard to Rule 51 of its Rules of Procedure,
 - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs and the opinion of the Committee on Development (A6-0186/2005),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
 3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 4. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
 5. Instructs its President to forward its position to the Council and Commission.

TEXT PROPOSED
BY THE COMMISSION

AMENDMENTS
BY PARLIAMENT

Amendment 1
Citation 2a (new)

Having regard to the report of the International Commission of Inquiry on Darfur (drawn up in accordance with United Nations Security Council resolution 1564(2004) of 18 September 2004),

Amendment 2
Recital 2

(2) Common Position **2005/XXX/CFSP** provides, inter alia, for implementation of the freezing of funds and economic resources of those persons designated by the competent United Nations Sanctions Committee, who impede the peace process, constitute a threat to stability in Darfur and the region, commit violations of international humanitarian or of human rights law or other atrocities, violate the arms embargo or are responsible for certain offensive military flights. These measures fall within the scope of the Treaty and, therefore, in order to avoid any distortion of competition, Community measures are necessary to implement them as far as the Community is concerned.

(2) Common Position **2005/411/CFSP** provides, inter alia, for implementation of the freezing of funds and economic resources of those persons designated by the competent United Nations Sanctions Committee, who impede the peace process, constitute a threat to stability in Darfur and the region, commit violations of international humanitarian or of human rights law or other atrocities, violate the arms embargo or are responsible for certain offensive military flights. These measures, ***whose effectiveness and actual impact on the ground in bringing to an end the mass violations of human rights should be assessed by mechanisms to be defined***, fall within the scope of the Treaty and, therefore, in order to avoid any distortion of competition, Community measures are necessary to implement them as far as the Community is concerned.

Amendment 3
Recital 3a (new)

(3a) When applying the measures provided for in United Nations Security Council resolution 1591(2005), the Community should ensure that such measures are coordinated with the procedures applicable under the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 ⁽¹⁾, in particular Articles 8 and 96 thereof.

⁽¹⁾ OJ L 317, 15.12.2000, p. 3.

Il-Hamis, 23 ta' Ġunju 2005

TEXT PROPOSED
BY THE COMMISSION

AMENDMENTS
BY PARLIAMENT

Amendment 4
Recital 3b (new)

(3b) The measures provided for in this Regulation should be without prejudice to the adoption of other measures aimed at implementing the cease-fire agreement signed in N'Djamena on 8 April 2004 or to the obligation to prosecute and try, in accordance with the provisions of international human rights conventions, persons suspected of having committed serious violations of human rights and international humanitarian law, or the continuation of the investigation by the Prosecutor of the International Criminal Court into crimes committed in Darfur, on the basis of the ad hoc referral to the Court by the United Nations Security Council, as set out in resolution 1593 (2005).

Amendment 5
Article 2, paragraph 1

1. All funds and economic resources belonging to, or owned or held by, the natural or legal persons, entities or bodies **listed in Annex I** shall be frozen.

1. All funds and economic resources belonging to, or owned or held by, the natural or legal persons, entities or bodies **included in the list drawn up by the Commission pursuant to Article 10** shall be frozen.

Amendment 6
Article 2, paragraph 2

2. No funds or economic resources shall be made available, directly or indirectly, to or for the benefit of the natural or legal persons or entities **listed in Annex I**.

2. No funds or economic resources shall be made available, directly or indirectly, to or for the benefit of the natural or legal persons or entities **included in the list drawn up by the Commission pursuant to Article 10**.

Amendment 7
Article 4, point (c)

(c) the lien or judgment is not for the benefit of a person, entity or body **listed in Annex I**;

(c) the lien or judgment is not for the benefit of a person, entity or body **included in the list drawn up by the Commission pursuant to Article 10**;

Amendment 8
Article 7, paragraph 3

3. Any information provided or received in accordance with paragraphs 1 and 2 shall be used only for the purposes for which it was provided or received.

3. Any information provided or received in accordance with paragraphs 1 and 2 shall be used only for the purposes for which it was provided or received. **It shall be used solely for the period necessary for the freezing of funds and economic resources and shall be subject to rules guaranteeing data protection.**

Amendment 9
Article 8a (new)

Article 8a

Natural and legal persons, entities and bodies whose funds and economic resources have been unjustly frozen shall be reimbursed with an amount commensurate with the nature and extent of the damage unjustly suffered.

Il-Hamis, 23 ta' Ġunju 2005

TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENTAmendment 10
Article 10, paragraph 1

1. The Commission shall be empowered to:
- (a) amend **Annex I** on the basis of determinations made by either the United Nations Security Council or the Sanctions Committee; and
- (b) amend Annex **II** on the basis of information supplied by Member States.

1. The Commission shall, **after consulting the European Parliament**, be empowered to:

- (a) **draw up and** amend on the basis of determinations made by either the United Nations Security Council or the Sanctions Committee, **a list of natural or legal persons, entities or bodies referred to in Article 2 whose funds and economic resources are to be frozen and to correct the list in the event of proven error**; and
- (b) amend **the** Annex on the basis of information supplied by Member States.

The European Parliament's Committee responsible for Civil Liberties, Justice and Home Affairs and its Committee responsible for Development shall be informed in advance by the Commission, on a confidential basis, of the drawing up and amending of the list referred to in point (a).

Amendment 11
Annex I

This Annex is deleted.

P6_TA(2005)0251

Specific restrictive measures against certain persons (Congo) *

European Parliament legislative resolution on the proposal for a Council regulation imposing certain specific restrictive measures directed against persons acting in violation of the arms embargo with regard to the Democratic Republic of the Congo (COM(2005)0227 — C6-0185/2005 — 2005/0101(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2005)0227) ⁽¹⁾,
- having regard to Council Common Position 2005/440/CFSP ⁽²⁾,
- having regard to Articles 60 and 301 of the EC Treaty,
- having regard to Article 308 of the EC Treaty, pursuant to which the Council consulted Parliament (C6-0185/2005),
- having regard to Rule 51 of its Rules of Procedure,
- having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs and the opinion of the Committee on Development (A6-0194/2005),

1. Approves the Commission proposal as amended;
2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;

⁽¹⁾ Not yet published in OJ.

⁽²⁾ OJ L 152, 15.6.2005, p. 22.

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3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
4. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
5. Instructs its President to forward its position to the Council and Commission.

TEXT PROPOSED
BY THE COMMISSION

AMENDMENTS
BY PARLIAMENT

Amendment 1

Recital 3a (new)

(3a) When applying the measures provided for in United Nations Security Council Resolution 1572(2004), the Community should ensure that such measures are coordinated with the procedures applicable under the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 ⁽¹⁾, in particular Articles 8 and 96 thereof.

⁽¹⁾ OJ L 317, 15.12.2000, p. 3.

Amendment 2

Recital 3b (new)

(3b) The measures provided for in this Regulation should be without prejudice to the adoption of other measures to prosecute and try, in accordance with the provisions of international human rights conventions, persons suspected of committing serious violations of human rights and international humanitarian law, in particular through the International Criminal Court, on the basis of the ad hoc referral to the Court by the authorities of the Democratic Republic of the Congo on 19 April 2004 pursuant to Article 12 of the Rome Statute.

Amendment 3

Article 2, paragraph 1

1. All funds and economic resources belonging to, or owned or held by, the natural or legal persons, entities or bodies **listed in Annex I** shall be frozen.

1. All funds and economic resources belonging to, or owned or held by, the natural or legal persons, entities or bodies **included in the list drawn up by the Commission pursuant to Article 9** shall be frozen.

Amendment 4

Article 2, paragraph 2

2. No funds or economic resources shall be made available, directly or indirectly, to or for the benefit of the natural or legal persons, entities or bodies **listed in Annex I**.

2. No funds or economic resources shall be made available, directly or indirectly, to or for the benefit of the natural or legal persons, entities or bodies **included in the list drawn up by the Commission pursuant to Article 9**.

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TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 5

Article 4, point (c)

(c) the lien or judgment is not for the benefit of a person, entity or body **listed in Annex I**;

(c) the lien or judgment is not for the benefit of a person, entity or body **included in the list drawn up by the Commission pursuant to Article 9**;

Amendment 6

Article 6, paragraph 3

3. Any information provided or received in accordance with paragraphs 1 and 2 shall be used only for the purposes for which it was provided or received.

3. Any information provided or received in accordance with paragraphs 1 and 2 shall be used only for the purposes for which it was provided or received. **It shall be used solely for the period necessary for the freezing of funds and economic resources, and shall be subject to rules guaranteeing data protection.**

Amendment 7

Article 8 a (new)

Article 8a

Natural and legal persons, entities and bodies whose funds and economic resources have been unjustly frozen shall be reimbursed with an amount commensurate with the nature and extent of the damage unjustly suffered.

Amendment 8

Article 9, paragraph 1

1. The Commission shall be empowered to:

(a) amend **Annex I** on the basis of determinations made by the Sanctions Committee;

(b) amend Annex **II** on the basis of information supplied by Member States.

1. The Commission shall, **after consulting the European Parliament**, be empowered to:

(a) **draw up and** amend on the basis of determinations made by the Sanctions Committee **a list of natural or legal persons, entities or bodies referred to in Article 2 whose funds and economic resources are to be frozen and to correct the list in the event of proven error, and**

(b) amend **the** Annex on the basis of information supplied by Member States.

The European Parliament's Committee responsible for Civil Liberties, Justice and Home Affairs and its Committee responsible for Development shall be informed in advance by the Commission, on a confidential basis, of the drawing up and amending of the list referred to in point (a).

Amendment 9

Annex I

This Annex is deleted.

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P6_TA(2005)0252

Draft amending budget 2/2005 (Amendments)**Amendments to Draft amending budget No 2/2005 of the European Union for the financial year 2005 — Salary adjustment (9491/2005 — C6-0172/2005 — 2005/2045(BUD))****Amendment 1**

SECTION III: Commission

Line	2005 Budget	DAB 2/2005	Amendment	2005 Budget + AB 2 (amended)
	Commitments	Commitments	Commitments	Commitments
XX 01 01 01 01	Expenditure related to staff in active employment working with the institution — Remuneration and allowances			
	(¹) 1 385 350 900	(¹) 1 358 392 190	+ 4 608 710	(¹) 1 363 000 900
XX 01 01 02 01	Expenditure related to staff in active employment of Community delegations — Remuneration and allowances			
	136 916 000	134 478 125	+ 4 419 875	138 898 000
XX 01 02 01 01	External staff working with the institution — Auxiliary staff			
	62 774 936	62 286 643	- 611 707	61 674 936
A2 01 01	Publications Office — Expenditure related to staff in active employment			
	45 623 652	44 917 453	+ 50 947	44 968 400
A3 01 01	European Anti-Fraud Office (OLAF) — Expenditure related to staff in active employment			
	30 442 900	29 873 865	+ 103 135	29 977 000
A4 01 01	European Personnel Selection Office — Expenditure related to staff in active employment			
	7 280 700	7 141 844	+ 58 856	7 200 700
A5 01 01	Office for the Administration and Payment of Individual Entitlements — Expenditure related to staff in active employment			
	18 625 870	18 242 613	+ 35 387	18 278 000
A6 01 01	Office for Infrastructure and Logistics (Brussels) — Expenditure related to staff in active employment			
	31 667 000	31 026 629	+ 127 371	31 154 000
A7 01 01	Office for Infrastructure and Logistics (Luxembourg) — Expenditure related to staff in active employment			
	13 490 000	13 235 603	+ 83 397	13 319 000

(¹) An appropriation of EUR 2 600 000 is entered in Article 31 01 40.**JUSTIFICATION**

Restore the figures from the Commission's Preliminary draft amending budget.

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Amendment 2

ANNEX COM-A-II — ANNEX II — Publications Office — REVENUE

Line	2005 Budget	DAB 2/2005	Amendment	2005 Budget + AB 2 (amended)
	Commitments	Commitments	Commitments	Commitments
COM-A-II 4 1	Staff contributions to the Pension Scheme			
	2 536 978	2 497 709	+ 294 291	2 792 000

JUSTIFICATION

Restore the figures from the Commission's Preliminary draft amending budget.

Amendment 3

SECTION VI: Economic and Social Committee — REVENUE

Line	2005 Budget	DAB 2/2005	Amendment	2005 Budget + AB 2 (amended)
	Commitments	Commitments	Commitments	Commitments
Article 4 0 4	Proceeds from the special levy on the salaries of members of the institutions, officials and other servants in active employment			
	3 319 072	3 313 336	- 2 949 944	3 63 392

JUSTIFICATION

Restore the figures from the Commission's Preliminary draft amending budget.

P6_TA(2005)0253

Draft amending budget 2/2005**European Parliament resolution on Draft amending budget No 2/2005 of the European Union for the financial year 2005 — Salary adjustment (9491/2005 — C6-0172/2005 — 2005/2045(BUD))**

The European Parliament,

- having regard to Article 272 of the EC Treaty and Article 177 of the Euratom Treaty,
- having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽¹⁾, and particularly Articles 37 and 38 thereof,
- having regard to the general budget of the European Union for the financial year 2005, as finally adopted on 16 December 2004 ⁽²⁾,
- having regard to the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission on budgetary discipline and improvement of the budgetary procedure ⁽³⁾,
- having regard to Preliminary draft amending budget No 2/2005 of the European Union for the financial year 2005, which the Commission presented on 30 March 2005 (SEC(2005)0421),
- having regard to Draft amending budget No 2/2005, which the Council established on 30 May 2005 (9491/2005 — C6-0172/2005),

⁽¹⁾ OJ L 248, 16.9.2002, p. 1.

⁽²⁾ OJ L 60, 8.3.2005, p. 1.

⁽³⁾ OJ C 172, 18.6.1999, p. 1. Agreement amended by Decision 2003/429/EC (OJ L 147, 14.6.2003, p. 25).

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- having regard to Rule 69 of and Annex IV of its Rules of Procedure,
 - having regard to the report of the Committee on Budgets (A6-0190/2005),
- A. whereas the 2004 salary adjustment for staff was lower than expected,
- B. whereas the budgetary authority requested the institutions to submit estimates to adjust their administrative expenditure as a result of the salary adjustment,
- C. whereas the declaration by the budgetary authority of 25 November 2004⁽¹⁾ requested that the amending budget in question contain exclusively the reductions of appropriations for administrative expenditure of the institutions resulting from the annual adaptation of the salaries and pensions,
- D. whereas the Commission proposal also included some administrative issues not relating to the salary adjustment,
1. Agrees to the salary adjustments of the European Parliament, the Council, the Court of Justice, the Court of Auditors, the European Economic and Social Committee, the Committee of the Regions, the European Ombudsman and the European Data-protection Supervisor as adopted in Council's Draft amending budget No 2/2005;
2. Decides to adjust the salaries and pensions in the Commission's budget as proposed in Preliminary draft amending budget No 2/2005 and has presented a budgetary amendment to this effect;
3. Agrees to the establishment plan (Court of Auditors and European Data-protection Supervisor) and nomenclature changes (Commission) as adopted in Council's Draft amending budget No 2/2005;
4. 4 Decides to adapt the revenue calculations (Economic and Social Committee and Publications Office) as proposed in Preliminary draft amending budget No 2/2005 and has presented two budgetary amendments to this effect;
5. Instructs its President to forward this resolution together with the amendments to Draft amending budget No 2/2005 to the Council and the Commission and the other institutions and bodies concerned.

⁽¹⁾ Texts Adopted of 16.12.2004, P6_TA(2004)0103.

P6_TA(2005)0254**Surveillance of budgetary positions and surveillance and coordination of economic policies **II**

European Parliament legislative resolution on the Council common position for adoption of a Council regulation on amending Regulation (EC) No 1466/97 on the strengthening of the surveillance of budgetary positions and the surveillance and coordination of economic policies (9817/2005 — C6-0192/2005 — 2005/0064(SYN))

(Cooperation procedure: second reading)

The European Parliament,

- having regard to the Council common position (9817/2005 — C6-0192/2005),
- having regard to its position at first reading⁽¹⁾ on the Commission proposal to the Council (COM(2005)0154)⁽²⁾,

⁽¹⁾ P6_TA(2005)0231.

⁽²⁾ Not yet published in OJ.

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- having been consulted by the Council pursuant to Article 252 and Article 99(5) of the EC Treaty (C6-0192/2005),
 - having regard to Rule 60 of its Rules of Procedure,
 - having regard to the recommendation for second reading of the Committee on Economic and Monetary Affairs (A6-0204/2005),
1. Approves the common position;
 2. Instructs its President to forward its position to the Council and Commission.

P6_TA(2005)0255

Protection of the financial interests of the Community ***I

European Parliament legislative resolution on the proposal for a regulation of the European Parliament and of the Council on mutual administrative assistance for the protection of the financial interests of the Community against fraud and any other illegal activities (COM(2004)0509 — C6-0125/2004 — 2004/0172(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2004) 0509) ⁽¹⁾,
 - having regard to Article 251(2) and Article 280(4) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0125/2004),
 - having regard to Rule 51 of its Rules of Procedure,
 - having regard to the report of the Committee on Budgetary Control (A6-0156/2005),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ Not yet published in OJ.

P6_TC1-COD(2004)0172

Position of the European Parliament adopted at first reading on 23 June 2005 with a view to the adoption of Regulation (EC) No .../2005 of the European Parliament and of the Council on mutual administrative assistance for the protection of the financial interests of the Community against fraud and any other illegal activities

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 280(4) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the Court of Auditors,

Il-Hamis, 23 ta' Ġunju 2005***Having regard to the opinion of the European Data Protection Supervisor***⁽¹⁾,

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

Whereas:

- (1) The Community and the Member States attach great importance to the protection of the financial interests of the Community and to the fight against fraud and any other illegal activities affecting those interests.
- (2) The Community framework on mutual assistance should permit close and regular cooperation between the competent authorities of the Member States as well as between the latter and the Commission, in order to protect the Community's financial interests in all areas of Community financial resources and expenditure.
- (3) The provisions of this Regulation should not affect the conduct of investigations by the European Anti-Fraud Office through the use of investigative powers and in compliance with the safeguards provided for in Regulation (EC) No 1073/1999 of the European Parliament and of the Council of 25 May 1999 concerning investigations conducted by the European Anti-Fraud Office (OLAF)⁽³⁾. The scope of this Regulation should be limited to certain forms of assistance, exchange of information and coordination which may precede, follow or accompany OLAF's investigative activities.
- (4) The introduction of new Community measures should not be such as to affect the application of national criminal law and of rules on mutual assistance in criminal matters or the national administration of justice.
- (5) The fight against transnational fraud and any other illegal activities affecting the financial interests of the Community demands enhanced coordination at Community level as well as multidisciplinary cooperation with the Member States' authorities in the field of fraud and any other illegal activities, which are in many cases related to structures of organised crime and are detrimental to the Community's financial interests. This Regulation should further permit cooperation between all the competent authorities of the Member States, and between the latter and the Commission.
- (6) The provisions of this Regulation should not affect Community legislation which provides for more specific or extensive cooperation between the Member States and the latter and the Commission, such as Council Regulation (EC) No 515/97 of 13 March 1997 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs and agricultural matters⁽⁴⁾, or Council Regulation (EC) No 1798/2003 of 7 October 2003 on administrative cooperation in the field of value added tax and repealing Regulation (EEC) No 218/92⁽⁵⁾.
- (7) The exchange of information is a key element in the fight against fraud and any other illegal activities affecting the financial interests of the Community. Information provided by the Member States to the Commission should be used by the Commission to form a comprehensive view on Europe-wide fraud and other illegal activities and to communicate that view to the Member States.
- (8) Fraud and any other illegal activities affecting the financial interests of the Community, in particular in transnational cases which often involve organised international fraud schemes in two or more Member States, can be prevented and fought most effectively if information of an operational, statistical or general nature is analysed and subjected to risk analysis at Community level, using the intelligence and risk-analysis capacity of the Commission in general and OLAF in particular.
- (9) The fight against fraud and any other illegal activities affecting the financial interests of the Community also necessitates a coherent follow-up. Information gathered or transferred by the Commission should therefore be admissible as evidence in administrative and judicial proceedings.

⁽¹⁾ **OJ C 301, 7.12.2004, p. 4.**

⁽²⁾ *Position of the European Parliament of 23 June 2005.*

⁽³⁾ OJ L 136, 31.5.1999, p. 1.

⁽⁴⁾ OJ L 82, 22.3.1997, p. 1. Regulation as amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36).

⁽⁵⁾ OJ L 264, 15.10.2003, p. 1. Regulation as amended by Regulation (EC) No 885/2004 (OJ L 168, 1.5.2004, p. 1).

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- (10) In the interest of successful cooperation between the competent authorities of the Member States and the Commission, the exchange of information should be organised in accordance with the rules of confidentiality where information is subject to professional secrecy, while ensuring that personal data processed pursuant to the new provisions enjoys proper data protection.
- (11) Due consideration should be given to the data protection rules applying to the Community institutions set out in Article 286 of the Treaty and Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data⁽¹⁾, as well as those applying to the Member States on the basis of Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data⁽²⁾.
- (12) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁽³⁾.
- (13) Since the objectives of the action to be taken, namely the fight against fraud and any other illegal activities affecting the financial interests of the Community, cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale and effects of the action, be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.
- (14) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union,

HAVE ADOPTED THIS REGULATION:

TITLE I
GENERAL PROVISIONS

Article 1
Subject matter

This Regulation establishes the legal framework for mutual administrative cooperation and exchange of information between the competent authorities of the Member States and between those authorities and the Commission, in order to ensure equivalent and effective protection of the financial interests of the Community against fraud and any other illegal activities.

Article 2
Scope

1. This Regulation shall apply in cases of fraud and any other illegal activities affecting the financial interests of the Community which are of particular relevance at Community level.

This shall also include cases in which the illegal activities take place, in their entirety or in part, in states outside the Community.

The competent authorities of the Member States may also exchange information and provide assistance pursuant to this Regulation in other situations where they consider such exchange of information and assistance at Community level to be necessary in countering fraud and any other illegal activities affecting the financial interests of the Community.

⁽¹⁾ OJ L 8, 12.1.2001, p. 1.

⁽²⁾ OJ L 281, 23.11.1995, p. 31. Directive as amended by Regulation (EC) No 1882/2003 (OJ L 284, 31.10.2003, p. 1).

⁽³⁾ OJ L 184, 17.7.1999, p. 23.

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2. The provisions of this Regulation shall not apply to the extent that Community legislation provides for more specific cooperation between the Member States and between the latter and the Commission, or provides for broader access to information by the Commission.

In particular, this Regulation shall not affect the application of Regulation (EC) No 515/97 *and cooperation* between Member States under Regulation (EC) No 1798/2003.

3. This Regulation shall not affect the application of Regulation (EC) No 1073/1999.

4. This Regulation shall not affect the application of national criminal law or of rules on mutual assistance in criminal matters or the national administration of justice.

5. The obligation to give assistance provided for in this Regulation shall not cover the provision of information or documents obtained by the competent administrative authorities acting with the authorisation or at the request of the judicial authority.

However, in the event of requests for assistance, such information or documents shall be provided if the judicial authority which is to be consulted on the matter gives its consent.

Article 3

Definitions

For the purposes of this Regulation the following definitions shall apply:

- 1) "irregularity" means fraud and any other illegal activities with particular relevance at Community level, affecting the financial interests of the Community, and in particular:
 - (a) any infringement of a provision of Community law resulting from an act or omission by an economic operator, including breaches of contracts arising under provisions of Community law **and in implementation of both direct and indirect Community financing**, which has, or would have, the effect of prejudicing the general budget of the Community or budgets managed by it, either by reducing or losing revenue accruing from own resources collected directly on behalf of the Community, or by an unjustified item of expenditure;
 - (b) any infringement of legislation relating to value added tax (VAT) as referred to in *Directive 77/388/EEC*⁽¹⁾, which has or would have the effect of diminishing the Communities' own resources as referred to in *Regulation (EEC, Euratom) No 1553/89*⁽²⁾;
 - (c) money laundering, within the meaning of Article 1(c) of *Directive 91/308/EEC*⁽³⁾, in relation to the proceeds of an infringement as referred to in points (a) and (b);
- 2) "irregularities of particular relevance at Community level" means irregularities:
 - (a) which have or might have ramifications in other Member States, or where there are tangible links with operations carried out in other Member States **or in cases of Community expenditure (direct and indirect) where no specific rules on mutual assistance apply**; and
 - (b) **which were detected by operations — regardless of whether they were discovered in single or multiple operations — and** which are estimated to cause overall fiscal damage in the Member States concerned in excess of EUR 500 000 in the area of VAT, or to cause damage to the Community's financial interests of EUR 100 000 or more in the other cases covered by this Regulation; in the case of money laundering the threshold applies to the predicate offence;

⁽¹⁾ Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment (OJ L 145, 13.6.1977, p. 1). Directive as last amended by Directive 2004/66/EC (OJ L 168, 1.5.2004, p. 35).

⁽²⁾ Council Regulation (EEC, Euratom) No 1553/89 of 29 May 1989 on the definitive uniform arrangements for the collection of own resources accruing from value added tax (OJ L 155, 7.6.1989, p. 9). Regulation as amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36).

⁽³⁾ Council Directive 91/308/EEC of 10 June 1991 on prevention of the use of the financial system for the purpose of money laundering (OJ L 166, 28.6.1991, p. 77). Directive as amended by Directive 2001/97/EC of the European Parliament and of the Council (OJ L 344, 28.12.2001, p. 76).

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- 3) "legislation relating to VAT" means all the Community provisions governing value added tax and the laws and regulations adopted by the Member States in order to comply with *those* Community provisions;
- 4) "applicant authority" means a competent authority which makes a request for assistance;
- 5) "requested authority" means a competent authority to which a request for assistance is made;
- 6) "administrative enquiries" means all controls, checks and other action undertaken by the competent authorities in the performance of their duties with a view to establishing whether irregularities have been committed, excluding action taken at the request of, or under a direct mandate from, a judicial authority;
- 7) "financial information" means information on suspicious transactions received by the competent national contact points pursuant to Directive 91/308/EEC and other information that is appropriate for tracing the financial transactions linked to irregularities covered by this Regulation;
- 8) "competent authorities" means the national or Community authorities referred to in Article 4(1).

The thresholds set out in point (2)(b) may be increased in accordance with the procedure referred to in Article 25(2).

Article 4

Competent authorities

1. Cooperation under this Regulation shall include the following competent authorities, acting within the scope of their respective powers:

- (a) the Member States' authorities which are:
 - (i) directly responsible for the management of financial funds originating from the Community budget and designated as such by relevant Community law and national law provisions; or
 - (ii) responsible under the applicable national provisions of administrative law for the prevention of and the fight against fraud and any other illegal activities affecting the financial interests of the Community; or
 - (iii) the competent authorities listed in Regulation (EC) No 1798/2003, the respective central liaison offices and liaison departments designated pursuant to that Regulation, other tax investigation authorities competent to investigate VAT fraud or the competent authorities referred to in *Directive 92/12/EEC* ⁽¹⁾ in so far as information gathered may afford evidence of VAT fraud — **this shall not preclude direct contacts, exchanges of information or cooperation between the different Member States' officials and the authorities mentioned in this Article** — or
 - (iv) set up as "financial intelligence units" by the Member States pursuant to *Decision 2000/642/JHA* ⁽²⁾ to collect and analyse information received under the provisions of Directive 91/308/EEC.
- (b) the Commission, including OLAF.

2. Member States shall take the necessary measures to ensure the exchange of information between their competent authorities, regardless of their competencies and internal status, and between the latter and the Commission.

3. The Commission shall keep a list of all the authorities taking part in cooperation under this Regulation. The list shall be constantly updated and made accessible on the internet.

⁽¹⁾ Council Directive 92/12/EEC of 25 February 1992 on the general arrangements for products subject to excise duty and on the holding, movement and monitoring of such products (OJ L 76, 23.3.1992, p. 1). Directive as last amended by Directive 2004/106/EC (OJ L 359, 4.12.2004, p. 30).

⁽²⁾ Council Decision 2000/642/JHA of 17 October 2000 concerning arrangements for cooperation between financial intelligence units of the Member States in respect of exchanging information (OJ L 271, 24.10.2000, p. 4).

Il-Hamis, 23 ta' Ġunju 2005

TITLE II
COOPERATION DUTIES

Chapter 1

Mutual administrative assistance and exchange of information

Section 1

Assistance on request

Article 5

Assistance on request

1. The competent authorities shall assist each other on request to prevent and detect irregularities. At the request of the applicant authority, the requested authority shall, as far as is required to satisfy the purposes of the request and in accordance with *the* objectives of this Regulation, transmit to the applicant authority all information of relevance for the prevention and detection of irregularities. The information to be transmitted shall include information on the operations constituting the irregularity as well as financial information, both on the underlying operations and on the natural or legal persons involved.

2. In order to obtain the information sought, the requested authority or the administrative authority to which it has recourse shall proceed as though acting on its own account or at the request of another authority in its own Member State.

3. The requested authority shall make available any information in its possession or obtained by it concerning operations or transactions, detected or planned, which constitute or which appear to the applicant authority to *constitute irregularities* or, where applicable, concerning findings of a special watch carried out pursuant to Article 6.

It shall supply the applicant authority with any attestation, document or certified true copy of a document in its possession or obtained by it. However, original documents and items shall be provided only where this is not contrary to the legislation in force in the Member State in which the requested authority is based.

4. Requests for assistance and information exchange shall be accompanied by a brief statement of the facts known by the applicant authority.

5. If the applicant authority addresses its request to an authority which is not competent for the assistance requested that authority shall forward the request immediately to the competent authority.

Article 6

Special watch

At the request of the applicant authority, the requested authority shall as far as possible keep a special watch or arrange for a special watch to be kept within its operational area:

- (a) on persons, and more particularly their movements, where there are reasonable grounds for believing that they are committing irregularities;
- (b) on places where goods are stored in a way that gives grounds to suspect that they are intended to supply operations which constitute irregularities;
- (c) on the movements of goods indicated as being the object of potential irregularities;
- (d) on means of transport and financial transactions, where there are reasonable grounds for believing that they are being used to commit irregularities.

Article 7

Administrative enquiries on request

1. At the request of the applicant authority the requested authority shall carry out administrative enquiries concerning operations which constitute or which appear to the applicant authority to constitute an irregularity, or shall arrange to have such enquiries carried out.

The requested authority or the administrative authority to which it has recourse shall conduct these administrative enquiries as though acting on its own account or at the request of another authority in its own Member State. It shall communicate the results of the enquiry to the applicant authority.

2. By agreement between the applicant authority and the requested authority, officials appointed by the applicant authority may be present at the administrative enquiries referred to in paragraph 1. The enquiries shall at all times be carried out by officials of the requested authority.

Officials of the applicant authority may not, on their own initiative, assume powers of inspection conferred on officials of the requested authority; however, they shall have access to the same premises and the same documents as the latter, through officials of the requested Member State as intermediaries and for the sole purpose of the administrative enquiries being carried out.

3. In so far as national provisions on criminal proceedings reserve certain acts for officials specifically designated by national law, the officials of the applicant authority shall not take part in such acts. In no circumstances shall they participate in searches of premises or the formal questioning of persons under criminal law.

Article 8

Activity of officials in another Member State
or on mission in a Member State

By agreement between the applicant authority and the requested authority and in accordance with the arrangements laid down by the latter, officials duly authorised by the applicant authority may be permitted to obtain information on *irregularities* from the offices where the administrative authorities of the Member State in which the requested authority is based exercise their functions.

The information concerned must be needed by the applicant authority and be derived from documentation to which the officials of those offices have access.

The officials of the applicant authority shall be authorised to take copies of that documentation.

Article 9

Written authority of officials

Officials of the applicant authority who are present in another Member State or on mission in a Member State in accordance with the Articles 7 and 8 must at all times be able to produce written authority stating their identity and their official functions.

Article 10

Time-limit for providing assistance and information

1. The requested authority shall provide the assistance and information referred to in Articles 5 and 7 as quickly as possible and not later than six weeks following receipt of the request. However, where the requested authority is already in possession of that information the time-limit shall be four weeks.

2. In particular cases, *time-limits* different from the ones provided for in paragraph 1 may be agreed between the requested and the applicant authorities.

3. Where the requested authority is unable to respond to a request by the deadline, it shall inform the applicant authority forthwith of the reasons for its failure to do so and shall state when it will be able to respond.

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Article 11

Data concerning value added tax

1. For the purpose of providing operational and technical assistance and where necessary to help competent authorities of the Member States to detect and investigate irregularities within the meaning of point (1)(b) of the first paragraph of Article 3 of this Regulation, **Member States shall without delay communicate to the Commission the following information from their records stored in national databases as referred to in Regulation (EC) No 1798/2003:**

- **VAT identification numbers issued by Member States receiving the information;**
- **the total value of intra-Community supplies of goods to persons holding a VAT identification number by all operators identified for the purposes of VAT in the Member State providing the information.**

The detailed rules concerning this access, including rules on confidentiality and data protection as well as on the use of information obtained from the Member States' records, shall be laid down in accordance with the procedure referred to in Article 25(2).

2. *In so far* as it may afford evidence of irregularities within the meaning of point (1)(b) of the first paragraph of Article 3, Member States' authorities shall communicate to the Commission information gathered on the basis of Directive 92/12/EEC.

Section 2

Spontaneous assistance

Article 12

Provision of information concerning operations or transactions

1. The competent authorities of the Member States shall provide the Commission, without prior request, with any relevant information in respect of operations or transactions which constitute or which appear to constitute irregularities.

2. Acting with the help of appropriate technological support, the Commission shall analyse the information provided and shall provide the Member States with the corresponding analytical results, with a view to technical and operational assistance in the detection and investigation of irregularities. Where the Commission considers that irregularities have taken place in one or more Member States, it shall inform the Member States concerned thereof.

3. The obligation to exchange financial information spontaneously between the Member States and the Commission shall apply regardless of whether the transaction is carried out in a single operation or in several operations which seem to be linked.

4. Rules on confidentiality and data protection shall be adopted in accordance with the procedure referred to in Article 25(2).

Article 13

Special watch without request

Where they consider it useful for the protection of the financial interests of the Community against irregularities, competent authorities of the Member States shall:

- (a) keep or arrange for a special watch as referred to in Article 6;
- (b) communicate to the Commission and where appropriate to the competent authorities of the Member States concerned any information in their possession, and in particular reports and other documents or certified true copies or extracts thereof concerning operations which constitute or which appear to them to constitute acts affecting the financial interests of the Community.

Article 14

Communication of general information

1. The competent authorities of the Member States shall communicate general information to the Commission on new ways, means, methods and practices of committing irregularities as well as on the detection and prevention of irregularities, which might contribute to the fraud-proofing of relevant legislation, as soon as such information is available to them.
2. The Commission shall communicate to the competent authorities in each Member State, as soon as it becomes available, any information that would enable them to prevent irregularities and to enforce relevant legislation.

Chapter 2

Use of information

Article 15

Use as evidence

Findings, certificates, information, documents, certified true copies and any intelligence communicated to a competent authority in the course of assistance provided for in Articles 5, 6, 7 and 12 shall constitute admissible evidence in administrative or judicial proceedings in any Member State, in the same way as if they had been obtained in the Member State where the proceedings take place.

Article 16

Exchange of information

Information obtained under this Regulation as well as under other Community provisions may be exchanged by the Commission with other competent authorities in accordance with and for the purpose of this Regulation, to the extent to which such exchange is compatible with the Community provisions under which the information has been obtained.

Article 17

Follow-up

The competent authorities of the Member States shall inform the Commission of any relevant update of the information communicated and the administrative enquiries conducted under this Regulation, and especially of the administrative or judicial proceedings instituted, in so far as this is compatible with national criminal law.

Article 18

Confidentiality rules and data protection

1. Information communicated or acquired in any form under this Regulation shall be covered by professional secrecy and protected in the same way as similar information is protected by the national legislation of the Member State that received it and by the corresponding provisions applicable to the Community institutions and bodies.

Such information may not be communicated to persons or authorities other than those within the Community institutions and bodies or in the Member States whose functions require them to know it nor may it be used for purposes other than to ensure effective protection of the financial interests of the Community.

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2. The Commission and the Member States shall ensure, when processing personal data pursuant to this Regulation, that the Community and national provisions on the protection of data, in particular those laid down by Directive 95/46/EC and, where applicable, by Regulation (EC) No 45/2001, are complied with.

The European Data Protection Supervisor shall be consulted before adoption of the implementing rules provided for in the second subparagraph of Article 11(1), Article 12(4) and Article 24.

Article 19**Relations with third countries**

1. Information obtained by a Member State or the Commission from a third country and falling within the scope of this Regulation shall be communicated to the competent authorities of a Member State or to the Commission if it might enable them to prevent or counter irregularities.

2. Provided that the third country concerned has given a legal undertaking to provide the assistance required to gather proof of the irregular nature of operations which appear to constitute an irregularity, information obtained under this Regulation may be communicated to that third country as part of a concerted action, subject to the agreement of the competent authorities supplying the information, in accordance with their national provisions on the protection of personal data, with Articles 25 and 26 of Directive 95/46/EC, and where applicable with Article 9 of Regulation (EC) No 45/2001.

3. In this context, OLAF shall have a coordinating role.

Article 20**Risk analysis by the Commission**

The Commission may use any information of a general or operational nature communicated by Member States under this Regulation to perform both strategic and tactical risk assessments, with the use of appropriate information technology support, leading to the production of intelligence-based reports and alerts in order to raise the awareness of identified threats and thus enhance the effectiveness of appropriate operational responses by the competent national authorities and the Commission, subject to the limits of the latter's competence.

Article 21**Amendment of existing legal provisions**

The Commission shall submit the proposals required to amend Regulation (EC) No 1798/2003 and Decision 2000/642/JHA.

TITLE III**RECOVERY****Article 22****Strengthening the possibility of recovering unlawfully obtained gains and obligation to provide information**

1. For the purpose of facilitating the recovery of gains resulting from irregularities, as defined in point 1 of the first paragraph of Article 3, institutions and persons, as referred to in Article 2a of Directive 91/308/EEC, shall provide the competent authorities of the Member States, upon request and in accordance with paragraph 2, with all relevant financial information enabling those authorities to apply the measures provided for in Article 23.

2. Requests as referred to in paragraph 1 shall be accompanied by a statement outlining relevant facts known to the authority making the request or to the Commission, and the grounds for serious suspicion. The credit institutions and/or financial institutions concerned shall ensure that this information remains confidential.

Article 23**Means of recovery**

1. *In order to ensure effective recovery, Member States shall seize and freeze, where necessary after obtaining authorisation from a judicial authority, the proceeds of unlawfully obtained advantages affecting the Community's financial interests. This provision shall apply to the proceeds of any irregularity involving sums of more than EUR 50 000 or property, as referred to in Article 1, point (D), of Directive 91/308/EEC, the value of which corresponds to such proceeds.*

2. *The measures referred to in paragraph 1 may be imposed on a natural or legal person who has committed or is suspected of having committed the irregularity, or who has contributed to or is suspected of having contributed to the commission of the irregularity. These measures may also be applied to a natural or legal person who benefits from the proceeds of the irregularity.*

TITLE IV

FINAL PROVISIONS

Article 24

Implementing rules

Detailed implementing rules concerning the mutual assistance and exchange of information provided for in Chapter 1 of Title II shall be adopted in accordance with the procedure referred to in Article 25(2).

In addition to the matters referred to in the second subparagraph of Article 11(1) and in Article 12(4) those rules may cover, in particular:

- (a) irregularities within the meaning of point (1)(b) of the first paragraph of Article 3;
- (b) irregularities within the meaning of point (1)(c) of the first paragraph of Article 3;
- (c) irregularities in the structural funds sector.

Article 25

Committee

1. The Commission shall be assisted by the *Committee* set up under Article 43 of Regulation (EC) No 515/97.

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

The period referred to in Article 5(6) of Decision 1999/468/EC shall be three *months*.

Article 26

Evaluation report

Every three years after the date of entry into force of this Regulation, the Commission shall report to the European Parliament, the Court of Auditors and the Council on the application of this Regulation.

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Article 27

Entry into force

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

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

Done at ..., on ...

For the European Parliament
The President

For the Council
The President

P6_TA(2005)0256

Access to Community external assistance *I**

European Parliament legislative resolution on the proposal for a regulation of the European Parliament and of the Council on the access to Community External Assistance (COM(2004)0313 — C6-0032/2004 — 2004/0099(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2004) 0313) ⁽¹⁾,
- having regard to Article 251(2) and Article 179 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0032/2004),
- having regard to Rule 51 of its Rules of Procedure,
- having regard to the report of the Committee on Development and the opinion of the Committee on Foreign Affairs (A6-0182/2005),

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

⁽¹⁾ Not yet published in OJ.

P6_TC1-COD(2004)0099

Position of the European Parliament adopted at first reading on 23 June 2005 with a view to the adoption of Regulation (EC) No .../2005 of the European Parliament and of the Council on access to Community external assistance

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular *Articles 179 and 181a* thereof,

Having regard to the proposal from the *Commission*,

Having regard to the opinion of the European Economic and Social Committee ⁽¹⁾,

Having *consulted* the Committee of the Regions,

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

Whereas:

- (1) The practice of tying the granting of aid, directly or indirectly, to the purchase of goods and services procured by means of that aid in the donor country reduces its effectiveness and is not coherent with a pro-poor development policy. The untying of aid is not an aim in itself, but should be used as a tool to cross-fertilise other elements in the fight against poverty such as ownership, regional integration and capacity building, **with a focus on empowering local and regional suppliers of goods and services in developing countries.**
- (2) In March 2001, the Development Assistance Committee of the Organisation for Economic Co-operation and Development (OECD/DAC) adopted a "Recommendation on Untying Official Development Assistance to the Least Developed Countries" ⁽³⁾. The *Member States adopted* those recommendations and *the Commission* recognised the spirit of this Recommendation as a guidance for Community aid.
- (3) On 14 March 2002, the General Affairs Council held in conjunction with the European Council in Barcelona in preparation for the International Conference on Financing for Development, convened in Monterrey on 18-22 March 2002, concluded that the European Union (EU) would "implement the DAC recommendation on untying of aid to Least Developed Countries and continue discussions in view of further untying bilateral aid. The EU will also consider steps towards further untying of Community aid while maintaining the existing system of price preferences of the EU-ACP framework."
- (4) On 18 November 2002, the Commission adopted a communication to the European Parliament and to the Council on "Untying: *Enhancing* the effectiveness of *aid*. It presented the Commission's views on the issue and possible options for the implementation of the *above-mentioned* Barcelona commitment within the EU Aid Assistance system."
- (5) In its *Conclusions on the Untying of Aid of 20 May 2003* the Council underlined the need to further untie Community aid. It agreed to the modalities detailed on the *above-mentioned* Communication and decided on the options proposed.
- (6) On 4 September 2003, *the European Parliament adopted a resolution on the above-mentioned Commission communication* ⁽⁴⁾, in which it noted the need to further untie Community aid. It supported the modalities detailed in *that* Communication and agreed to the options proposed. It highlighted the need for further debate geared towards more untying on the basis of further studies and documented proposals, **and called explicitly for a clear preference for local and regional cooperation, prioritising — in ranking order — suppliers from the recipient country, neighbouring developing countries and other developing countries, in order to strengthen the efforts of the recipient countries to improve their own production at national, regional, local and family level, as well as actions aimed at improving the availability and accessibility to the public of foodstuffs and basic services, consistent with local habits and production and trading systems.**
- (7) Several elements need to be addressed in order to *define access* to Community external assistance. The rules of eligibility governing access by persons are laid down in Article 3. The rules governing the **engagement of experts** and the origin of supplies and materials purchased by eligible persons are laid down in **Articles 4 and 5 respectively**. The definition and modalities of implementation of reciprocity are contained in Article 6. Derogations and their implementation are provided for in Article 7. Specific provisions concerning operations financed through an international organisation or a regional organisation, or co-financed with a third country, are laid down in Article 8. Specific provisions concerning humanitarian aid are laid down in Article 9.

⁽¹⁾ OJ C 157, 28.6.2005, p. 99.

⁽²⁾ Position of the European Parliament of 23 June 2005.

⁽³⁾ OECD/DAC 2001 Report, 2002, Volume 3, No 1, p. 46.

⁽⁴⁾ OJ C 76 E, 25.3.2004, p. 474.

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- (8) *Access to Community external assistance is defined in the basic acts regulating such assistance, in conjunction with Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities⁽¹⁾ ("the Financial Regulation"). The changes made by this Regulation to access to Community aid entail amendments to all those **instruments**. All the modifications to all the basic acts concerned are listed in Annex I to this Regulation.*
- (9) ***When awarding tenders under a Community instrument, special consideration will be given to respect for internationally agreed core labour standards of the International Labour Organization (ILO), e.g. the conventions on freedom of association and collective bargaining, elimination of forced and compulsory labour, elimination of discrimination in respect of employment and occupation, and the abolition of child labour.***
- (10) ***When awarding tenders under a Community instrument, special consideration will be given to respect for the following internationally agreed environmental conventions: the Convention on Biological Diversity of 1992, the Cartagena Protocol on Biosafety of 2000 and the Kyoto Protocol to the United Nations Framework Convention on Climate Change of 1997,***

HAVE ADOPTED THIS REGULATION:

Article 1

Scope

This Regulation lays down the rules for access by interested parties to Community external assistance instruments financed by the general budget of the European Union, as listed in Annex I.

Article 2

Definition

For the interpretation of the terms used in this Regulation, reference is made to the Financial Regulation and to Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002⁽²⁾ laying down detailed rules for the implementation of the Financial Regulation.

Article 3

Rules of eligibility

1. Participation in the award of procurement or grant contracts financed under a Community instrument shall be open to all legal persons who are established in a Member State of the European Community, in an official candidate country as recognised by the European Community or in a Member State of the European Economic Area.
2. Participation in the award of procurement or grant contracts financed under a Community instrument with thematic scope, as defined in Annex I, Part A, shall be open to all legal persons who are established in a **developing country**, as specified in the OECD/DAC list contained in Annex II, in addition to those legal persons already eligible by virtue of the instrument concerned.
3. Participation in the award of procurement or grant contracts financed under a Community instrument with geographical scope, as defined in Annex I, Part B, shall be open to all legal persons who are established in a **developing country** as specified in the OECD/DAC list contained in Annex II and who are expressly mentioned as eligible, and to those already stated to be eligible by the instrument concerned.
4. Participation in the award of procurement or grant contracts financed under a Community instrument shall be open to all legal persons who are established in any country other than those referred in paragraphs 1, 2 and 3, where reciprocal access to their external assistance has been established pursuant to **Article 6**.

⁽¹⁾ OJ L 248, 16.9.2002, p. 1.

⁽²⁾ OJ L 357, 31.12.2002, p. 1.

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5. **Participation** in the award of procurement or grant contracts financed under a Community instrument shall be open to international organisations.
6. The above is without prejudice to the categories of organisations eligible for the award of any contract, or to the derogation contained in Article 114(1) of the Financial Regulation.

Article 4

Experts

All experts engaged by tenderers as defined in Articles 3 and 8 may be of any nationality. This Article is without prejudice to the qualitative and financial requirements set out in the Community's procurement rules.

Article 5

Rules of origin

All supplies and materials purchased under a contract financed under a Community instrument must originate from the Community or from an eligible country as defined in **Articles 3 and 7** herein. The term "origin" for the purpose of this Regulation is defined in the relevant Community legislation on rules of origin for customs purposes.

Article 6

Reciprocity with third countries

1. Reciprocal access to **the Community's** external assistance shall be granted for a country falling within the scope of Article 3(4), whenever such country grants eligibility on equal terms to the Member States **and to the recipient country concerned.**
2. The granting of reciprocal access to **the Community's** external assistance shall be based on a comparison between the EU and other donors and shall **proceed at sectoral** level, as defined by the OECD/DAC categories, or **at** country level, **whether the country concerned is a donor or a recipient country.** The decision **to grant** such reciprocity to a donor country shall be based on the transparency, consistency and proportionality of the aid provided by that donor, including its qualitative and quantitative nature.
3. Reciprocal access to **the Community's** external assistance shall be established by means of a specific decision concerning a given country or a given regional group of countries. Such a decision shall be adopted in accordance **with Council** Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁽¹⁾ under the procedures and relevant committee **associated with the act** concerned. **The right of the European Parliament to be regularly informed pursuant to Article 7(3) of that Decision shall be fully respected.** Such a decision shall **run** for a minimum period of one year.
4. Reciprocal access to **the Community's** external assistance **in the Least Developed Countries as listed in Annex II** shall be automatically **granted to** the third countries listed in Annex III.
5. The *recipient* countries shall be **consulted in** the *procedure* described in paragraphs **1, 2 and 3.**

Article 7

Derogations from the rules of eligibility and origin

1. In duly substantiated exceptional cases, the Commission may extend *eligibility to legal persons* from a country not eligible under Article 3.
2. In duly substantiated exceptional cases, the Commission may allow the purchase of supplies and materials originating from a country not eligible under Article 3.

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

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3. Derogations as provided for in paragraphs 1 and 2 may be justified on the basis of the unavailability of products and services in the markets of the countries concerned, for reasons of extreme urgency, or if the eligibility rules would make the realisation of a project, a programme or an action impossible or exceedingly difficult.

Article 8

Operations involving international institutions
or **co-financing**

1. Whenever Community funding covers an operation implemented through an international organisation, participation in the appropriate contractual procedures shall be open to all legal persons who are eligible pursuant to Article 3 as well as to all legal persons who are eligible pursuant to the rules of that organisation, care being taken to ensure that equal treatment is afforded to all donors. The same rules shall apply in respect of supplies, materials **and experts**.

2. Whenever Community funding covers an operation co-financed with a third country, subject to reciprocity as defined in Article 6, or with a regional organisation, **or a Member State**, participation in the appropriate contractual procedures shall be open to all legal persons who are eligible pursuant to Article 3 as well as to all legal persons who are **eligible under the rules** of such a third country, regional organisation **or Member State**. The same rules shall apply in respect of supplies, materials **and experts**.

3. **As far as food aid operations are concerned, the application of this Article shall be limited to emergency operations.**

Article 9

Humanitarian aid **and NGOs**

1. For the purposes of humanitarian aid, within the meaning of Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid⁽¹⁾ **and for the purposes of aid channelled directly through NGOs, within the meaning of Council Regulation (EC) No 1658/98 of 17 July 1998 on co-financing operations with European non-governmental development organisations (NGOs) in fields of interest to the developing countries⁽²⁾**, the provisions of Article 3 shall not apply to the eligibility criteria established for the selection of grant beneficiaries.

2. Beneficiaries of these grants shall abide by the rules established in this Regulation where the implementation of the assisted humanitarian action **and aid channelled directly through NGOs within the meaning of Regulation (EC) no 1658/98** requires the award of procurement contracts.

Article 10

Respect for core principles and strengthening local markets

1. **In order to accelerate the eradication of poverty through the promotion of local capacities, markets and purchases, special consideration shall be given to local and regional procurement in partner countries.**

2. **Tenderers who have been awarded contracts shall respect internationally agreed core labour standards, e.g. the ILO core labour standards, conventions on freedom of association and collective bargaining, elimination of forced and compulsory labour, elimination of discrimination in respect of employment and occupation, and the abolition of child labour.**

3. **Access by developing countries to Community external assistance shall be rendered possible by all such technical assistance as is deemed appropriate.**

⁽¹⁾ OJ L 163, 2.7.1996, p. 1. Regulation as amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

⁽²⁾ OJ L 213, 30.7.1998, p. 1. Regulation as amended by Regulation (EC) No 1882/2003.

Article 11

Implementation of the Regulation

This *Regulation* amends and *regulates* the relevant parts of all existing Community instruments listed in Annex I. The Commission shall amend Annexes II to IV to this Regulation from time to time to take account of any amendments to OECD texts.

Article 12

Entry into force

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

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

Done at ..., on ...

For the European Parliament
The President

For the Council
The President

ANNEX I

The following amendments are made to the Community instruments listed hereafter.

PART A. Community instruments with a thematic scope

- 1) Regulation (EC) No 1568/2003 of the European Parliament and of the Council of 15 July 2003 on aid to fight poverty diseases (HIV/AIDS, tuberculosis and malaria) in developing countries⁽¹⁾:
 - in Article 5(3) the following sentence is added: "Participation in contractual procedures implemented through an international organisation or co-financed with a third country is defined in Regulation (EC) No .../2005 of the European Parliament and of the Council of ... on access to Community external assistance".
 - Article 8(1) is replaced by the following: "Eligibility for participation in tendering procedures under this Regulation shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]".
 - Article 8(2) is replaced by the following: "The origin of supplies and materials purchased under this Regulation shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]".
- 2) Regulation (EC) No 1567/2003 of the European Parliament and of the Council of 15 July 2003 on aid for policies and actions on reproductive and sexual health and rights in developing countries⁽²⁾:
 - in Article 5(3) the following sentence is added: "Participation in contractual procedures implemented through an international organisation or co-financed with a third country is defined in Regulation (EC) No .../2005 of the European Parliament and of the Council on access to Community external assistance".

⁽¹⁾ OJ L 224, 6.9.2003, p. 7.

⁽²⁾ OJ L 224, 6.9.2003, p. 1.

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- Article 8(1) is replaced by the following: “Eligibility for participation in tendering procedures under this Regulation shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]”.
 - Article 8(2) is replaced by the following: “The origin of supplies and materials purchased under this Regulation shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]”.
- 3) Regulation (EC) No 1724/2001 of the European Parliament and of the Council of 23 July 2001 concerning action against anti-personnel landmines in developing countries ⁽¹⁾:
- Article 4(2) is replaced by the following: “Eligibility for participation in tendering procedures under this Regulation shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 of the European Parliament and of the Council of ... on access to Community external assistance”.
 - in Article 8(2) the following sentence is added: “Participation in contractual procedures implemented through an international organisation or co-financed with a third country is defined in Regulation (EC) No .../2005 [on access to Community external assistance]”.
- 4) Council Regulation (EC) No 1725/2001 of 23 July 2001 concerning action against anti-personnel landmines in third countries other than developing countries ⁽²⁾:
- in Article 4(2) the following sentence is added: “Eligibility for participation in tendering procedures under this Regulation shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 of the European Parliament and of the Council of ... on access to Community external assistance”.
 - in Article 7(3) the following sentence is added: “Participation in contractual procedures implemented through an international organisation or co-financed with a third country is defined in Regulation (EC) No .../2005 [on access to Community external assistance]”.
- 5) Regulation (EC) No 2493/2000 of the European Parliament and of the Council of 7 November 2000 on measures to promote the full integration of the environmental dimension in the development process of developing countries ⁽³⁾:
- in Article 5(3) the following sentence is added: “Participation in contractual procedures implemented through an international organisation or co-financed with a third country is defined in Regulation (EC) No .../2005 of the European Parliament and of the Council of ... on access to Community external assistance”.
 - Article 8(8) is replaced by the following: “Eligibility for participation in tendering procedures under this Regulation shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]”.
 - Article 8(9) is replaced by the following: “The origin of supplies and materials purchased under this Regulation shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]”.
- 6) Regulation (EC) No 2494/2000 of the European Parliament and of the Council of 7 November 2000 on measures to promote the conservation and sustainable management of tropical forests and other forests in developing countries ⁽⁴⁾:
- in Article 6(3) the following sentence is added: “Participation in contractual procedures implemented through an international organisation or co-financed with a third country is defined in Regulation (EC) No .../2005 of the European Parliament and of the Council of ... on access to Community external assistance”.

⁽¹⁾ OJ L 234, 1.9.2001, p. 1.

⁽²⁾ OJ L 234, 1.9.2001, p. 6.

⁽³⁾ OJ L 288, 15.11.2000, p. 1.

⁽⁴⁾ OJ L 288, 15.11.2000, p. 6.

- Article 9(8) is replaced by the following: “Eligibility for participation in tendering procedures under this Regulation shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]”.
 - Article 9(9) is replaced by the following: “The origin of supplies and materials purchased under this Regulation shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]”.
- 7) Council Regulation (EC) No 975/1999 of 29 April 1999 laying down the requirements for the implementation of development cooperation operations which contribute to the general objective of developing and consolidating democracy and the rule of law and to that of respecting human rights and fundamental freedoms ⁽¹⁾:
- Article 5 is replaced by the following: “Eligibility for grant contracts shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 of the European Parliament and of the Council of ... on access to Community external assistance”.
 - Article 8(1) is replaced by the following: “Eligibility for participation in tendering procedures under this Regulation shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]”.
 - Article 8(2) is replaced by the following: “The origin of supplies and materials purchased under this Regulation shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]”.
- 8) Council Regulation (EC) No 976/1999 of 29 April 1999 laying down the requirements for the implementation of Community operations, other than those of development cooperation, which, within the framework of Community cooperation policy, contribute to the general objective of developing and consolidating democracy and the rule of law and to that of respecting human rights and fundamental freedoms in third countries ⁽²⁾:
- in Article 5(1) the following sentence is added: “Eligibility for grant contracts shall be further determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 of the European Parliament and of the Council of ... on access to Community external assistance”.
 - in Article 6 the following shall be added: “To be eligible for Community aid, the partners referred to in Article 5(1) must have their main headquarters in a country eligible for Community aid under this Regulation, as well as under Regulation (EC) No .../2005 [on access to Community external assistance]. Such headquarters must be the effective decision-making centre for all operations financed under this Regulation. Exceptionally, the headquarters may be in another third country”.
 - in Article 9(1) the following sentence shall be added: “Eligibility for participation in tendering procedures under this Regulation shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, laid down in this Regulation, as well as those contained in Regulation (EC) No .../2005 [on access to Community external assistance]”.
 - in Article 9(2) the following sentence shall be added: “The origin of supplies and materials purchased under this Regulation shall be further determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]”.

⁽¹⁾ OJ L 120, 8.5.1999, p. 1. Regulation as last amended by Regulation (EC) No 2240/2004 of the European Parliament and of the Council (OJ L 390, 31.12.2004, p. 3).

⁽²⁾ OJ L 120, 8.5.1999, p. 8. Regulation as last amended by Regulation (EC) No 2242/2004 (OJ L 390, 31.12.2004, p. 21).

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- 9) Council Regulation (EC) No 2836/98 of 22 December 1998 on integrating of gender issues in development cooperation ⁽¹⁾:
- in Article 5(4) the following sentence is added: “Participation in contractual procedures implemented through an international organisation or co-financed with a third country is defined in Regulation (EC) No .../2005 of the European Parliament and of the Council of ... on access to Community external assistance”.
 - Article 7(6) is replaced by the following: “Eligibility for participation in tendering procedures under this Regulation shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]”.
 - Article 7(7) is replaced by the following: “The origin of supplies and materials purchased under this Regulation shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]”.
- 10) Council Regulation (EC) No 1658/98 of 17 July 1998 on co-financing operations with European non-governmental organisations (NGOs) in fields of interest to the developing countries ⁽²⁾:
- Article 3(1) (second indent) is replaced by the following: “They must have a headquarters in an eligible country and the headquarters must be the main centre for decisions relating to the co-financed operations, as defined in Regulation (EC) No .../2005 of the European Parliament and of the Council of ... on access to Community external assistance”.
 - Article 3(1) (third indent) is replaced by the following: “The majority of their funding must originate in an eligible country as defined in Regulation (EC) No .../2005 [on access to Community external assistance]”.
 - Article 3(3) is added as follows: “The origin of supplies and materials purchased under this Regulation shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]”.
- 11) Commission Regulation (EC) No 2519/97 of 16 December 1997 laying down general rules for the mobilisation of products to be supplied under Council Regulation (EC) No 1292/96 as Community food aid ⁽³⁾:
- Article 2(1) is replaced by the following: “Eligibility for participation in tendering procedures under this Regulation shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 of the European Parliament and of the Council of ... on access to Community external assistance”.
 - Article 4(1) and (2) is replaced by the following: “The origin of supplies and materials purchased under this Regulation shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]”.
 - Article 4(3) and (4) is deleted.
- 12) Council Regulation (EC) No 2046/97 of 13 October 1997 on north-south cooperation in the campaign against drugs and drug addiction ⁽⁴⁾:
- Article 5 is replaced by the following: “The cooperation partners eligible for financial support under this Regulation shall be regional and international organisations, in particular UNDCP, non-governmental organisations, national, provincial and local government departments and agencies, community-based organisations, institutes and public and private operators. Eligibility for grant contracts shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 of the European Parliament and of the Council of ... on access to Community external assistance”.

⁽¹⁾ OJ L 354, 30.12.1998, p. 5. Regulation as amended by Regulation (EC) No 1882/2003.

⁽²⁾ OJ L 213, 30.7.1998, p. 1. Regulation as amended by Regulation (EC) No 1882/2003.

⁽³⁾ OJ L 346, 17.12.1997, p. 23.

⁽⁴⁾ OJ L 287, 21.10.1997, p. 1.

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- *in Article 6(5) the following sentence is added: "Participation in contractual procedures implemented through an international organisation or co-financed with a third country is defined in Regulation (EC) No .../2005 [on access to Community external assistance]".*
 - *Article 9(7) is replaced by the following: "Eligibility for participation in tendering procedures under this Regulation shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]".*
 - *Article 9(8) is replaced by the following: "The origin of supplies and materials purchased under this Regulation shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]".*
- 13) Council Regulation (EC) No 2258/96 of 22 November 1996 on rehabilitation and reconstruction operations in developing countries ⁽¹⁾:
- *in Article 4(4) the following sentence is added: "Participation in contractual procedures implemented through an international organisation or co-financed with a third country is defined in Regulation (EC) No .../2005 of the European Parliament and of the Council of ... on access to Community external assistance".*
 - *Article 6(7) is replaced by the following: "Eligibility for participation in tendering procedures under this Regulation shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]".*
 - *Article 6(8) is replaced by the following: "The origin of supplies and materials purchased under this Regulation shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]".*
- 14) Council Regulation (EC) No 1292/96 of 27 June 1996 on food-aid policy and food-aid management and special operations in support of food security ⁽²⁾:
- Article 9 is replaced by the following:

"1. The countries eligible for Community aid for operations under this Regulation are listed in the Annex. In this connection, priority shall be given to the poorest sections of the population and to low-income countries with serious food shortages.
The Council, acting by a qualified majority on a proposal from the Commission, may amend that list. Eligibility for grant contracts shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 of the European Parliament and of the Council of ... on access to Community external assistance.

2. Non-profit-making non-governmental organisations (NGOs) eligible for direct or indirect Community financing for the implementation of operations under this Regulation must meet the following criteria:

 - (a) if they are NGOs, they must be autonomous organisations in an eligible country under the laws in force in that country;
 - (b) they must have their headquarters in an eligible country. This headquarters must be the effective decision-making centre for all co-financed operations;
 - (c) they must show that they can successfully carry out food-aid operations; in particular through:
 - their administrative and financial management capacity,
 - their technical and logistical capacity to handle the proposed operation,
 - the results of operations implemented by the relevant NGOs carried out with Community finance or finance from the Member States,

⁽¹⁾ OJ L 306, 28.11.1996, p. 1. Regulation as amended by Regulation (EC) No 1882/2003.

⁽²⁾ OJ L 166, 5.7.1996, p. 1. Regulation as last amended by Regulation (EC) No 1882/2003.

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- their experience in the field of food aid and food security,
- their presence in the recipient country and their knowledge of that country or of developing countries;
- (d) *they must undertake to comply with the conditions laid down by the Commission for the allocation of food aid.*"
- in Article 10(2) *the following sentence is added: "Participation in contractual procedures implemented through an international organisation or co-financed with a third country is defined in Regulation (EC) No .../2005 [on access to Community external assistance]"*.
- Article 11(1) is replaced by the following: *"Products shall be mobilised in the recipient country or in one of the developing countries (listed in the Annex), if possible one belonging to the same geographical region as the recipient country. The origin of supplies and materials purchased under this Regulation shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]"*.
- Article 11(3) is deleted.
- Article 11(4) becomes Article 11(3).
- Article 17 (first indent) is replaced by the following: *"Eligibility for participation in tendering procedures under this Regulation shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]"*.

PART B. Community instruments with a geographical scope

- 15) Council Regulation (EC) No 2500/2001 of 17 December 2001 concerning pre-accession financial assistance for Turkey⁽¹⁾:
- in Article 8(7) *the following sentence is added to the first subparagraph: "Eligibility for participation in tendering procedures under this Regulation shall be further determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 of the European Parliament and of the Council of ... on access to Community external assistance"*.
 - in Article 8(7) *the following sentence is added to the second subparagraph: "Participation in contractual procedures implemented through an international organisation or co-financed with a third country is further defined in Regulation (EC) No .../2005 [on access to Community external assistance]"*.
 - in Article 8 *the following sentence shall be added to paragraph 8: "The origin of supplies and materials purchased under this Regulation shall be further defined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]"*.
- 16) Regulation (EC) No 257/2001 of the European Parliament and of the Council of 22 January 2001 regarding the implementation of measures to promote economic and social development in Turkey⁽²⁾:
- in Article 5(5) *the following sentence is added: "Participation in contractual procedures implemented through an international organisation or co-financed with a third country is also defined in Regulation (EC) No .../2005 of the European Parliament and of the Council of ... on access to Community external assistance"*.
 - in Article 6(7) *the following sentence is added: "Eligibility for participation in tendering procedures under this Regulation shall be further determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]"*.
 - in Article 6(8) *the following sentence is added: "The origin of supplies and materials purchased under this Regulation shall be further defined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]"*.

⁽¹⁾ OJ L 342, 27.12.2001, p. 1. Regulation as last amended by Regulation (EC) No 850/2005 (OJ L 141, 4.6.2005, p. 1).

⁽²⁾ OJ L 39, 9.2.2001, p. 1.

- 17) Regulation (EC) No 2130/2001 of the European Parliament and of the Council of 29 October 2001 on operations to aid uprooted people in Asia and Latin American developing countries⁽¹⁾:
- in Article 7(3): the following sentence is added: "Participation in contractual procedures implemented through an international organisation or co-financed with a third country is also defined in Regulation (EC) No .../2005 of the European Parliament and of the Council of ... on access to Community external assistance."
 - in Article 10(2) the following sentence is added: "Community assistance is available to partners who have their main office in a country eligible under this Regulation, as well as under Regulation (EC) No .../2005 [on access to Community external assistance], provided that this office is the actual centre directing operations relating to their business activities. In exceptional cases, this office may be located in another third country".
 - in Article 13(1) the following sentence is added: "Eligibility for participation in tendering procedures under this Regulation shall be further determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]".
 - in Article 13(2) the following sentence is added: "The origin of supplies and materials purchased under this Regulation shall be further determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]."
- 18) Council Regulation (EC) No 2666/2000 of 5 December 2000 on assistance for Albania, Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia and the Former Yugoslav Republic of Macedonia⁽²⁾:
- in Article 7(3) the following sentence is added: "Eligibility for participation in tendering procedures under this Regulation shall be further determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 of the European Parliament and of the Council of ... on access to Community external assistance".
 - Article 7(4): is replaced by the following: "Participation in contractual procedures implemented through an international organisation or co-financed with a third country is defined in Regulation (EC) No .../2005 [on access to Community external assistance]".
- 19) Regulation (EC) No 1726/2000 of the European Parliament and of the Council of 29 June 2000 on development cooperation with South Africa⁽³⁾:
- Article 7 (6) is replaced by the following: "Eligibility for participation in tendering procedures under this Regulation shall be determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 of the European Parliament and of the Council of ... on access to Community external assistance".
 - Article 7(7) is replaced by the following: "The origin of supplies and materials purchased under this Regulation shall be determined in accordance with the rules of nationality and origin, and derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]".
- 20) Council Regulation (EC, Euratom) No 99/2000 of 29 December 1999 concerning the provision of assistance to the partner States in Eastern Europe and Central Asia⁽⁴⁾:
- in Article 11(3) the following sentence is added: "The origin of supplies and materials purchased under this Regulation shall be further determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 of the European Parliament and of the Council of ... on access to Community external assistance."

⁽¹⁾ OJ L 287, 31.10.2001, p. 3. Regulation as amended by Regulation (EC) No 107/2005 (OJ L 23, 26.1.2005, p. 1).

⁽²⁾ OJ L 306, 7.12.2000, p. 1. Regulation as last amended by Regulation (EC) No 2257/2004 (OJ L 389, 30.12.2004, p. 1).

⁽³⁾ OJ L 198, 4.8.2000, p. 1. Regulation as amended by Regulation (EC) No 1934/2004 (OJ L 338, 13.11.2004, p. 1).

⁽⁴⁾ OJ L 12, 18.1.2000, p. 1.

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- *in Article 11(4) the following sentence is added: "Eligibility for participation in tendering procedures under this Regulation shall be further determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]".*
 - *in Article 11(5) the following sentence is added: "Participation in contractual procedures implemented through an international organisation or co-financed with a third country is further defined in Regulation (EC) No .../2005 [on access to Community external assistance]".*
- 21) Council Regulation (EC) No 1267/1999 of 21 June 1999 establishing an Instrument for Structural Policies for Pre-accession ⁽¹⁾:
- *in Article 6a(1) the following sentence is added: "Eligibility for participation in tendering procedures under this Regulation shall be further determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 of the European Parliament and of the Council of ... on access to Community external assistance".*
 - *in Article 6a(2) the following sentence is added: "Participation in contractual procedures implemented through an international organisation or co-financed with a third country is further defined in Regulation (EC) No .../2005 [on access to Community external assistance]".*
- 22) Council Regulation (EC) No 1268/1999 of 21 June 1999 on Community support for pre-accession measures for agriculture and rural development in the applicant countries of *central* and *eastern* Europe in the pre-accession period ⁽²⁾:
- *in Article 3(3) the following sentence is added: "Eligibility for participation in tendering procedures under this Regulation shall be determined in accordance with the rules of nationality and origin and the derogations therefrom laid down herein, as well as in Regulation (EC) No .../2005 of the European Parliament and of the Council of ... on access to Community external assistance".*
- 23) Council Regulation (EC) No 1488/96 of 23 July 1996 on financial and technical measures to accompany (MEDA) the reform of economic and social structures in the framework of the Euro-Mediterranean Partnership ⁽³⁾:
- *in Article 8(1) the following sentence is added: "Eligibility for participation in tendering procedures under this Regulation shall be determined in accordance with the rules of nationality and origin and the derogations therefrom laid down herein, as well as in Regulation (EC) No .../2005 of the European Parliament and of the Council of ... on access to Community external assistance".*
 - *in Article 8(8) the following sentence is added: "Participation in contractual procedures implemented through an international organisation or co-financed with a third country is defined in Regulation (EC) No .../2005 [on access to Community external assistance]".*
- 24) Council Regulation (EC) No 1734/94 of 11 July 1994 on financial and technical cooperation with the Occupied Territories ⁽⁴⁾:
- *in Article 2(4) the following sentence is added: "Participation in contractual procedures implemented through an international organisation is further defined in Regulation (EC) No .../2005 of the European Parliament and of the Council of ... on access to Community external assistance".*

⁽¹⁾ OJ L 161, 26.6.1999, p. 73. Regulation as last amended by Regulation (EC) No 2257/2004.

⁽²⁾ OJ L 161, 26.6.1999, p. 87. Regulation as last amended by Regulation (EC) No 2257/2004.

⁽³⁾ OJ L 189, 30.7.1996, p. 1.

⁽⁴⁾ OJ L 182, 16.7.1994, p. 4. Regulation as last amended by Regulation (EC) No 669/2004 of the European Parliament and of the Council (OJ L 105, 14.4.2004, p. 1).

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- 25) Council Regulation (EEC) No 1762/92 of 29 June 1992 on the implementation of the Protocols on financial and technical cooperation concluded by the Community with Mediterranean non-member countries⁽¹⁾:
- in Article 2(1) the following sentence is added: "Participation in contractual procedures implemented through an international organisation or co-financed with a third country is further defined in Regulation (EC) No .../2005 of the European Parliament and of the Council of ... on access to Community external assistance".
- 26) Council Regulation (EEC) No 443/92 of 25 February 1992 on financial and technical assistance to, and economic cooperation with, the developing countries in Asia and Latin America⁽²⁾:
- in Article 9 the following sentence is added: "Participation in contractual procedures implemented through an international organisation or co-financed with a third country is further defined in Regulation (EC) No .../2005 of the European Parliament and of the Council of ... on access to Community external assistance".
 - in Article 13 the following sentence is added: "Eligibility for participation in tendering procedures under this Regulation shall be further determined in accordance with the rules of nationality and origin, and the derogations therefrom, contained in Regulation (EC) No .../2005 [on access to Community external assistance]".

⁽¹⁾ OJ L 181, 1.7.1992, p. 1.

⁽²⁾ OJ L 52, 27.2.1992, p. 1. Regulation as last amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36).

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ANNEX II

DAC LIST OF AID RECIPIENTS — AS AT 1 JANUARY 2003

Part I: Developing Countries and Territories (Official Development Assistance)					Part II: Countries and Territories in Transition (Official Aid)	
Least Developed Countries	Other Low-Income Countries (Other LICs) (per capita GNI < USD 745 in 2001)	Lower Middle-Income Countries (LMICs) (per capita GNI USD 746 to USD 2 975 in 2001)	Upper Middle-Income Countries (UMICs) (per capita GNI USD 2 976 to USD 9 205 in 2001)	High-Income Countries (HICs) (per capita GNI > USD 9 206 in 2001)	Central and East European Countries and New Independent States of the former Soviet Union	More Advanced Developing Countries and Territories
Afghanistan Angola Bangladesh Benin Bhutan Burkina Faso Burundi Cambodia Cape Verde Central African Republic Chad Comoros Congo, Dem. Rep. Djibouti Equatorial Guinea Eritrea Ethiopia Gambia Guinea Guinea-Bissau Haiti Kiribati Laos Lesotho Liberia Madagascar Malawi Maldives Mali Mauritania Mozambique Myanmar Nepal Niger Uganda Rwanda Samoa São Tomé and Príncipe Senegal Sierra Leone Solomon Islands Somalia Sudan Tanzania Timor-Leste Togo Tuvalu Vanuatu Yemen Zambia	Armenia ⁽¹⁾ Azerbaijan ⁽¹⁾ Cameroon Congo, Rep. Côte d'Ivoire Georgia ⁽¹⁾ Ghana India Indonesia Kenya Korea, Democratic Republic Kyrgyz Rep. ⁽¹⁾ Moldova ⁽¹⁾ Mongolia Nicaragua Nigeria Pakistan Papua New Guinea Tajikistan ⁽¹⁾ Uzbekistan ⁽¹⁾ Vietnam Zimbabwe	Albania ⁽¹⁾ Algeria Belize Bolivia Bosnia and Herzegovina China Colombia Cuba Dominican Republic Ecuador Egypt El Salvador Fiji Guatemala Guyana Honduras Iran Iraq Jamaica Jordan Kazakhstan ⁽¹⁾ Macedonia (former Yugoslav Republic) Marshall Islands Micronesia, Federated States Morocco Namibia Niue Palestinian Administered Area Paraguay Peru Philippines Serbia and Montenegro South Africa Sri Lanka St Vincent and Grenadines Suriname Swaziland Syria Thailand Tokelau ⁽²⁾ Tonga Tunisia Turkey Turkmenistan ⁽¹⁾ Wallis and Futuna ⁽²⁾	Botswana Brazil Chile Cook Islands Costa Rica Croatia Dominica Gabon Grenada Lebanon Malaysia Mauritius Mayotte ⁽²⁾ Nauru Panama St Helena ⁽²⁾ St Lucia Venezuela Threshold for World Bank Loan Eligibility (USD 5 185 in 2001) Anguilla ⁽²⁾ Antigua and Barbuda Argentina Barbados Mexico Montserrat ⁽²⁾ Oman Palau Islands Saudi Arabia Seychelles St Kitts and Nevis Trinidad and Tobago Turks and Caicos Islands ⁽²⁾ Uruguay	Bahrain	Belarus ⁽¹⁾ Bulgaria ⁽¹⁾ Czech Republic ⁽¹⁾ Estonia ⁽¹⁾ Hungary ⁽¹⁾ Latvia ⁽¹⁾ Lithuania ⁽¹⁾ Poland ⁽¹⁾ Romania ⁽¹⁾ Russia ⁽¹⁾ Slovak Republic ⁽¹⁾ Ukraine ⁽¹⁾	Aruba ⁽²⁾ Bahamas Bermuda ⁽²⁾ Brunei Cayman Islands ⁽²⁾ Chinese Taipei Cyprus Falkland Islands ⁽²⁾ French Polynesia ⁽²⁾ Gibraltar ⁽²⁾ Hong Kong, China ⁽²⁾ Israel Korea Kuwait Libya Macao ⁽²⁾ Malta Netherlands Antilles ⁽²⁾ New Caledonia ⁽²⁾ Qatar Singapore Slovenia United Arab Emirates Virgin Islands (UK) ⁽²⁾

(1) Central and East European countries and New Independent States of the former Soviet Union (CEECS/NIS).

(2) Territory.

ANNEX III

LIST OF OECD/DAC MEMBERS

Australia, Austria, Belgium, Canada, Denmark, European Commission, Finland, France, Germany, Greece, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Switzerland, United Kingdom, United States.

ANNEX IV

EXTRACTS FROM THE RECOMMENDATION
ON UNTYING OFFICIAL DEVELOPMENT ASSISTANCE
TO THE LEAST DEVELOPED COUNTRIES
BY THE DEVELOPMENT ASSISTANCE COMMITTEE OF THE ORGANISATION
FOR ECONOMIC CO-OPERATION AND DEVELOPMENT (OECD/DAC), MARCH 2001

II. Implementation

(a) Coverage

7. Untying is a complex process. Different approaches are required for different categories of ODA, and actions by Members to implement the Recommendation will vary in coverage and timing. Bearing this in mind, DAC Members will untie their ODA to the Least Developed Countries to the greatest extent possible and in accordance with the criteria and procedures set out in this Recommendation:
 - (i) DAC Members agree to untie, by 1 January 2002, ODA to the Least Developed Countries in the following areas: balance of payments and structural adjustment support; debt forgiveness; sector and multi-sector programme assistance; investment project aid; import and commodity support; commercial services contracts, and ODA to Non-Governmental Organisations for procurement related activities.
 - (ii) In respect of investment-related technical co-operation and free standing technical cooperation, it is recognised that DAC Members' policies may be guided by the importance of maintaining a basic sense of national involvement in donor countries alongside the objective of calling upon partner countries' expertise, bearing in mind the objectives and principles of this Recommendation. Free-standing technical co-operation is excluded from the coverage of the Recommendation.
 - (iii) In respect of food aid, it is recognised that DAC Members' policies may be guided by the discussions and agreements in other international fora governing the provision of food aid, bearing in mind the objectives and principles of this Recommendation.
8. This Recommendation does not apply to activities with a value of less than SDR 700 000 (SDR 130 000 in the case of investment-related technical co-operation).

P6_TA(2005)0257

Greenland halibut *

European Parliament legislative resolution on the proposal for a Council regulation establishing a rebuilding plan for Greenland halibut in the framework of the Northwest Atlantic Fisheries Organisation (COM(2004)0640 — C6-0197/2004 — 2004/0229(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2004)0640) ⁽¹⁾,
- having regard to Article 37 of the EC Treaty, pursuant to which the Council consulted Parliament (C6-0197/2004),
- having regard to Rule 51 of its Rules of Procedure,
- having regard to the report of the Committee on Fisheries (A6-0116/2005),

⁽¹⁾ Not yet published in OJ.

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1. Approves the Commission proposal as amended;
2. Calls on the Commission to alter its proposal accordingly, pursuant to Article 250(2) of the EC Treaty;
3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
4. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
5. Instructs its President to forward its position to the Council and Commission.

TEXT PROPOSED
BY THE COMMISSION

AMENDMENTS
BY PARLIAMENT

Amendment 1

Title

Proposal for a Council Regulation establishing a **rebuilding** plan for Greenland halibut in the framework of the Northwest Atlantic Fisheries Organisation.

Proposal for a Council Regulation establishing a **recovery** plan for Greenland halibut in the framework of the Northwest Atlantic Fisheries Organisation. *(This amendment applies throughout the text. It necessitates corresponding changes throughout.)*

Amendment 2

Recital 7

(7) It is therefore necessary to **implement** the **rebuilding** plan on a **permanent** basis. To that end a procedure should be determined for the transmission of the list of vessels to which a special fishing permit has been issued in accordance with Council Regulation (EC) No 1627/94 of 27 June 1994 laying down general provisions concerning special fishing permits.

(7) It is therefore necessary to **incorporate** the **recovery** plan **into Community law** on a **firm** basis. To that end a procedure should be determined for the transmission of the list of vessels to which a special fishing permit has been issued in accordance with Council Regulation (EC) No 1627/94 of 27 June 1994 laying down general provisions concerning special fishing permits.

Amendment 3

Recital 9

(9) Additional control measures are required to ensure an effective implementation at Community level and to ensure coherence with recovery plans adopted by the Council in other areas. Such measures should include an obligation for prior notification of entry into port designated by Member States **and to limit margins of tolerance**.

(9) Additional control measures are required to ensure an effective implementation at Community level and to ensure coherence with recovery plans adopted by the Council in other areas. Such measures should include an obligation for prior notification of entry into port designated by Member States.

Amendment 4

Article 3, paragraph 1, subparagraph 2

However, where it is decided by NAFO that those TAC levels will not ensure a sustainable fishery of that stock, the Council, acting by a qualified majority on a proposal from the Commission, shall adjust the TAC provided for in the first subparagraph in conformity with the decision by NAFO.

However, where it is decided by NAFO that those TAC levels will not ensure a sustainable fishery of that stock (**or where, on the other hand, recovery of the stock is detected**), the Council, acting by a qualified majority on a proposal from the Commission, shall adjust the TAC provided for in the first subparagraph in conformity with the decision by NAFO.

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TEXT PROPOSED
BY THE COMMISSIONAMENDMENTS
BY PARLIAMENT

Amendment 5

Article 5, paragraph 4

4. Each Member State shall allocate its quota for Greenland halibut among its vessels included in the list referred to in paragraph 1. Member States shall inform the Commission of the allocation of quotas not later than 15 **December** each year.

4. Each Member State shall **take the necessary action to** allocate its quota for Greenland halibut among its vessels included in the list referred to in paragraph 1. Member States shall inform the Commission of the allocation of quotas not later than 15 **January** each year.

Amendment 6

Article 6, paragraph 3

3. When quantities of Greenland halibut reported in accordance with paragraph 1 point (b) are deemed to have exhausted 70% of the Member States' quota, masters shall *take* transmit the reports referred to in point (b) **on a daily basis**.

3. When quantities of Greenland halibut reported in accordance with paragraph 1 point (b) are deemed to have exhausted 70% of the Member States' quota, masters shall transmit the reports referred to in point (b) **every third day**.

Amendment 7

Article 7, paragraph 1

1. The daily quantities of Greenland halibut retained on board during the vessel's stay in NAFO Sub-area 2 and Divisions 3KLMNO shall be stored on board separately from the other catches and clearly labelled.

1. **Taking into account the safety of the crew and of the movements of the vessel, both of which fall under the powers and responsibilities of the captain**, the daily quantities of Greenland halibut retained on board during the vessel's stay in NAFO Sub-area 2 and Divisions 3KLMNO shall be stored on board separately from the other catches and clearly labelled.

Amendment 8

Article 8

Article 8

Margin of tolerance in the estimation of quantities reported in the logbook

By way of derogation from Article 5(2) of Commission Regulation (EEC) No 2807/83 and Article 9 (2) of Commission Regulation (EEC) No 2868/88, the permitted margin of tolerance, in the estimation of the quantities in kilograms retained on board, shall be 5% of the logbook figure.

Deleted

Amendment 9

Article 9, paragraph 4a (new)

4a. The measures laid down in this Article shall apply exclusively to the vessels with a special fishing permit which are referred to in Article 4.

Amendment 10

Article 10, paragraph 1a (new)

The measures laid down in this Article shall apply exclusively to the vessels with a special fishing permit which are referred to in Article 4.

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Lloyd's Affair

European Parliament resolution on the Lloyd's Names petitions

The European Parliament,

— having regard to Rule 108(5) of its Rules of Procedure,

- A. bearing in mind its resolution of 25 September 2003 on the Lloyd's Petitions ⁽¹⁾, which was approved by 358 votes in favour and none against, with 35 abstentions,
 - B. considering that, in spite of the demands made in this resolution, the petitioners have still not obtained an adequate response from Parliament, and especially from the Commission, concerning the way in which Non-Life Insurance Directive 73/239/EEC ⁽²⁾ was transposed and implemented by the UK authorities between the years 1978 and 2001, in particular as regards the regulatory regime and the solvency requirements,
 - C. recalling that in the resolution Parliament reserved the right to conduct further enquiries and investigations if the Commission failed to provide it with a specific response to the questions tabled by 15 November 2003,
 - D. recalling that in February 2004 the then rapporteur on this issue called for Parliament to initiate proceedings before the Court of Justice of the European Communities against the Commission for failure to answer the questions raised by Parliament concerning the implementation of the Directive during the period in question, and recognising that on this occasion Parliament did not vote formally on this request,
 - E. whereas, in its resolution of 9 March 2004 on the Commission Communication on better monitoring of the application of Community law ⁽³⁾, Parliament "strongly deplores the conduct of the Commission towards Parliament and, in particular, its competent committee in the case concerning Lloyd's of London, in relation to which there has been an obstinate refusal to communicate fully with Parliament on all questions it has raised",
 - F. considering that the competent committee recommended in April 2004 that legal proceedings should be brought against the Commission once the full procedural requirements had been met, but that the President of Parliament has now ruled that such procedural requirements have yet to be fulfilled,
1. Calls on the Commission to provide a specific response to the questions raised in the above-mentioned resolution of 25 September 2003 either in this debate or within two months in writing and resolves to bring proceedings pursuant to Article 232 of the EC Treaty against the Commission should the Commission fail to respond;
 2. Reserves the right to initiate further investigatory measures should they be required, bearing in mind that three new petitions have been tabled in 2005 concerning the same Directive by other Lloyd's Names;
 3. Instructs its President to forward this resolution to the Council and the Commission.

⁽¹⁾ OJ C 77 E, 26.3.2004, p. 411.

⁽²⁾ First Council Directive 73/239/EEC of 24 July 1973 on the coordination of laws, regulations and administrative provisions relating to the taking-up and pursuit of the business of direct insurance other than life insurance (OJ L 228, 16.8.1973, p. 3). Directive last amended by Directive 2002/87/EC of the European Parliament and the Council (OJ L 35, 11.2.2003, p. 1).

⁽³⁾ OJ C 102 E, 28.4.2004, p. 142.

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Security Research

European Parliament resolution on Security Research — The Next Steps (2004/2171(INI))

The European Parliament,

- having regard to the Treaty establishing a Constitution for Europe, signed in Rome on 29 October 2004,
- having regard to the European Security Strategy entitled “A secure Europe in a better world”, adopted by the European Council on 12 December 2003,
- having regard to the communication from the Commission entitled “Security Research — The Next Steps” (COM(2004)0590), and to the Commission’s previous communications (COM(2003)0113 and COM(2004)0072),
- having regard to the communication from the Commission to the Council and the European Parliament entitled “Building our common Future — Policy challenges and Budgetary means of the Enlarged Union 2007-2013” (COM(2004)0101), as well as the Commission’s Communication entitled “Science and technology, the key to Europe’s future — Guidelines for future European Union policy to support research” (COM(2004)0353),
- having regard to the communications from the Commission to the Council and the European Parliament on “The prevention of and the fight against terrorist financing through measures to improve the exchange of information, to strengthen transparency and enhance the traceability of financial transactions” (COM(2004)0700), “Preparedness and consequence management in the fight against terrorism” (COM(2004)0701) and “Prevention, preparedness and response to terrorist attacks” (COM(2004)0698),
- having regard to its resolutions of 15 May 1997 ⁽¹⁾, 28 January 1999 ⁽²⁾ and 10 April 2002 ⁽³⁾ on European defence-related industries,
- having regard to its resolution of 30 November 2000 on the establishment of a common European security and defence policy after Cologne and Helsinki ⁽⁴⁾,
- having regard to its resolution of 10 April 2003 on the new European security and defence architecture — priorities and deficiencies ⁽⁵⁾,
- having regard to its resolution of 20 November 2003 on EU Defence Equipment Policy ⁽⁶⁾,
- having regard to the Proposal for a White Paper on European defence as presented by the EU Institute for Security Studies in May 2004,
- having regard to the report on a Human Security Doctrine for Europe as presented to the EU High Representative for Common Foreign and Security Policy on 15 September 2004,
- having regard to the report of the Group of Personalities in the field of Security Research, entitled “Research for a Secure Europe”, of 15 March 2004,
- having regard to Rule 45 of its Rules of Procedure,
- having regard to the report of the Committee on Foreign Affairs and the opinions of the Committee on Industry, Research and Energy and the Committee on Civil Liberties, Justice and Home Affairs (A6-0103/2005),

⁽¹⁾ OJ C 167, 2.6.1997, p. 137.

⁽²⁾ OJ C 128, 7.5.1999, p. 86.

⁽³⁾ OJ C 127 E, 29.5.2003, p. 582.

⁽⁴⁾ OJ C 228, 13.8.2001, p. 173.

⁽⁵⁾ OJ C 64 E, 12.3.2004, p. 599.

⁽⁶⁾ OJ C 87 E, 7.4.2004, p. 518.

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- A. whereas following recent geopolitical, social and technological changes and recent world events such as the terrorist attacks of 11 September 2001 in the USA and 11 March 2004 in Madrid, security has become a more urgent issue, and whereas the EU Member States should be better prepared to deal with new security threats through more effective use of their know-how,
- B. whereas the enlargement to twenty five Member States generates new kinds of security challenges for a new Europe that now borders on more vulnerable regions,
- C. whereas these new threats make use of new technologies, ignore state borders, exploit the inherent openness and transparency of modern high-technology and democratic European societies, and menace the security of Member States both from outside and inside EU territory, rendering it more difficult to distinguish between internal and external security,
- D. whereas the European Union must be capable of ensuring the protection of its citizens, of contributing to the stability of the European continent and neighbouring areas and of contributing to the preservation of peace and international security in accordance with the principles of the United Nations Charter and the objectives of the Common Foreign and Security Policy,
- E. whereas it is difficult to ensure a credible security and defence policy and a more secure Europe without technologically advanced instruments and capabilities which use state of the art technology to keep security threats to a minimum,
- F. whereas, despite the EU potential regarding research and development security technologies, the lack of a specific framework for security research at EU level and the high level of fragmentation and duplication in security research systems and infrastructures generate significant obstacles to delivering cost-effective solutions,
- G. whereas the total United States investment in homeland security is on average four times greater than that invested by Europe, and this investment, which does not include research into dual-use technologies funded by the US Department of Defense, is spread across a range of US departments thus representing a comprehensive approach to security research;
- H. whereas the investment in research and development in the defence sector in Member States is approximately five times less than the corresponding investment in the US, increasing the risk of the EU becoming more vulnerable and dependent in this field,
- I. whereas the distinction between civil and military research is becoming increasingly blurred,
- J. whereas security research could play a strategic role in enhancing Europe's industrial competitiveness and in strengthening its scientific and technological base, as established by the Lisbon and Barcelona objectives,
 1. Welcomes the Commission proposal for a European Security Research Programme (ESRP); stresses the need to develop a structured and efficient security research programme at Union level, in order to address current and future security challenges and clearly-defined European requirements, to enhance the security and safety of European citizens and to ensure European credibility and effectiveness in ESDP operations, while contributing to the growth and competitiveness of the European economy;
 2. Considers that an efficient security research programme should be based on a coordinated reference framework, involving relevant security research stakeholders and appropriate and rationalised funding, and should be built on existing Community experience in the management of joint research programmes;
 3. Underlines the public-interest nature of all aspects relating to security research, and accordingly calls for the programmes and projects in this field to be given sufficient stability and for the budgetary allocation to be linked to the trend in gross domestic product, so as to secure the greatest possible continuity over time and the best results;

The European Security Research Programme and its financing

4. Takes note of the Commission's proposal to develop the ESRP as part of the Seventh EU Research Framework Programme; underlines that the ESRP should respect the particular nature of security research, taking into account specific elements such as rules governing intellectual property rights, treatment of classified information, protection of secure information and technology transfer; stresses that the activities of the ESRP should be based on the codecision procedure;
5. Invites the Commission to take account of the fact that the Article 29 Data Protection Working Party has been established to advise the Commission on any Community measures affecting the rights and freedoms of natural persons with regard to the processing of personal data and privacy;
6. Encourages the Council and the Commission, in cooperation with the European Parliament, before any funding for the research is allocated, to establish clearly, within and between their respective bodies, the objectives and priorities to be pursued in the area of security research and the role to be given at each stage to the Member States and to the European agencies involved;
7. Calls on the Council and the Commission to set the priorities on the basis of the operational programming framework for the implementation of the Hague Programme on the fight against terrorism in the case of internal security and the European Security Strategy in the case of external security;
8. Recommends that the future European security research programme should include among its priorities the fight against terrorism, territorial monitoring, civil defence, control of the Union's external frontiers, and other areas in which Community action can provide added value without entering into conflict with the competences of the Member States;
9. Considers that one of the main goals of the programme should be the protection of the external borders of the Union and the protection of critical infrastructure such as trans-European networks and nuclear power plants;
10. Calls on the Commission to build on the experience gained in the first call for proposals as part of the preparatory action in order to confirm the priority areas; believes greater attention should be paid to research into public acceptance of security research and to handling of classified data in order to allow more extensive exchange of such data between Member States;
11. Shares the view that the ESRP should focus concretely but not exclusively on research activities and technological areas with common added value so as to successfully anticipate, monitor and mitigate new security challenges, such as those related to bio-terrorism, cyber-crime and any other form of modern organised crime, to feasibly accomplish EU security missions and to minimise casualties;
12. Insists that the establishment of a security research programme must be combined with comprehensive analysis on a regular basis of security-related needs, in order to define the main technological and non-technological instruments required to address the post-cold war fluctuating security landscape;
13. Advocates, in parallel to technology-driven research, a focus on the development of common modelling and threat intelligence capabilities, utilising the comparative advantages enjoyed by Member States in every given instance;
14. Points out that in some cases proposed projects will contain dual elements of security and safety, which should therefore be strongly interlinked; underlines that to require research under the ESRP to deal solely with security aspects would be counter-productive; proposes, therefore, a more integrated approach and close coordination between the ESRP and other research activities within the Seventh EU Research Framework Programme; recommends that the ESRP should make as clear as possible the distinction between military and non-military research;

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15. Considers that in the Commission's Communication there is an accent on technology research; calls for a more balanced interaction between research in the natural sciences and technology and other sciences, in particular political, social and human sciences;
16. Considers that, in order to bridge the gap between research and real-life applications and to put technological advances into service in real everyday use, special and greater attention should be paid to operations research (OR), systems analysis (SA) and simulation;
17. Points out that, in order to tackle the substantial weaknesses and failures of the Member States in the fields of C4ISR systems (command, control, communications, computing, intelligence, surveillance and reconnaissance), greater progress in sensors systems, biotechnology, space and IT technology should be sought;
18. Notes that aerospace-related applications and services in fields such as global positioning, worldwide observation and data collection can play a crucial role and should be underlined in the ESRP;
19. Calls on the Commission to build on the report "Research for a Secure Europe" published by the Group of Personalities in the field of Security Research and on the final report of the Panel of Experts on Space and Security, to extend to national satellite initiatives the kind of cooperation and collaboration in security research that is necessary in order to maximise the capacity of civilian, military and dual-use systems and to meet the operational needs and requirements of the Union;
20. Recognises that additional and more appropriate funding will be needed for a coherent and effective security research programme; considers therefore that the funding level of EUR 1 000 million per year proposed by the Group of Personalities Report could be reached by making use of funding from the Framework Research Programme as well as from alternative sources;
21. Is of the view that in parallel to such funding level the Union should rationalise and make more efficient use of existing resources and eliminate current spending fragmentation;
22. Stresses however that increased investment in security research should not result in cuts in the civil research expenditure level;
23. Calls on the Council and the Commission to study a system of balanced sharing of expenditure on additional resources to be mobilised over and above those provided for in the Community research plan, in order to ensure that the burden of the cost of research takes account of the economic weight of individual Member States, based on a percentage of GNP, and to make commitments over a multi-annual period, enabling reliable planning to take place.

Consultation and cooperation with stakeholders

24. Welcomes the suggested setting up of the European Security Research Advisory Board (ESRAB); considers that, given the current lack of a policy formulation superstructure, the need exists for clearer information on whether the Advisory Board will prove adequate and whether it will be ready to advise effectively on the content of security research and to address operational problems relating to programmes; underlines that the European Parliament should be represented in the ESRAB by five members, including the Chairmen of the responsible Committees (the Committee on Foreign Affairs, the Subcommittee on Security and Defence, the Committee on Industry, Research and Energy, the Committee on the Internal Market and Consumer Protection and the Committee on Civil Liberties, Justice and Home Affairs) or their representatives;
25. Emphasises the added value of consultation and cooperation with experts from all relevant security research stakeholder groups within the ESRAB framework; urges, however, a balanced involvement of industrial representatives, research sponsors and public and private customers, scientific research bodies, public institutions and representatives of civil liberties organisations;

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26. Requests that the activities and working methods of the ESRAB be clarified and monitored by the European Parliament;
27. Stresses that the setting up of the ESRAB should avoid any duplication in the security research structure;
28. Shares the view that, in order to overcome the high costs of duplication and fragmentation in the current security structures and programmes, encouragement should be given to increased and closer cooperation and coordination between European security research activities and efforts deployed by Member States, other EU research activities and other international organisations having responsibilities associated with global or regional security issues;
29. Recommends that, within the framework of transatlantic relations, European security research should entail the necessary efforts to avoid duplication and promote interoperability, while respecting the specificities of the Union research landscape in this field; emphasises nevertheless that the Union's security research budget should be used to develop EU corporate interests;

Institutional setting

30. Insists that the European Parliament should be engaged in the development of European security research activities not only by being regularly informed of progress but above all by being consulted in advance on the implementation of the planned programme;
31. Calls on the Commission to present to Parliament without delay the strategic lines of action, as well as the advice received on the principles and mechanisms of implementation, the specific proposals concerning participation, types of contracts and financing instruments for research activities within the ESRP, and the necessary arrangements on intellectual property and technology transfer worked out together with the ESRAB;
32. Invites the Commissioner responsible to report both to the Committee on Foreign Affairs and the Committee on Industry, Research and Energy before implementation of the ESRP.
33. Insists on the need for a more coherent political and institutional framework to promote cooperation and efficient coordination between the ESRP, the new European Defence Agency (EDA) and the Union's relevant policies relating to security and defence issues;
34. Considers that the details and parameters of the new EDA activities, especially regarding security research activities and its working relations with the ESRP, should be more precisely defined;
35. Calls on the Council and the Commission to ensure an efficient and effective relationship between the ESRP and the EDA, so as to avoid any kind of duplication in the field of research and technology;
36. Calls on the Commission to take account of the notion of the "public interest" of security research, both for the European Union and the Member States, in order to avoid the risk of funding projects which are not in line with political priorities or with certain public interest or privacy protection obligations, or with the protection of human rights, civil liberties and private life; points out that transparency in the allocation of contracts is of the utmost importance;
37. Calls for optimisation of the potential synergies between defence and civil research, through integration of applications and technology transfer across both sectors; at the same time calls for a clearer definition of the specific instruments that could help tackle the particular problems of security-related research;

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Management of the European Security Research Programme

38. Considers that, in order to guarantee effective management of the ESRP, experience acquired with regard to funding mechanisms, methods and institutional settings during the preparatory action should play a key role;
39. Insists that the management of the ESRP should emphasise the added value of interoperability and connectivity so as to improve cross-border cooperation, avoid unnecessary duplication and improve the coherence of the Union's efforts;
40. Vehemently advocates the development of strong common research and development infrastructures, the promotion of collaboration between laboratories on a Union-wide scale and the development of human resources in research and technology, making Europe a more attractive area for skilled researchers in this field;
41. Insists on the need to foster systematic collaboration and to explore the combined strengths of industry and the research community, with a view to increasing the European innovation ratio to the highest level in the world;
42. Considers that the ESRP should be compatible with the establishment of an open, integrated and competitive European defence market and the introduction of innovative mechanisms creating opportunities for European industry to gain a comparative advantage in world markets; points out that transparency in the allocation of contracts is of the utmost importance;
43. Stresses the benefits that a more competitive European security industry, based on the existing capacity of the defence industry and other specialised areas relating to new technology infrastructures, could provide in strengthening the economic growth and overall competitiveness of the European economy, and also stresses its positive results within society in the European Union;
44. Emphasises that EU initiatives on security research must not result in a weakening of the Union's principles and values on human rights, democratic rights, political freedoms, civil liberties and ethics;

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45. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States and the Secretary General of the Council of Europe.

P6_TA(2005)0260

The information society

European Parliament resolution on the information society (2004/2204(INI))

The European Parliament,

- having regard to the Commission Communication "Towards a Global Partnership in the Information Society: Follow-up of the Geneva Summit (WSIS)" (COM(2004)0111),
- having regard to the Council conclusions of 9 and 10 December 2004 (15472/04),
- having regard to the Commission Communication "Towards a Global Partnership in the Information Society: Translating the Geneva principles into actions" (COM(2004)0480),
- having regard to the Council conclusions of 8 and 9 March 2004 (6606/04),
- having regard to the Declaration of Principles and the Plan of Action of the World Summit on the Information Society (WSIS) adopted in Geneva on 12 December 2003,

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- having regard to Unesco Resolution 32C/34 of 17 October 2003 on the desirability of drawing up an international standard-setting instrument on cultural diversity,
 - having regard to the Unesco Executive Board's Preliminary Study of 12 March 2003 on the technical and legal aspects relating to the desirability of a standard-setting instrument on cultural diversity,
 - having regard to the opinion in the form of a letter sent by the President of Parliament to the Presidents of the Commission and the Council on 26 November 2003,
 - having regard to the Council conclusions of 5 June 2003 (9686/03),
 - having regard to the Commission Communication "Towards a Global Partnership in the Information Society: EU Perspective in the context of the United Nations World Summit on the Information Society (WSIS)" (COM(2003)0271),
 - having regard to the Unesco Universal Declaration on Cultural Diversity of 2 November 2001,
 - having regard to Rule 45 of its Rules of Procedure,
 - having regard to the report of the Committee on Industry, Research and Energy and the opinion of the Committee on Culture and Education (A6-0172/2005),
- A. whereas the WSIS meeting in Tunis ("the Tunis Summit") to be held on 16 to 18 November 2005 constitutes an essential second phase for the promotion of information and communication technologies (ICTs) as a factor for sustainable development and shared growth, since poverty means being deprived not only of goods but also of social inclusion,
- B. whereas ICTs constitute a strategic tool for State policies and a prime vector for mutually beneficial cooperation and research, through the Plan of Action, between developed, emerging and less-developed countries,
- C. whereas ICTs can contribute to global balance as well as to individual progress by helping to achieve the Millennium Development Goals,
- D. whereas the decision by Unesco to adopt a Convention on cultural diversity represents a crucial initiative for developing a more inclusive information society, based on the protection of the diversity of cultural expression, on international cultural exchanges and on the promotion of pluralism,
- E. whereas the information society should be open to all, since education and training, health, research and commerce are priority ICT applications which are close to the public,
- F. whereas the rapid growth of ICTs should serve to strengthen democracy and participation by citizens, making them active participants rather than simply consumers,
- G. whereas the development of ICTs should take place within a framework of independent regulatory authorities, guaranteeing access, freedom of expression and information, cultural diversity and multilingualism,
- H. whereas effectiveness on the part of the European Union derives from coordination of the Member States and the positive involvement of the Commission, in a manner consistent with its political objectives and its commitment to the less-developed countries,
- I. whereas ICTs are an integral part of the knowledge and information-based society sought by the Union's Lisbon Strategy and the Barcelona Declaration,
- J. whereas the Union has a major role to play in narrowing the digital divide in geographical and social terms, through successful internal policies and the development of a partnership associating public authorities, enterprises and civil society,

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- K. whereas the Union has instruments at its disposal with which to address the digital divide: development aid policy, international economic and scientific cooperation and financing institutions (such as the European Investment Bank (EIB)),
- L. whereas the EU has demonstrated, by adoption of a common legislative framework for electronic communications, the crucial importance of an open and competitive market for the generation of investment in new services and the delivery of high-speed connections at affordable prices,
- M. whereas the rights to education and to access to vocational and continuing training are included as basic rights in the Charter of Fundamental Rights of the European Union,
1. Welcomes the Council's renewed commitment to working towards the success of the second phase of the WSIS;
 2. Broadly endorses the proposals made by the Commission, particularly as regards the decisive role of an investment-friendly regulatory framework, ICT applications in priority areas including on-line government, the importance of research and innovation and the contribution of ICTs to development, and expects the Commission to develop a strategy that complies with the WSIS global action plan to be decided at the Tunis Summit;
 3. Points out that:
 - the good coordination of the Member States facilitated the involvement of the Commission in the WSIS Process, and especially in the Working Group on Internet Governance;
 - the Union's experience enables it to make a positive contribution to a regulatory environment conducive to implementation of the WSIS Plan of Action;
 4. Emphasises that:
 - since the development of ICTs might widen the digital divide by favouring those who have access to ICTs and know how to use them, this risk must be taken into consideration in all the actions recommended, by tailoring these to the regional, national or local circumstances;
 - since ICTs contribute to competitiveness and to raising the level of knowledge and skills, equal importance should be accorded to the economic and the cultural effects of the development of ICTs, so that this benefits employment, enterprises and social cohesion;
 - special attention should be paid to possible problems arising from the concentration of mobile and internet services and their content; urges the Commission to monitor the consequences of such concentration;
 - individual access should therefore be developed to the same extent as collective access;
 - *e*-Inclusion should centre on accessibility, on the supplying of on-line services (government services, education and continuing training, health and commerce) and on teaching and learning how to use these, with the possibility of the most essential basic services being free of charge on the agreement of all partners, and Free/Libre and Open Source Software (FLOSS) being one way of gaining access to these services;
 5. Stresses:
 - the strategic role of R&D at every stage and at every level of the process: development and rolling-out of new technologies, and procedures for comparison and evaluation of the Plan of Action, with the establishing of observatories;
 - the need to factor into priority research socio-economic studies enabling an assessment of the human and social impact of access to ICTs;
 - the opportunity presented by the current drawing-up of the seventh Framework Programme for Research and Technological Development and the increase in the research budget;

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- the importance of developing local skills and competences by supporting computer science education and research;
 - the need to develop entrepreneurial and innovative capacities to enable countries to use ICTs to develop services and systems that directly address their societal needs;
6. Welcomes:
- the emphasis placed by the Commission on the need for all countries to establish independent regulatory bodies and the need for a clear competition law framework within which investors can participate securely;
 - the importance given to stepping up international communications, regulatory co-operation and exchanges of best practice;
7. Recommends:
- that the Union and its Member States fast-track the setting-up of ICT research networks, by means of infrastructure instruments such as GEANT, based on centres of excellence or technological platforms and networks of experts and education and continuing training practitioners;
 - an active policy of support for the use of common information-based schemes which benefit from public funding to disseminate research results in the fields for which they prove useful
 - that public decision-makers and representatives of civil society and the private sector have an input in these areas where appropriate;
8. Calls on the Union and Member States:
- to view the WSIS as a spur for cooperation in traditional areas of geographical or historical proximity (Mediterranean, ACP, etc.) and for new cooperation with developing countries;
 - to take into account, as a priority, the infrastructure and training requirements of less-developed countries;
 - to take into consideration local and regional knowledge and know-how in cooperation centring on practices and contents;
 - to make sure that the EU's efforts help ensure the balance between economic growth, competitiveness and employment on the one hand and social and environmental sustainability on the other;
 - to make use of flexible forms of open public-private partnership (regions, States, local authorities, enterprises, associations and NGOs), involving institutional sources of financing, such as the EIB, or private sources;
 - to establish a working group with Member States' regulatory authorities to promote effective integrated and independent regulatory models, and to share experience of successful market opening measures that have encouraged investment and lowered consumer prices;
 - to take due account of the need to safeguard cultural diversity when planning governance arrangements;
9. Notes with interest the establishing of a voluntary financing fund while also pointing out that it is not a substitute for the necessary harnessing of existing or future financing;
10. Suggests that a process of reflection on new measures be launched in order to optimise the resources contributed by cooperation programmes and the European Development Fund, such as the re-use of unspent appropriations to supplement the Plan of Action;
11. Considers that the development of internet governance is a key to the success of the WSIS and should be pursued to a timetable compatible with the Declaration of Principles and the Plan of Action;
12. Emphasises, however, that an international and independent internet governance system should be maintained;

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13. Emphasises that accessibility and investment in ICTs depends on the stability and reliability of the internet;
 14. Recalls that the challenge involved in developing the information society is to use information and communication technology to enhance the effective implementation of human rights standards at international, regional and national levels;
 15. Stresses that digital literacy programmes are essential to building up a global area of freedom and security where citizens, who are potential consumers of information, enjoy full rights of citizenship; notes that education, including education in human rights, is central to an inclusive information society;
 16. Expects the Tunis Summit:
 - to facilitate progress towards a common definition of internet governance and a more representative method of organisation of the partner countries;
 - to deal collectively with subjects of general interest connected with management of the internet (domain names, address allocation), and to strengthen international cooperation in the fields of internet security and abuse (including spamming) and in the combating of cyber-crime (including child pornography), and attempts to restrict pluralism, freedom of expression and respect for human rights;
 - to clarify public responsibilities, in particular:
 - to take account of intellectual property and cultural diversity in the framing of the new governance structure;
 - to ensure the neutrality and interoperability of digital technologies and platforms;
 - to foster technological, economic and cultural exchanges within a framework of fairly-regulated competition;
 17. Calls on the Council and the Commission to take account of its recommendations and to continue to involve it in the follow-up to the WSIS, so as to ensure close concordance between the ambitions expressed by the EU and their implementation, in particular in budgetary terms, in Union policies;
 18. Welcomes the initiative for the W2i Digital Cities Convention to be held in Bilbao in November 2005, promoted by the Digital Cities, but points out that an initiative should also be taken to create digital regions;
 19. Wishes to strengthen the involvement of European civil society in the build-up to the Tunis Summit;
 20. Emphasises the importance of private-sector involvement in the WSIS process;
 21. Stresses that innovation in educational systems, lifelong learning programmes and e-learning initiatives (for both teachers and students) should be fostered and recommends an explicit focus on education, training and tools for the creation of content that reflects cultural diversity;
 22. Calls upon Member States to act in accordance with the "Education for All by 2015" Unesco goal and to respond to Unicef appeals for a greater budget allocation to education in a Pact with Future Generations;
 23. Points out that globalisation brings in its wake risks in relation to respect for cultural diversity in terms of languages and identities, and that the information society can also represent an opportunity for the promotion of intercultural dialogue via global networks;
 24. Instructs its President to forward this resolution to the Council and the Commission.
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