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Information and Notices

<u>Notice No</u>	Contents	Page
	I (<i>Communications</i>)	
	EUROPEAN PARLIAMENT	
	2003-2004 SESSION	
	Sittings of 30 June to 3 July 2003	
	Monday, 30 June 2003	
(2004/C 74 E/01)	MINUTES	
	PROCEEDINGS OF THE SITTING	1
	1. Resumption of session	1
	2. In memoriam	1
	3. Announcement by the President	2
	4. Approval of Minutes of previous sitting	2
	5. Membership of Parliament	2
	6. Documents received	2
	7. Texts of agreements forwarded by the Council	7
	8. Referral to committees	7
	9. Petitions	7
	10. Transfers of appropriations	9
	11. Order of business	11
	12. One-minute speeches on matters of political importance	12



(Continued)

Contents (continued)	Page
13. Request to waive Mr Cohn-Bendit's immunity (debate)	12
14. Request to waive Mr Camre's immunity (debate)	13
15. Request to defend Mr Musotto's immunity and privileges (debate)	13
16. Securities prospectuses ***II (debate)	13
17. Procedures for supply, service and works contracts ***II — Procurement procedures for water, energy and transport, and postal services ***II (debate)	14
18. Agenda for next sitting	14
19. Closure of sitting	14
ATTENDANCE REGISTER	15

Tuesday, 1 July 2003

(2004/C 74 E/02)

MINUTES

PROCEEDINGS OF THE SITTING	17
1. Opening of sitting	17
2. Debate on cases of breaches of human rights, democracy and the rule of law (announcement of motions for resolutions tabled)	17
3. Greek presidency (statements followed by debate)	18
4. Official welcome	19
VOTING TIME	
5. Commission's implementing powers * (vote)	20
6. European Environment Protection Agency and the European Environment Information and Observation Network ***II (Rule 110a) (vote)	20
7. European Food Safety Authority ***II (Rule 110a) (vote)	20
8. European Aviation Safety Agency ***II (Rule 110a) (vote)	21
9. European Maritime Safety Agency ***II (Rule 110a) (vote)	21
10. Good laboratory practice for tests on chemical substances ***I (Rule 110a) (vote)	21
11. Inspection and verification of good laboratory practice ***I (Rule 110a) (vote)	22
12. Areal surveys and remote-sensing techniques ***I (Rule 110a) (vote)	22
13. Renewal of EC-Ukraine science and technology cooperation agreement * (Rule 110a) (vote).	22
14. Draft Amending Budget No 2/2003 (Rule 110a) (vote)	23
15. Request to waive Mr Cohn-Bendit's immunity (vote)	23
16. Request to waive Mr Camre's immunity (vote)	23



(Continued)

Contents (continued)	Page
17. Request to defend Mr Musotto's immunity and privileges (vote)	23
18. Indirect vision systems of vehicles ***II (vote)	24
19. Explanations of vote	24
20. Corrections to votes	24
 END OF VOTING TIME	
21. Approval of Minutes of previous sitting	25
22. Genetically modified food and feed ***II — Traceability and labelling of GMOs ***II (debate)	25
23. Strengthening the European pharmaceutical industry in the interest of patients — proposals for action (Commission statement)	26
24. Question Time (Commission)	26
25. Indication of the ingredients present in foodstuffs ***II — Food additives other than colours and sweeteners ***I — Substances having a hormonal or thyrostatic action and beta-agonists ***II (debate)	28
26. Packaging and packaging waste ***II (debate)	29
27. Greenhouse gas emission allowance trading ***II (debate)	29
28. Addition of water and proteins to chicken meat (Oral question with debate)	29
29. 2004 budget conciliation procedure (debate)	30
30. Implementation of 2003 budget (debate)	30
31. Trafficking in children and child soldiers (debate)	30
32. Agenda for next sitting	31
33. Closure of sitting	31
 ATTENDANCE REGISTER	 32
 ANNEX I	
RESULTS OF VOTES	34
1. Commission's implementing powers *	34
2. European Environment Protection Agency and the European Environment Information and Observation Network ***II	35
3. European Food Safety Authority ***II	35
4. European Aviation Safety Agency ***II	35
5. European Maritime Safety Agency ***II	35
6. Good laboratory practice for tests on chemical substances ***I	35
7. Inspection and verification of good laboratory practice ***I	36
8. Arial surveys and remote-sensing techniques ***I	36
9. Renewal of EC-Ukraine science and technology cooperation agreement *	36
10. Amending Budget 2/2003	36
11. Request to waive Mr Cohn-Bendit's immunity	36



Contents (continued)	Page
12. Request to waive Mr Camre's immunity	37
13. Request to defend Mr Musotto's immunity and privileges	37
14. Indirect vision systems of vehicles ***II	37
ANNEX II	
RESULT OF ROLL-CALL VOTES	38
Gargani report A5-0206/2003 — Whole text	38
Daul report A5-0208/2003 — Whole text	39
MacCormick report A5-0243/2003 — Decision	40
TEXTS ADOPTED	
P5_TA(2003)0298	
European Environment Protection Agency and the European Environment Information and Observation Network ***II	
Common position of the Council with a view to adopting a regulation of the European Parliament and the Council amending Council Regulation (EEC) No 1210/90 on the establishment of the European Environment Protection Agency and the European Environment Information and Observation Network [8239/1/2003 — C5-0274/2003 — 2002/0169(COD)]	43
P5_TA(2003)0299	
European Food Safety Authority ***II	
Common position of the Council with a view to adopting a regulation of the European Parliament and the Council amending Regulation (EC) 178/2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety [8240/1/2003 — C5-0275/2003 — 2002/0179(COD)]	43
P5_TA(2003)0300	
European Aviation Safety Agency ***II	
Common position of the Council with a view to adopting a regulation of the European Parliament and the Council amending Regulation (EC) No 1592/2002 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency [8241/1/2003 — C5-0276/2003 — 2002/0181(COD)]	43
P5_TA(2003)0301	
European Maritime Safety Authority ***II	
Common position of the Council with a view to adopting a regulation of the European Parliament and the Council amending Regulation (EC) No 1406/2002 establishing a European Maritime Safety Agency [8242/1/2003 — C5-0277/2003 — 2002/0182(COD)]	44



P5_TA(2003)0302

Good laboratory practice for tests on chemical substances ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council directive on the harmonisation of laws, regulations and administrative provisions relating to the application of the principles of good laboratory practice and the verification of their applications for tests on chemical substances (codified version) (COM(2002) 530 — C5-0444/2002 — 2002/0231(COD))

44

P5_TA(2003)0303

Inspection and verification of good laboratory practice ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council directive on the inspection and verification of good laboratory practice (GLP) (codified version) (COM(2002) 529 — C5-0445/2002 — 2002/0233(COD))

45

P5_TA(2003)0304

Areal surveys and remote-sensing techniques ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council decision on the continued application of areal surveys and remote sensing techniques to the agricultural statistics for 2004-2007 and amending European Parliament and Council Decision 1445/2000/EC (COM (2003) 218 — C5-0196/2003 — 2003/0085(COD))

46

P5_TA(2003)0305

Renewal of EC-Ukraine science and technology cooperation agreement *

European Parliament legislative resolution on the proposal for a Council decision concerning the conclusion of an Agreement aimed at renewing the Agreement on cooperation in science and technology between the European Community and Ukraine (COM(2003) 231 — C5-0242/2003 — 2003/0087(CNS))

46

P5_TA(2003)0306

Amending Budget 2/2003

European Parliament resolution on Draft Amending Budget No 2/2003 of the European Union for the financial year 2003 — Section VII, Committee of the Regions (10177/2003 — C5-0280/2003 — 2003/2058(BUD))

47

P5_TA(2003)0307

Request to waive Mr Cohn-Bendit's immunity

European Parliament decision on the request for waiver of the immunity of Mr Daniel Marc Cohn-Bendit ((2000/2109(IMM))

48

P5_TA(2003)0308

Request to waive Mr Camre's immunity

European Parliament resolution on the request for waiver of the immunity of Mogens N.J. Camre (2002/2249(IMM))

49

P5_TA(2003)0309

Request to defend Mr Musotto's immunity and privileges

European Parliament decision on the request for upholding of the immunity and privileges of Francesco Musotto (2002/2201(IMM))

50



P5_TA(2003)0310

Indirect vision systems of vehicles ***II

European Parliament legislative resolution on the common position adopted by the Council with a view to adopting a European Parliament and Council directive on the approximation of the laws of the Member States relating to the type-approval of devices for indirect vision and of vehicles equipped with these devices, amending Directive 70/156/EEC and repealing Directive 71/127/EEC (10880/1/2002 — C5-0169/2003 — 2001/0317(COD)) 51

P5_TC1-COD(2001)0317

Position of the European Parliament adopted at second reading on 1 July 2003 with a view to the adoption of European Parliament and Council Directive 2003/.../EC on the approximation of the laws of the Member States relating to the type-approval of devices for indirect vision and of vehicles equipped with these devices, amending Directive 70/156/EEC and repealing Directive 71/127/EEC 52

ANNEX

LIST OF ANNEXES 57

ANNEX I

DEFINITIONS AND ADMINISTRATIVE PROVISIONS FOR EC TYPE-APPROVAL 58

ANNEX II

DESIGN SPECIFICATIONS AND TESTS REQUIRED FOR EC COMPONENT TYPE-APPROVAL OF A DEVICE FOR INDIRECT VISION 71

ANNEX III

REQUIREMENTS CONCERNING THE FITTING OF MIRRORS AND OTHER DEVICES FOR INDIRECT VISION TO VEHICLES 84

ANNEX IV

CORRELATION TABLE PROVIDED FOR IN ARTICLE 6 96

Wednesday 2 July 2003

(2004/C 74 E/03)

MINUTES

PROCEEDINGS OF THE SITTING 97

- 1. Opening of sitting 97
- 2. Action taken on Parliament's positions and resolutions 97
- 3. The programme of the Italian presidency (statement followed by debate) 97

VOTING TIME

- 4. Securities prospectuses ***II (vote) 98
- 5. Procedures for supply, service and works contracts ***II (vote) 98
- 6. Procurement procedures for water, energy and transport, and postal services ***II (vote) .. 99



(Continued)

7. Genetically modified food and feed ***II (vote)	99
8. Traceability and labelling of GMOs ***II (vote)	99
9. Indication of the ingredients present in foodstuffs ***II (vote)	100
10. Substances having a hormonal or thyrostatic action and beta-agonists ***II (vote)	100
11. Packaging and packaging waste ***II (vote)	100
12. Greenhouse gas emission allowance trading ***II (vote)	101
13. Explanations of vote	101
14. Corrections to votes	101

END OF VOTING TIME

15. Approval of Minutes of previous sitting	104
16. Chechnya (statements followed by debate)	104
17. Preparation for the World Trade Organization Ministerial Meeting (Cancun, 10-14 September 2003) (statement followed by debate)	104
18. International Criminal Court (statements followed by debate)	105
19. Supplementary and Amending Budget No 3 for the financial year 2003 (deadline for tabling amendments)	106
20. Request for defence of parliamentary immunity	106
21. Question Time (Council)	106
22. Single European sky; framework regulation ***II — Single European Sky: Air Navigation Services/Airspace/Interoperability of the European Air traffic management network ***II (debate)	107
23. Transit system for heavy goods vehicles through Austria in 2004 ***II (debate)	108
24. Compensation and assistance to air passengers ***II (debate)	109
25. Marco Polo Programme ***II (debate)	109
26. Protection of vulnerable road users ***I (debate)	109
27. Agenda for next sitting	110
28. Closure of sitting	110

ATTENDANCE REGISTER	111
---------------------------	-----

ANNEX I

RESULTS OF VOTES	113
1. Securities prospectuses ***II	113
2. Procedures for supply, service and works contracts ***II	114
3. Procurement procedures for water, energy and transport, and postal services ***II	120
4. Genetically modified food and feed ***II	124
5. Traceability and labelling of GMOs	125
6. Indication of the ingredients present in foodstuffs ***II	127
7. Substances having a hormonal or thyrostatic action and of beta-agonists ***II	127



8. Packaging and packaging waste ***II	128
9. Greenhouse gas emission allowance trading ***II	130

ANNEX II

RESULT OF ROLL-CALL VOTES	131
Huhne recommendation A5-0218/2003 — Block 1	131
Zappalà recommendation A5-0242/2003 — Amendment 75	132
Zappalà recommendation A5-0242/2003 — Amendment 1	134
Zappalà recommendation A5-0242/2003 — Amendments 11 and 12, 1st part	135
Zappalà recommendation A5-0242/2003 — Amendments 11 and 12, 2nd part	137
Zappalà recommendation A5-0242/2003 — Amendment 14	138
Zappalà recommendation A5-0242/2003 — Amendment 15	140
Zappalà recommendation A5-0242/2003 — Amendment 17	141
Zappalà recommendation A5-0242/2003 — Amendment 22	143
Zappalà recommendation A5-0242/2003 — Amendment 23, 1st part	144
Zappalà recommendation A5-0242/2003 — Amendment 23, 2nd part	146
Zappalà recommendation A5-0242/2003 — Amendment 24	147
Zappalà recommendation A5-0242/2003 — Amendment 27	149
Zappalà recommendation A5-0242/2003 — Amendment 60	151
Zappalà recommendation A5-0242/2003 — Amendment 62	152
Zappalà recommendation A5-0242/2003 — Amendment 79	154
Zappalà recommendation A5-0242/2003 — Amendment 88	155
Zappalà recommendation A5-0242/2003 — Amendment 89	157
Zappalà recommendation A5-0242/2003 — Amendment 81, 1st part	158
Zappalà recommendation A5-0242/2003 — Amendment 81, 2nd part	160
Zappalà recommendation A5-0242/2003 — Amendment 81, 3rd part	161
Zappalà recommendation A5-0242/2003 — Amendment 38	163
Zappalà recommendation A5-0242/2003 — Amendment 101	164
Zappalà recommendation A5-0242/2003 — Amendment 64	166
Zappalà recommendation A5-0242/2003 — Amendment 65	167
Zappalà recommendation A5-0242/2003 — Amendment 66	169
Zappalà recommendation A5-0242/2003 — Amendment 104	170
Zappalà recommendation A5-0242/2003 — Amendment 61(b)	172
Zappalà recommendation A5-0242/2003 — Amendment 92	173
Zappalà recommendation A5-0242/2003 — Amendments 61(c) and 93	175
Zappalà recommendation A5-0242/2003 — Amendment 74, 1st part	176
Zappalà recommendation A5-0242/2003 — Amendment 74, 2nd part	178
Zappalà recommendation A5-0242/2003 — Amendment 70	179
Zappalà recommendation A5-0242/2003 — Amendment 95	181

Zappalà recommendation A5-0242/2003 — Amendment 63	182
Zappalà recommendation A5-0242/2003 — Amendment 83	184
Zappalà recommendation A5-0242/2003 — Amendment 106	185
Zappalà recommendation A5-0242/2003 — Amendment 76	187
Zappalà recommendation A5-0242/2003 — Amendment 78	188
Zappalà recommendation A5-0242/2003 — Amendment 5	190
Zappalà recommendation A5-0245/2003 — Amendment 57	191
Zappalà recommendation A5-0245/2003 — Amendment 4	193
Zappalà recommendation A5-0245/2003 — Amendment 5	194
Zappalà recommendation A5-0245/2003 — Amendment 11	196
Zappalà recommendation A5-0245/2003 — Amendment 12	197
Zappalà recommendation A5-0245/2003 — Amendment 15	199
Zappalà recommendation A5-0245/2003 — Amendment 16, 1st part	200
Zappalà recommendation A5-0245/2003 — Amendment 16, 2nd part	202
Zappalà recommendation A5-0245/2003 — Amendment 19, 1st part	203
Zappalà recommendation A5-0245/2003 — Amendment 20	205
Zappalà recommendation A5-0245/2003 — Amendment 21	207
Zappalà recommendation A5-0245/2003 — Amendment 36	208
Zappalà recommendation A5-0245/2003 — Amendment 48	210
Zappalà recommendation A5-0245/2003 — Amendment 49	211
Zappalà recommendation A5-0245/2003 — Amendment 59	213
Zappalà recommendation A5-0245/2003 — Amendment 22	214
Zappalà recommendation A5-0245/2003 — Amendment 69	216
Zappalà recommendation A5-0245/2003 — Amendment 23	217
Zappalà recommendation A5-0245/2003 — Amendment 24	219
Zappalà recommendation A5-0245/2003 — Amendment 25	220
Zappalà recommendation A5-0245/2003 — Amendment 71	222
Zappalà recommendation A5-0245/2003 — Amendment 72	223
Zappalà recommendation A5-0245/2003 — Amendment 61	225
Zappalà recommendation A5-0245/2003 — Amendment 32	226
Zappalà recommendation A5-0245/2003 — Amendment 74	228
Zappalà recommendation A5-0245/2003 — Amendment 50	229
Zappalà recommendation A5-0245/2003 — Amendment 47	231
Zappalà recommendation A5-0245/2003 — Amendment 63	233
Zappalà recommendation A5-0245/2003 — Amendment 58	234
Zappalà recommendation A5-0245/2003 — Amendment 6	236
Zappalà recommendation A5-0245/2003 — Amendment 66	238
Trakatellis recommendation A5-0204/2003 — Amendments 23 and 28	239
Corbey recommendation A5-0200/2003 — Amendment 18	241

Contents (continued)	Page
Corbey recommendation A5-0200/2003 — Amendment 8	242
Corbey recommendation A5-0200/2003 — Amendment 26, 1st part	243
Corbey recommendation A5-0200/2003 — Amendment 26, 2nd part	245
Corbey recommendation A5-0200/2003 — Amendment 26, 3rd part	246
Corbey recommendation A5-0200/2003 — Amendment 10	247
Corbey recommendation A5-0200/2003 — Amendment 21/rev.	249

TEXTS ADOPTED

P5_TA(2003)0311

Security prospectuses ***II

European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council directive on the prospectus to be published when securities are offered to the public or admitted to trading and amending Directive 2001/34/EC (5390/4/2003 — C5-0143/2003 — 2001/0117(COD))	251
---	-----

P5_TC2-COD(2001)0117

Position of the European Parliament adopted at second reading on 2 July 2003 with a view to the adoption of European Parliament and Council Directive 2003/.../EC on the prospectus to be published when securities are offered to the public or admitted to trading and amending Directive 2001/34/EC	251
--	-----

ANNEX I

PROSPECTUS	278
----------------------	-----

ANNEX II

REGISTRATION DOCUMENT	281
---------------------------------	-----

ANNEX III

SECURITIES NOTE	283
---------------------------	-----

ANNEX IV

SUMMARY NOTE	284
------------------------	-----

P5_TA(2003)0312

Procedures for supply, service and works contracts ***II

European Parliament legislative resolution on the Council common position with a view to adopting a European Parliament and Council directive on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts (11029/3/2002 — C5-0141/2003 — 2000/0115(COD))	285
--	-----

P5_TC2-COD(2000)0115

Position of the European Parliament adopted at second reading on 2 July 2003 with a view to the adoption of European Parliament and Council Directive 2003/.../EC on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts	286
---	-----



ANNEX I	
LIST OF THE ACTIVITIES REFERRED TO IN ARTICLE 1(2), POINT (b)	346
ANNEX II	
SERVICES REFERRED TO IN ARTICLE 1(2)(d)	352
ANNEX III	
LIST OF BODIES AND CATEGORIES OF BODIES GOVERNED BY PUBLIC LAW AS REFERRED TO IN THE SECOND SUBPARAGRAPH OF ARTICLE 1(9)	355
ANNEX IV	
CENTRAL GOVERNMENT AUTHORITIES	375
ANNEX V	
LIST OF PRODUCTS REFERRED TO IN ARTICLE 8 WITH REGARD TO CONTRACTS AWARDED BY CONTRACTING AUTHORITIES IN THE FIELD OF DEFENCE	414
ANNEX VI	
DEFINITION OF CERTAIN TECHNICAL SPECIFICATIONS	418
ANNEX VII	
INFORMATION TO BE INCLUDED IN NOTICES	419
ANNEX VIII	
FEATURES CONCERNING PUBLICATION	426
ANNEX IX	
REGISTERS	427
ANNEX X	
REQUIREMENTS RELATING TO DEVICES FOR THE ELECTRONIC RECEIPT OF TENDERS, REQUESTS FOR PARTICIPATION AND PLANS AND PROJECTS IN CONTESTS	429
ANNEX XI	
DEADLINES FOR TRANSPOSITION AND APPLICATION	430
ANNEX XII	
CORRELATION TABLE	431
P5_TA(2003)0313	
Procurement procedures for water, energy and transport, and postal services ***II	
European Parliament legislative resolution on the Council common position with a view to adopting a European Parliament and Council directive coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors (12634/3/2002 — C5-0142/2003 — 2000/0117(COD))	445



P5_TC2-COD(2000)0117

Position of the European Parliament adopted at second reading on 2 July 2003 with a view to the adoption of European Parliament and Council Directive 2003/.../EC coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors

446

ANNEX I

CONTRACTING ENTITIES IN THE SECTORS OF TRANSPORT OR DISTRIBUTION OF GAS OR HEAT

505

ANNEX II

CONTRACTING ENTITIES IN THE SECTORS OF PRODUCTION, TRANSPORT OR DISTRIBUTION OF ELECTRICITY

509

ANNEX III

CONTRACTING ENTITIES IN THE SECTORS OF PRODUCTION, TRANSPORT OR DISTRIBUTION OF DRINKING WATER

512

ANNEX IV

CONTRACTING ENTITIES IN THE FIELD OF RAIL SERVICES

514

ANNEX V

CONTRACTING ENTITIES IN THE FIELD OF URBAN RAILWAY, TRAMWAY, TROLLEYBUS OR BUS SERVICES

517

ANNEX VI

CONTRACTING ENTITIES IN THE POSTAL SERVICES SECTOR

521

ANNEX VII

CONTRACTING ENTITIES IN THE SECTORS OF EXPLORATION FOR AND EXTRACTION OF OIL OR GAS

522

ANNEX VIII

CONTRACTING ENTITIES IN THE SECTORS OF EXPLORATION FOR AND EXTRACTION OF COAL AND OTHER SOLID FUELS

524

ANNEX IX

CONTRACTING ENTITIES IN THE FIELD OF MARITIME OR INLAND PORT OR OTHER TERMINAL FACILITIES

527

ANNEX X

CONTRACTING ENTITIES IN THE FIELD OF AIRPORT INSTALLATIONS

531

ANNEX XI

List of Community legislation referred to in Article 31(3)

533

ANNEX XII

LIST OF ACTIVITIES AS SET OUT IN ARTICLE 1(2)(b)

534



ANNEX XIII	
INFORMATION TO BE INCLUDED IN CONTRACT NOTICES	541
ANNEX XIV	
INFORMATION TO BE INCLUDED IN THE NOTICE ON THE EXISTENCE OF A QUALIFICATION SYSTEM	547
ANNEX XV	548
ANNEX XVI	
INFORMATION TO BE INCLUDED IN THE CONTRACT AWARD NOTICE	549
ANNEX XVII	551
ANNEX XVIII	
INFORMATION TO BE INCLUDED IN THE DESIGN CONTEST NOTICE	558
ANNEX XIX	
INFORMATION TO BE INCLUDED IN THE RESULTS OF DESIGN CONTEST NOTICES	559
ANNEX XX	
FEATURES CONCERNING PUBLICATION	559
ANNEX XXI	
DEFINITION OF CERTAIN TECHNICAL SPECIFICATIONS	560
ANNEX XXII	
Summary table of the time-limits laid down in Article 46	561
ANNEX XXIII	
LIST OF CORE INTERNATIONAL LABOUR STANDARDS WITHIN THE MEANING OF ARTICLE 60(3)(d)	563
ANNEX XXIV	
REQUIREMENTS RELATING TO DEVICES FOR THE ELECTRONIC RECEIPT OF TENDERS, REQUESTS TO PARTICIPATE, APPLICATIONS FOR QUALIFICATION AS WELL AS PLANS AND PROJECTS IN CONTESTS	564
ANNEX XXV	
Time-limits for transposition and implementation	564
ANNEX XXVI	
Correlation table	565



P5_TA(2003)0314

Genetically modified food and feed ***II

European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council regulation on genetically modified food and feed (5204/3/2003 — C5-0133/2003 — 2001/0173(COD)) 576

P5_TC2-COD(2001)0173

Position of the European Parliament adopted at second reading on 2 July 2003 with a view to the adoption of European Parliament and Council Regulation (EC) No .../2003 on genetically modified food and feed 577

ANNEX

DUTIES AND TASKS OF THE COMMUNITY REFERENCE LABORATORY 611

P5_TA(2003)0315

Traceability and labelling of GMOs ***II

European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council regulation on traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC (15798/1/2002 — C5-0131/2003 — 2001/0180(COD)) 611

P5_TC2-COD(2001)0180

Position of the European Parliament adopted at second reading on 2 July 2003 with a view to the adoption of European Parliament and Council Regulation (EC) No .../2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC . 612

P5_TA(2003)0316

Indication of the ingredients present in foodstuffs ***II

European Parliament legislative resolution on the common position adopted by the Council with a view to adopting a European Parliament and Council directive amending Directive 2000/13/EC as regards indication of the ingredients present in foodstuffs (15514/2/2002 — C5-0080/2003 — 2001/0199(COD)) 619

P5_TC2-COD(2001)0199

Position of the European Parliament adopted at second reading on 2 July 2003 with a view to the adoption of European Parliament and Council Directive 2003/.../EC amending Directive 2000/13/EC as regards indication of the ingredients present in foodstuffs 619

ANNEX

..... 625

P5_TA(2003)0317

Substances having a hormonal or thyrostatic action and of beta-agonists ***II

European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council directive amending Council Directive 96/22/EC concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of beta-agonists (14502/1/2002 — C5-0079/2003 — 2000/0132(COD)). 625



P5_TC2-COD(2000)0132

Position of the European Parliament adopted at second reading on 2 July 2003 with a view to the adoption of European Parliament and Council Directive 2003/.../EC amending Council Directive 96/22/EC concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of beta-agonists 626

ANNEX 632

P5_TA(2003)0318

Packaging and packaging waste ***II

European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council directive amending Directive 94/62/EC on packaging and packaging waste (14843/1/2002 — C5-0082/2003 — 2001/0291(COD)) 633

P5_TC2-COD(2001)0291

Position of the European Parliament adopted at second reading on 2 July 2003 with a view to the adoption of European Parliament and Council Directive 2003/.../EC amending Directive 94/62/EC on packaging and packaging waste 633

ANNEX 641

P5_TA(2003)0319

Greenhouse gas emission allowance trading ***II

European Parliament legislative resolution on the Council common position with a view to adopting a European Parliament and Council directive establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (15792/1/2002 — C5-0135/2003 — 2001/0245(COD)) 642

P5_TC2-COD(2001)0245

Position of the European Parliament adopted at second reading on 2 July 2003 with a view to the adoption of European Parliament and Council Directive 2003/.../EC establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC 642

ANNEX I

CATEGORIES OF ACTIVITIES REFERRED TO IN ARTICLES 2(1), 3, 4, 14(1), 28 AND 30 ... 656

ANNEX II

GREENHOUSE GASES REFERRED TO IN ARTICLES 3 AND 30 657

ANNEX III

CRITERIA FOR NATIONAL ALLOCATION PLANS REFERRED TO IN ARTICLES 9, 22 AND 30 658



ANNEX IV
 PRINCIPLES FOR MONITORING AND REPORTING REFERRED TO IN ARTICLE 14(1) 659

ANNEX V
 CRITERIA FOR VERIFICATION REFERRED TO IN ARTICLE 15 660

Thursday 3 July 2003

(2004/C 74 E/04)

MINUTES

PROCEEDINGS OF THE SITTING 662

1. Opening of sitting 662
2. Documents received 662
3. ECB 2002 annual report (debate) 663
4. Euro-zone (debate) 663
5. Official welcome 664
6. Building public budgets from a gender perspective (debate) 664
7. General Budget of the European Union for the 2004 financial year (deadlines for tabling amendments) 664

VOTING TIME

8. European Council (Thessaloniki, 19/20 June 2003) (vote) 665
9. Marco Polo Programme ***II (Rule 110a) (vote) 665
10. ECB capital subscription key * (Rule 110a) (vote) 666
11. Building public budgets from a gender perspective (Rule 110a) (vote) 666
12. Single European Sky: framework regulation ***II (vote) 666
13. Single European Sky: Air Navigation Services/Airspace/Interoperability of the European Air traffic management network ***II (vote) 667
14. Transit system for heavy goods vehicles through Austria in 2004 ***II (vote) 667
15. Compensation and assistance to air passengers ***II (vote) 668
16. Food additives other than colours and sweeteners ***I (vote) 668
17. Protection of vulnerable road users ***I (vote) 668
18. 2004 budget conciliation procedure (vote) 669
19. Implementation of 2003 budget (vote) 669
20. Trafficking in children and child soldiers (vote) 669
21. Chechnya (vote) 669
22. Preparation for the World Trade Organization Ministerial Conference (vote) 670
23. ECB 2002 annual report (vote) 670



(Continued)

Contents (continued)	Page
24. Euro-zone (vote)	671
25. Explanations of vote	671
26. Corrections to votes	671
 END OF VOTING TIME	
27. Approval of Minutes of previous sitting	672
28. Women in EU rural areas (debate)	673
29. Safety of coaches (debate)	673
30. Fine on French beef sector (statement followed by debate)	673
 DEBATE ON CASES OF BREACHES OF HUMAN RIGHTS, DEMOCRACY AND THE RULE OF LAW	
31. Cambodia (debate)	674
32. Laos (debate)	674
33. Uganda (debate)	674
 END OF DEBATE ON BREACHES OF HUMAN RIGHTS, DEMOCRACY AND THE RULE OF LAW	
VOTING TIME	
34. Cambodia (vote)	674
35. Laos (vote)	675
36. Uganda (vote)	676
37. Women in EU rural areas (vote)	676
38. Safety of coaches (vote)	677
39. Explanations of vote	677
 END OF VOTING TIME	
40. Communication of common positions of the Council	677
41. Membership of Parliament	678
42. Membership of committees and delegations	678
43. Authorisation to draw up own-initiative reports	679
44. Written declarations included in the register (Rule 51)	680
45. Forwarding of texts adopted during the sitting	681
46. Dates for next sittings	681
47. Adjournment of session	681
 ATTENDANCE REGISTER	 682
 ANNEX I	
RESULTS OF VOTES	684
1. European Council of 19/20 June 2003 in Thessaloniki	684
2. Marco Polo Programme ***II	685
3. ECB capital subscription key *	686

Contents (continued)	Page
4. Building public budgets from a gender perspective	686
5. Single European Sky: framework regulation ***II	686
6. Single European Sky: Air Navigation Services/Airspace/Interoperability of the European Air traffic management network ***II	687
7. Transit system for heavy goods vehicles through Austria in 2004 ***II	689
8. Compensation and assistance to air passengers ***II	689
9. Food additives other than colours and sweeteners ***I	690
10. Protection of vulnerable road users ***I	691
11. 2004 budget conciliation procedure	692
12. Implementation of 2003 budget	693
13. Trafficking in children and child soldiers	694
14. Chechnya	694
15. Preparation for the WTO Ministerial Conference (Cancun, 10/14 September 2003)	695
16. ECB 2002 annual report	697
17. Euro-zone	698
18. Cambodia	698
19. Laos	699
20. Uganda	700
21. Women in EU rural areas	701
22. Safety of coaches	701
ANNEX II	
RESULT OF ROLL-CALL VOTES	703
B5-0325/2003 — RC — European Council of Thessaloniki — Resolution	703
RC — B5-0327/2003 — European Council of Thessaloniki — Amendment 2	704
RC — B5-0327/2003 — European Council of Thessaloniki — Resolution	705
Ghilardotti report A5-0214/2003 — Resolution	707
Fava recommendation A5-0219/2003 — Amendment 15	708
Sanders-ten Holte recommendation A5-0225/2003 — Amendment 15	710
Sanders-ten Holte recommendation A5-0225/2003 — Amendment 26	711
Caveri recommendation A5-0213/2003 — Amendments 18 and 19	713
Lisi recommendation A5-0221/2003 — Amendment 3	714
Lisi recommendation A5-0221/2003 — Amendment 21	716
Lisi recommendation A5-0221/2003 — Amendment 10	717
Vermeer report A5-0223/2003 — Amendment 17	718
Vermeer report A5-0223/2003 — Amendment 18, first part	720
Vermeer report A5-0223/2003 — Proposition of the Commission	721

Contents (continued)	Page
Färm report A5-0233/2003 — Resolution	722
RC — B5-0326/2003 — Chechnya — Amendment 5	724
RC — B5-0326/2003 — Chechnya — Amendment 7	725
RC — B5-0326/2003 — Chechnya — Amendment 2	727
RC — B5-0326/2003 — Chechnya — Resolution	728
RC — B5-0322/2003 — OMC — Amendment 5	729
RC — B5-0322/2003 — OMC — Paragraph 19, first part	731
RC — B5-0322/2003 — OMC — Paragraph 19, second part	732
RC — B5-0322/2003 — OMC — Paragraph 37	733
RC — B5-0322/2003 — OMC — Resolution	735
RC — B5-0344/2003 — Uganda — Resolution	736
Kratsa-Tsagaropoulou report A5-0230/2003 — Resolution	737

TEXTS ADOPTED

P5_TA(2003)0320

European Council of 19-20 June 2003 in Thessaloniki

European Parliament resolution on the Thessaloniki European Council of 19-20 June 2003 .. 738

P5_TA(2003)0321

Marco Polo Programme ***II

European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council regulation on the granting of Community financial assistance to improve the environmental performance of the freight transport system ('Marco Polo Programme') (5327/1/2003 — C5-0225/2003 — 2002/0038(COD)) 745

P5_TA(2003)0322

ECB capital subscription key *

European Parliament legislative resolution on the proposal for a Council decision on the statistical data to be used for the adjustment of the key for subscription to the capital of the European Central Bank (COM(2003) 114 — C5-0125/2003 — 2003/0050(CNS)) 745

P5_TA(2003)0323

Gender budgeting

European Parliament resolution on gender budgeting — building public budgets from a gender perspective (2002/2198(INI)) 746

P5_TA(2003)0324

Single European Sky: Framework Regulation ***II

European Parliament legislative resolution on the Council common position with a view to the adoption of the regulation of the European Parliament and of the Council laying down the framework for the creation of the Single European Sky ('the framework regulation') (15851/3/2002 — C5-0138/2003 — 2001/0060(COD)) 752



P5_TC2-COD(2001)0060

Position of the European Parliament adopted at second reading on 3 July 2003 with a view to the adoption of European Parliament and Council Regulation (EC) No .../2003 laying down the framework for the creation of the Single European Sky ('the framework Regulation') 752

P5_TA(2003)0325

Single European Sky: Air Navigation Services ***II

European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council regulation on the provision of air navigation services in the Single European Sky ('the service provision Regulation') (15853/2/2002 — C5-0137/2003 — 2001/0235(COD)) 762

P5_TC2-COD(2001)0235

Position of the European Parliament adopted at second reading on 3 July 2003 with a view to the adoption of European Parliament and Council Regulation (EC) No .../2003 on the provision of air navigation services in the Single European Sky ('the service provision Regulation') 763

ANNEX I

REQUIREMENTS FOR RECOGNISED ORGANISATIONS 773

ANNEX II

CONDITIONS TO BE ATTACHED TO CERTIFICATES 774

P5_TA(2003)0326

Single European Sky: Airspace ***II

European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council regulation on the organisation and use of the airspace in the Single European Sky ('the airspace Regulation') (15852/3/2002 — C5-0139/2003 — 2001/0236(COD)) 775

P5_TC2-COD(2001)0236

Position of the European Parliament adopted at second reading on 3 July 2003 with a view to the adoption of European Parliament and Council Regulation (EC) No .../2003 on the organisation and use of the airspace in the Single European Sky ('the airspace Regulation') ... 775

P5_TA(2003)0327

Single European Sky: Interoperability of the European Air traffic management network ***II

European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council regulation on the interoperability of the European Air Traffic Management network ('the interoperability Regulation') (15854/3/2002 — C5-0140/2003 — 2001/0237(COD)) 782

P5_TC2-COD(2001)0237

Position of the European Parliament adopted at second reading on 3 July 2003 with a view to the adoption of European Parliament and Council Regulation (EC) No .../2003 on the interoperability of the European Air Traffic Management network ('the interoperability Regulation') 783



ANNEX I	
LIST OF SYSTEMS FOR AIR NAVIGATION SERVICES	791
ANNEX II	
ESSENTIAL REQUIREMENTS	791
ANNEX III	
CONSTITUENTS	796
ANNEX IV	
SYSTEMS	797
ANNEX V	
NOTIFIED BODIES	799
 P5_TA(2003)0328	
Transitional transit system applicable to heavy goods vehicles travelling through Austria for 2004 ***II	
European Parliament legislative resolution the common position adopted by the Council with a view to the adoption of a regulation of the European Parliament and of the Council establishing a transitional transit system applicable to heavy goods vehicles travelling through Austria for 2004 (6235/1/2003 — C5-0226/2003 — 2001/0310(COD))	799
 P5_TC2-COD(2001)0310	
Position of the European Parliament adopted at second reading on 3 July 2003 with a view to the adoption of European Parliament and Council Regulation (EC) No .../2003 establishing a transitional points system applicable to heavy goods vehicles travelling through Austria for 2004 within the framework of a sustainable transport policy for the sensitive Alpine region ..	800
ANNEX I	
Points Quotum Bands	805
ANNEX II	
CALCULATION AND ADMINISTRATION OF THE POINTS	805
 P5_TA(2003)0329	
Compensation and assistance to air passengers ***II	
European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council regulation establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 (15855/1/2002 — C5-0136/2003 — 2001/0305(COD))	806
 P5_TC2-COD(2001)0305	
Position of the European Parliament adopted at second reading on 3 July 2003 with a view to the adoption of European Parliament and Council Regulation (EC) No .../2003 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91	807



P5_TA(2003)0330

Food additives other than colours and sweeteners ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council directive amending Directive 95/2/EC on food additives other than colours and sweeteners (COM(2002) 662 — C5-0577/2002 — 2002/0274(COD)) 817

P5_TC1-COD(2002)0274

Position of the European Parliament adopted at first reading on 3 July 2003 with a view to the adoption of European Parliament and Council Directive 2003/.../EC amending Directive 95/2/EC on food additives other than colours and sweeteners 818

ANNEX 822

P5_TA(2003)0331

Protection of vulnerable road users ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council directive relating to the protection of pedestrians and other vulnerable road users in the event of a collision with a motor vehicle and amending Directive 70/156/EEC (COM(2003) 67 — C5-0054/2003 — 2003/0033(COD)) 828

P5_TC1-COD(2003)0033

Position of the European Parliament adopted at first reading on 3 July 2003 with a view to the adoption of European Parliament and Council Directive 2003/.../EC relating to the protection of pedestrians and other vulnerable road users before and in the event of a collision with a motor vehicle and amending Directive 70/156/EEC 829

ANNEX I

TECHNICAL PROVISIONS 834

ANNEX II

ADMINISTRATIVE PROVISIONS FOR TYPE-APPROVAL 836

P5_TA(2003)0332

2004 budget conciliation procedure

European Parliament resolution on the 2004 budget in view of the conciliation procedure before the Council's first reading (2003/2027(BUD)) 841

P5_TA(2003)0333

Implementation of 2003 budget

European Parliament resolution on the 2003 budget: implementation profile, transfers of appropriations and supplementary and amending budgets (2003/2026(BUD)) 847

P5_TA(2003)0334

Trafficking in children and child soldiers

European Parliament resolution on trafficking in children and child soldiers 854



P5_TA(2003)0335

Chechnya

European Parliament resolution on Chechnya 857

P5_TA(2003)0336

Preparation for the WTO Ministerial Conference

European Parliament resolution on preparations for the 5th World Trade Organization Ministerial Conference (Cancun, Mexico, 10-14 September 2003) 861

P5_TA(2003)0337

ECB 2002 annual report

European Parliament resolution on the 2002 Annual Report of the European Central Bank (I5-0012/2003 — C5-0238/2003 — 2003/2102(INI)) 867

P5_TA(2003)0338

Euro-zone

European Parliament resolution on the international role of the euro zone and the first assessment of the introduction of banknotes and coins (COM(2002) 332 — 2002/2259(INI)) . 871

P5_TA(2003)0339

Cambodia

European Parliament resolution on Cambodia 874

P5_TA(2003)0340

Laos

European Parliament resolution on the arrest of a group of journalists and their American interpreter and Laotian escorts 878

P5_TA(2003)0341

Uganda

European Parliament resolution on human rights violations in northern Uganda 879

P5_TA(2003)0342

Women in rural areas of EU

European Parliament resolution on women in rural areas of the European Union in the light of the mid-term review of the common agricultural policy (2002/2241(INI)) 882

P5_TA(2003)0343

Safety of coaches

European Parliament resolution on safety of coaches 889

Key to symbols used

* Consultation procedure

** I Cooperation procedure: first reading

** II Cooperation procedure: second reading

*** Assent procedure

*** I Codecision procedure: first reading

*** II Codecision procedure: second reading

*** III Codecision procedure: third reading

(The type of procedure is determined by the legal basis proposed by the Commission)

Information relating to voting time

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

Abbreviations used for Parliamentary Committees

AFET Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy

BUDG Committee on Budgets

CONT Committee on Budgetary Control

LIBE Committee on Citizens' Freedoms and Rights, Justice and Home Affairs

ECON Committee on Economic and Monetary Affairs

JURI Committee on Legal Affairs and the Internal Market

ITRE Committee on Industry, External Trade, Research and Energy

EMPL Committee on Employment and Social Affairs

ENVI Committee on the Environment, Public Health and Consumer Policy

AGRI Committee on Agriculture and Rural Development

PECH Committee on Fisheries

RETT Committee on Regional Policy, Transport and Tourism

CULT Committee on Culture, Youth, Education, the Media and Sport

DEVE Committee on Development and Cooperation

AFCO Committee on Constitutional Affairs

FEMM Committee on Women's Rights and Equal Opportunities

PETI Committee on Petitions

Abbreviations used for Political Groups

PPE-DE Group of the European People's Party (Christian Democrats) and European Democrats

PSE Group of the Party of European Socialists

ELDR Group of the European Liberal, Democrat and Reform Party

Verts/ALE Group of the Greens/European Free Alliance

GUE/NGL Confederal Group of the European United Left/Nordic Green Left

UEN Union for a Europe of Nations Group

EDD Group for a Europe of Democracies and Diversities

NI Non-attached Members

I*(Communications)***EUROPEAN PARLIAMENT**

2003-2004 SESSION

Sittings of 30 June to 3 July 2003

STRASBOURG

(2004/C 74 E/01)

MINUTES**PROCEEDINGS OF THE SITTING**

IN THE CHAIR: Pat COX

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

The sitting opened at 17.05.

2. In memoriam

On behalf of Parliament, the President paid tribute to the memory of Piet Dankert, former President of the European Parliament, who had died on 21 June 2003.

Margrietus J. van den Berg, on behalf of the Dutch members of the PSE Group, endorsed the President's remarks.

Parliament observed a minute's silence.

Monday, 30 June 2003

3. Announcement by the President

On behalf of Parliament, the President paid tribute to the six British soldiers killed in Iraq on Tuesday 24 June 2003.

Parliament observed a minute's silence.

4. Approval of Minutes of previous sitting

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

The Minutes of the previous sitting were approved.

5. Membership of Parliament

Carlos Westendorp y Cabeza had given notice in writing of his resignation as member of Parliament, with effect from 18 June 2003.

The Spanish competent authorities had given notice of the appointment of Clara Maria Miranda de Lage to replace Carlos Westendorp y Cabeza, as Member of Parliament, with effect from 20 June 2003.

The President drew attention to the provisions of Rule 7(5).

The President announced that he had been informed by the competent Polish authorities that Kazimierz Michal Ujadowski had resigned as observer and had been replaced by Marcin Libicki with effect from 30 June 2003.

Maciej Giertych, Witold Tomczak and Adam Biela had been appointed observers with effect from 30 June 2003.

6. Documents received

The following documents had been received:

1) *from the Council and Commission:*

- Proposal for a European Parliament and Council Decision establishing a Community action programme to promote bodies active at European level in the field of culture (COM(2003) 275 — C5-0262/2003 — 2003/0115(COD))
referred to responsible CULT
opinion BUDG, CONT
legal basis Article 151(5) EC
- Proposal for a Regulation of the European Parliament and of the Council establishing a programme for financial and technical assistance to third countries in the area of migration and asylum (COM(2003) 355 — C5-0267/2003 — 2003/0124(COD))
referred to responsible LIBE
opinion AFET, BUDG, DEVE
legal basis Article 179(1) EC
- Opinion of the Council on proposal for transfer of appropriations 12/2003 between Chapters in Section III — Commission — Part A — of the General Budget for the European Union for the financial year 2003 (C5-0279/2003 — 2003/2110(GBD))
referred to responsible BUDG

Monday, 30 June 2003

- Draft amending budget No 2 for the financial year 2003 — Section VII — Committee of the Regions (10177/2003 — C5-0280/2003 — 2003/2058(BUD))
referred to responsible BUDG
opinion all committees concerned
legal basis Article 272 EC, Article 177 EURATOM

- Proposal for a Council Directive amending Directive 77/388/CEE concerning the common system of value added tax, as regards conferment of implementing powers and the procedure for adopting derogations (COM(2003) 335 — C5-0281/2003 — 2003/0120(CNS))
referred to responsible ECON
legal basis Article 93 EC

- Proposal for a Directive of the European Parliament and of the Council amending Council Directive 77/541/EEC on the approximation of the laws of the Member States relating to safety belts and restraint systems of motor vehicles (COM(2003) 363 — C5-0282/2003 — 2003/0130(COD))
referred to responsible RETT
opinion JURI, ITRE
legal basis Article 95 EC

- Proposal for a Directive of the the European Parliament and of the Council amending Council Directive 74/408/EEC relating to motor vehicles with regards to the seats, their anchorages and head restraints (COM(2003) 361 — C5-0283/2003 — 2003/0128(COD))
referred to responsible RETT
opinion JURI, ITRE
legal basis Article 95 EC

- Proposal for a Council Regulation amending Regulation (EC) No 2791/1999 laying down certain control measures applicable in the area covered by the Convention on future multi-lateral co-operation in the north-east Atlantic fisheries (COM(2003) 349 — C5-0284/2003 — 2003/0125(CNS))
referred to responsible PECH
legal basis Article 37 EC

- Proposal for a Regulation of the European Parliament and of the Council on the statistics relating to the trading of goods between Member States (COM(2003) 364 — C5-0285/2003 — 2003/0126(COD))
referred to responsible ECON
opinion JURI
legal basis Article 285(1) EC

- Proposal for a Directive of the European Parliament and of the Council amending Council Directive 76/115/EEC on the approximation of the laws of the Member States relating to anchorages for motor-vehicle safety belts (COM(2003) 362 — C5-0286/2003 — 2003/0136(COD))
referred to responsible RETT
opinion JURI, ITRE
legal basis Article 95 EC

Monday, 30 June 2003

- Proposal for a Council Regulation introducing, on the occasion of the accession of Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia, special temporary measures for recruitment of officials of the European Communities (COM(2003) 351 — C5-0287/2003 — 2003/0123(CNS))
referred to responsible JURI
legal basis Article 283 EC

 - Draft amending budget No 3 for the financial year 2003 — Section III — Commission (10190/2003 — C5-0289/2003 — 2003/2103(BUD))
referred to responsible BUDG
opinion all committees concerned
legal basis Article 272 EC, Article 177 EURATOM
- 2) *from committees*
- 2.1) *reports:*
- Report on gender budgeting — building public budgets from a gender perspective (2002/2198(INI)) — Committee on Women's Rights and Equal Opportunities. Rapporteur: Mrs Ghilardotti (A5-0214/2003).

 - Report on a communication from the Commission to the Council and the European Parliament on mid-term review of the fourth fisheries protocol between the EU and Greenland (COM(2002) 697 — C5-0071/2003 — 2003/2035(INI)) — Committee on Fisheries. Rapporteur: Mrs Miguélez Ramos (A5-0228/2003).

 - Report on the annual report on the activities of the European Ombudsman for the year 2002 (I5-0011/2003 — C5-0271/2003 — 2003/2068(INI)) — Committee on Petitions. Rapporteur: Earl of Stockton (A5-0229/2003).

 - Report on women in rural areas of the European Union in the light of the mid-term review of the common agricultural policy (2002/2241(INI)) — Committee on Women's Rights and Equal Opportunities. Rapporteur: Mrs Kratsa-Tsagaropoulou (A5-0230/2003).

 - ***I Report on the proposal for a European Parliament and Council regulation amending Regulation (EEC) No 218/92 on administrative co-operation in the field of indirect taxation (VAT) as regards additional measures regarding supplies of travel services (COM(2003) 78 — C5-0145/2003 — 2003/0057(COD)) — Committee on Economic and Monetary Affairs. Rapporteur: Mrs Torres Marques (A5-0231/2003).

 - ***I Report on the proposal for a decision of the European Parliament and of the Council establishing a general Framework for financing Community actions in support of consumer policy for the years 2004-2007 (COM(2003) 44 — C5-0022/2003 — 2003/0020(COD)) — Committee on the Environment, Public Health and Consumer Policy. Rapporteur: Mr Whitehead (A5-0232/2003).

 - Report on the 2003 budget: implementation profile, transfers of appropriations and supplementary and amending budgets (2003/2026(BUD)) — Committee on Budgets. Rapporteur: Mr Färm (A5-0233/2003).

 - Second report on the Commission communications on simplifying and improving Community regulation (COM(2001) 726 — C5-0108/2002 — 2002/2052(COS)) — Committee on Legal Affairs and the Internal Market. Rapporteur: Mr Medina Ortega (A5-0235/2003).

Monday, 30 June 2003

- * Report on the proposal for a Council regulation amending Regulation (EC) No 40/94 on the Community trade mark (COM(2002) 767 — C5-0009/2003 — 2002/0308(CNS)) — Committee on Legal Affairs and the Internal Market. Rapporteur: Mr Berenguer Fuster (A5-0236/2003).
- Report on the 2002 Annual Report of the European Central Bank (15-0012/2003 — C5-0238/2003 — 2003/2102(INI)) — Committee on Economic and Monetary Affairs. Rapporteur: Mr Blokland (A5-0237/2003).
- ***I Report on the proposal for a directive of the European Parliament and of the Council on the patentability of computer-implemented inventions (COM(2002) 92 — C5-0082/2002 — 2002/0047(COD)) — Committee on Legal Affairs and the Internal Market. Rapporteur: Mrs McCarthy (A5-0238/2003).
- Report on the deliberations of the Committee on Petitions during the parliamentary year 2002-2003 (2003/2069(INI)) — Committee on Petitions. Rapporteur: Mrs González Álvarez (A5-0239/2003).
- Report on the 2004 budget in view of the conciliation procedure before the Council's first reading (2003/2027(BUD)) — Committee on Budgets. Rapporteur: Mr Mulder (A5-0240/2003).
- Report on the Draft Amending Budget No 2/2003 of the European Union for the financial year 2003 — Section VII, Committee of the Regions (2003/2058(BUD)) — Committee on Budgets. Rapporteur: Mr Stenmarck (A5-0241/2003).
- Report on the request for waiver of the immunity of Mogens N.J. Camre (IMM022249 — 2002/2249(IMM)) — Committee on Legal Affairs and the Internal Market. Rapporteur: Mr MacCormick (A5-0243/2003).
- Report on the Council's Fourth annual report according to Operative Provision 8 of the European Union Code of Conduct on Arms Exports (13779/2002 — INI032010 — 2003/2010(INI)) — Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy. Rapporteur: Mr von Wogau (A5-0244/2003).
- Report on the request for waiver of the immunity of Mr Daniel Marc Cohn-Bendit (IMM002109 — 2000/2109(IMM)) — Committee on Legal Affairs and the Internal Market. Rapporteur: Mr Lehne (A5-0246/2003).
- Report on the scoreboard on implementing the social policy agenda (COM(2003) 57 — C5-0207/2003 — 2003/2097(INI)) — Committee on Employment and Social Affairs. Rapporteur: Mrs Figueiredo (A5-0247/2003).
- Report on the request for upholding of the immunity and privileges of Mr Francesco Musotto (IMM022201 — 2002/2201(IMM)) — Committee on Legal Affairs and the Internal Market. Rapporteur: Mr Zimeray (A5-0248/2003).
- Report on the Communication from the Commission to the Council and the European Parliament and the Economic and Social Committee on participation of non-state actors in EC development policy (COM(2002) 598 — C5-0625/2002 — 2002/2283(INI)) — Committee on Development and Cooperation. Rapporteur: Mr Howitt (A5-0249/2003).
- Report on Television without Frontiers (COM(2002) 778 — C5-0069/2003 — 2003/2033(INI)) — Committee on Culture, Youth, Education, the Media and Sport. Rapporteur: Mr Perry (A5-0251/2003).

Monday, 30 June 2003

2.2) *recommendations for second reading:*

- ***II Recommendation for second reading on the common position adopted by the Council with a view to adopting a European Parliament and Council directive on the approximation of the laws of the Member States relating to the type-approval of mirrors and supplementary systems for indirect vision and of vehicles equipped with these devices and amending Directive 70/156/EEC and repealing Directive 71/127/EEC (10880/1/2002 — C5-0169/2003 — 2001/0317(COD)) — Committee on Legal Affairs and the Internal Market. Rapporteur: Mr Gargani (A5-0234/2003).
- ***II Recommendation for second reading on the common position adopted by the Council with a view to adopting a European Parliament Council directive on the coordination of procedures for the award of public supply contracts, public service contracts and public works contracts (11029/3/2002 — C5-0141/2003 — 2000/0115(COD)) — Committee on Legal Affairs and the Internal Market. Rapporteur: Mr Zappalà (A5-0242/2003).
- ***II Recommendation for second reading on the common position adopted by the Council with a view to adopting a European Parliament and Council directive coordinating the procurement procedures of entities operating in the water, energy, transport and postal service sectors (12634/3/2002 — C5-0142/2003 — 2000/0117(COD)) — Committee on Legal Affairs and the Internal Market. Rapporteur: Mr Zappalà (A5-0245/2003).
- ***II Recommendation for second reading on the common position adopted by the Council with a view to adopting a European Parliament and Council regulation adapting to Council Decision 1999/468/EC the provisions relating to committees which assist the Commission in the exercise of its implementing powers laid down in instruments subject to the procedure referred to in Article 251 of the EC Treaty (11253/2/2002 — C5-0223/2003 — 2001/0314(COD)) — Committee on Constitutional Affairs. Rapporteur: Mrs Frassoni (A5-0250/2003).

3) *from Members*

3.1) *oral questions (Rule 42)*

- Paul Lannoye, Caroline Lucas and Alexander de Roo, on behalf of the Verts/ALE Group, to the Commission, on water and protein added to chicken meat (B5-0099/2003);
- Luciano Caveri, on behalf of the Committee on Regional Policy, Transport and Tourism, to the Commission, on safety of coaches (B5-0100/2003).

3.2) *oral questions for Question Time (Rule 43) (B5-0098/2003)*

- Alavanos Alexandros, Ortuondo Larrea Josu, Nogueira Román Camilo, Ludford Sarah, McKenna Patricia, McCartin John Joseph, Harbour Malcolm, Sacrédeus Lennart, Posselt Bernd, McAvan Linda, Izquierdo Rojo María, Ó Neachtain Seán, Izquierdo Collado Juan de Dios, Zacharakis Christos, Sauquillo Pérez del Arco Francisca, Alyssandrakis Konstantinos, Korakas Efstathios, De Rossa Proinsias, Galeote Quecedo Gerardo, Thors Astrid, Howitt Richard, Kratsa-Tsagaropoulou Rodi, Rod Didier, Miranda Joaquim, González Álvarez Laura, Cushnahan John Walls, Crowley Brian, Martin Hans-Peter, Patakis Ioannis- Zacharakis Christos, Lage Carlos, De Rossa Proinsias, Nogueira Román Camilo, Posselt Bernd, Kinnock Glenys, Bayona de Perogordo Juan José, Karas Othmar, Sacrédeus Lennart, Trakatellis Antonios, Plooi-j-van Gorsel Elly, McKenna Patricia, Whitehead Phillip, Purvis John, Izquierdo Rojo María, Thors Astrid, Howitt Richard,

Monday, 30 June 2003

Ortuondo Larrea Josu, García-Margallo y Marfil José Manuel, Pérez Álvarez Manuel, Papayannakis Mihail, Jackson Caroline F., McCartin John Joseph, Díez González Rosa M., Vermeer Herman, Stihler Catherine, Alavanos Alexandros, Harbour Malcolm, Frahm Pernille, Korakas Efstratios, Ó Neachtain Seán, Izquierdo Collado Juan de Dios, Karamanou Anna, Ahern Nuala, Newton Dunn Bill, Boudjenah Yasmine, Galeote Quecedo Gerardo, Belder Bastiaan, Riis-Jørgensen Karin, Hatzidakis Konstantinos, Kratsa-Tsagaropoulou Rodi, Rod Didier, Crowley Brian, Andrews Niall, Cushnahan John Walls, Ferrer Concepció, Martin Hans-Peter, Miranda Joaquim

3.3) *written declarations for entry in the Register (Rule 51)*

- Marco Cappato, Paulo Casaca, Carlo Fatuzzo, Ulla Margrethe Sandbæk and Michiel van Hulten on a free and democratic Iran (No 14/2003)
- Mario Borghezio on the establishment of the Lampedusa nature park and the creation of reception centres for refugees and asylum seekers beyond the borders of the European Union (No 15/2003).

7. Texts of agreements forwarded by the Council

The Council had forwarded a certified true copy of the following document:

- Protocol established in accordance with Article 34 of the Treaty on European Union, amending, as regards the creation of a customs files identification database, the Convention on the use of information technology for customs purposes.

8. Referral to committees

The ECON Committee was designated as the committee responsible in relation to a proposal for a directive of the European Parliament and of the Council on the harmonisation of transparency requirements with regard to information about issuers whose securities are admitted to trading on a regulated market and amending Directive 2001/34/EC (COM(2003) 138 — C5-0151/2003 — 2003/0045(COD)) and the JURI Committee was asked to provide an opinion under the enhanced cooperation procedure (Rule 162a) — Conference of Presidents' decision of 26 June 2003 (original committee responsible: JURI (Minutes of 15.5.2003)).

9. Petitions

The following petitions, which had been entered in the register on the dates shown below, had been forwarded to the committee responsible, pursuant to Rule 174(5):

5 June 2003

- by Mr Adrián Gerald McNicholl (No 518/2003);
- by Mr Bernhard Feiner (No 519/2003);
- by Mr Antonio Muñoz Secilla (No 520/2003);
- by Mrs Sidonie Vilault (No 521/2003);
- by Mr Philippe Tremoulu (No 522/2003);
- by Renée Le Mignot (Mouvement contre le Racisme et pour l'Amitié entre les Peuples (MRAP)) (No 523/2003);
- by Mrs Catherine Pompéi (No 524/2003);
- by Mr Michel Thys (No 525/2003);
- by Mr Michel Thys (No 526/2003);
- by Hervé et Carine D'Hussy (No 527/2003);

Monday, 30 June 2003

by Mr Sebastiano Gernone (Meridionali Uniti) (No 528/2003);
by Mr Armando F. Gibilaro (No 529/2003);
by Mr Paolo Codo (Trawell Ltd) (No 530/2003);
by Mrs Ania Mehmedagic (No 531/2003);
by Mr Vittorio Trossello (No 532/2003);
by Mr Angelo Romano (No 533/2003);
by Mr Giovanni Pauciulo (No 534/2003);
by Mr Antonio Saporito (No 535/2003);
by Mr José Duarte de Atouguia Lory de Alvarenga (No 536/2003);

16 June 2003

by Mr Dimitrios Sideris (No 537/2003);
by Mr D. Tremos (No 538/2003);
by Mr D. Tremos (No 539/2003);
by Mr Ioannis Trikoilis (No 540/2003);
by Mrs Thaleia Goutou (No 541/2003);
by Mr Patrocínio Guardado Garcia (No 542/2003);
by Mr José Renato Nuñez da Silva (Movimento Polos Direitos Civis) (No 543/2003);
by Mrs Paula Izaskun Uribe Llamas (No 544/2003);
by Mr Jose Luis Pajares Sánchez-Mayoral (No 545/2003);
by Mr Doroteo Crespo Ruiz (No 546/2003);
by Mrs Maria Lourdes Sánchez Alvarez (No 547/2003);
by Mr Aziz Ridouan (Collectif SOS LEN) (No 548/2003);
by Mrs Celine Berarducci (No 549/2003);
by Mrs Marie-Elisabeth de la Masselière (No 550/2003);
by Mr Maximilien Chagnon (No 551/2003);
by Mrs Aurélie Melle Martin (No 552/2003);
by Mr Bruno Jacquemin (No 553/2003);
by Mrs Valérie Dochy (No 554/2003);
by Mr Afonso Serafim Gonçalves (No 555/2003);
by Mr F. J. M. Langen (No 556/2003);
by Mr Francesco Giambavichio (Associazione Palazzo Ulisse) (No 557/2003);

17 June 2003

by Mr Evripidis Katsifaris (No 558/2003);
by Mr Alexandros Katrakis (No 559/2003);
by Mrs Anunciación Modrego Rubio (No 560/2003);
by Mrs Anunciación Modrego Rubio (No 561/2003);
by Mrs Anunciación Modrego Rubio (No 562/2003);
by Mr Pablo Soto Moral (Asociación de Vecinos Rio Selmo) (No 563/2003);
by Mrs Maite Arqué Ferrer (Ajuntament de Badalona) (No 564/2003);
by Mr Rodrigo Fernandez Martinez (No 565/2003);
by Mr Henrique Martinez Gonzalez (No 566/2003);
by Mr Oscar Hernan Orejuela Moreno (No 567/2003);
by Mr José Luis Perez Amaya (No 568/2003);
by Mr Manuel Iglesias Rey (No 569/2003);
by Mr Jesús Silva García (No 570/2003);
by Mrs Susana Torres Heredia (Asociación Romani de gitanos de Roquetas de Mar) (No 571/2003);
by Mrs Ferney Mora Orjuela (No 572/2003);
by Mrs Martine Choppe (No 573/2003);
by Mr Alain Bouvier (Conseil General de Savoie) (No 574/2003);
by Mrs Joëlle Amella (No 575/2003);
by Mrs Martine Labarthe (SARL Construction du Brassens) (No 576/2003);
by Mr Michel Lagravère (No 577/2003);
by Mr Giuseppe Frunzi (Centro Culturale di Lettere Arti Economia 'Fonte Aretusa') (No 578/2003);
by Mr Pasquale De Feo (No 579/2003);
by Mrs Giulia Casella (Legambiente — Circolo A. Petteruti) (No 580/2003);
by Mr José Eugenio Santos Moreira (No 581/2003);

19 June 2003

by Mrs Birgit Stocker (Selbsthilfeverein für Elektrosensible e.V.) (No 582/2003);
by Mr Reiner Wiegels (No 583/2003);
by Mrs Roswitha Folkers-Wein (No 584/2003);

by Mr Thomas Kestler (No 585/2003);
 by Mrs Lisa Lichtlein (Klasse 4a der VS Bergtheim) (No 586/2003);
 by Mr Klaus Limprecht (No 587/2003);
 by Mr H. Merz (No 588/2003);
 by Mrs Isabel Gröpel (No 589/2003);
 by Mr Arnold Lück (No 590/2003);
 by Mr Andreas Manak (No 591/2003);
 by Mr Walter Kurzeia (No 592/2003);
 by Mr Ioan Muntean (No 593/2003);
 by Mr Friedrich Martens (Gemeinde Sörup) (No 594/2003);
 by Mr Konstantin Kentrotis (No 595/2003);
 by Mrs Betina Diehl (No 596/2003);
 by Mr Andreas Niemeyer (No 597/2003);
 by Mr Rainer Burmeister (No 598/2003);
 by Mrs Pat Mansell (No 599/2003);
 by Mr Sean Guerin (The Retired Farmers Campaign for Justice and Fair Treatment) (No 600/2003);
 by Mrs Flavia Lepre (No 601/2003);
 by Mr Gerrard Byrne (No 602/2003);
 by Mr Stephen Clackson (No 603/2003);
 by Mr Barry Brewster (No 604/2003);
 by Mr Sean Dineen (Lakelands Residents Association) (No 605/2003);
 by Mr Fabio Amoddio (No 606/2003);
 by Mr J. Wilde (No 607/2003);
 by Mrs Myriam Zubiran (No 608/2003);
 by Mr Charles Svoboda (Asociación Valenciana en Defensa de los Derechos Humanos, Medioambientales y en contra de los Abusos Urbanísticos) (No 609/2003);
 by Mr Ioannis Simos (Coordination Committee for Electronic Games of Greece) (No 610/2003);
 by Mrs Liz Sandeman (Marine Connection) (No 611/2003);
 by Mr Arnold Tarling (No 612/2003);
 by Mrs Ann Markey (No 613/2003);
 by Mr Marc Berger (No 614/2003);
 by Mr Kari Ahonen (No 615/2003);
 by Jan Marcelis et Rita De Vos (No 616/2003);
 by Mrs Leentje Van Bogaert (Vlaamse Coeliakie Vereniging) (and 2 signatories) (No 617/2003);
 by Mr A.M. Fraijman (No 618/2003);
 by Mr H. Prins (No 619/2003);
 by Mr Roeland Langendam (No 620/2003);
 by Mr Constant Verbraeken (No 621/2003).

10. Transfers of appropriations

The Committee on Budgets had considered proposal for transfer of appropriations No 12/2003 (C5-0245/2003 — SEC(2003) 623).

Having noted the Council's opinion, it had authorised the transfer pursuant to Articles 24(3) and 181(1) of the Financial Regulation of 25 June 2002, in accordance with the following breakdown:

FROM

Chapter A-10 — Provisional appropriations

— Article A-100 — Provisional appropriations NDA – 549 280 EUR

TO

Chapter A-36 — European Anti-Fraud Office (OLAF)

— Article A-360 — European Anti-Fraud Office (OLAF) NDA 549 280 EUR

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Monday, 30 June 2003

The Committee on Budgets had examined the proposal for a transfer of appropriations (V/04/AB/03) to cover a vacancy due to maternity leave and to cover the vacancy of a translator transferred to the Court of Justice.

It had decided, pursuant to Article 22 of the Financial Regulation, to authorise the transfer in its entirety.

FROM

— Item 1100 ('Basic salaries') CA/PA – 189 000 EUR

TO

— Item 1114 ('Auxiliary translators') CA/PA 189 000 EUR

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* *

The Committee on Budgets had examined the proposal from the Economic and Social Committee for a transfer of appropriations (Inf4/2003) under Article 22 of the Financial Regulation.

Part 1

FROM

— Article 211 — Information technology equipment CA/PA – 112 250 EUR

— Article 214 — 'Analyses and programming' CA/PA – 72 690 EUR

— Item 2210 ('New purchases of furniture') CA/PA – 109 060 EUR

TO

— Item 2200 ('New purchases of technical equipment') CA/PA 258 000 EUR

— Item 2203 ('Maintenance of technical equipment') CA/PA 36 000 EUR

Part 2

FROM

— Item 2202 ('Hire of technical equipment') CA/PA – 3 000 EUR

TO

— Item 2233 ('Maintenance, use and repair of vehicles') CA/PA 3 000 EUR

Part 3

FROM

— Item 1100 ('Basic salaries') CA/PA – 4 500 EUR

TO

— Item 2940 ('Research and study grants') CA/PA 4 500 EUR

The Committee on Budgets had decided not to raise any objection under Article 22 of the Financial Regulation.

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Monday, 30 June 2003

The Committee on Budgets had examined the proposal from the Economic and Social Committee for a transfer of appropriations (Inf5/2003) to cover expenditure in respect of auxiliary staff and had decided to raise an objection:

It considered that the recruitment of an auxiliary agent for the Communications department was a new staffing measure that should have been entered in the annual budgetary procedure and should not have been the subject of a transfer request.

The Economic and Social Committee was asked to refrain at this stage from transferring the appropriations in question.

The Committee on Budgets had decided, therefore, to authorise the transfer of appropriations solely in accordance with the following breakdown:

FROM

— Item 1100 ('Basic salaries') CA/PA – 160 000 EUR

TO

— Item 1110 ('Auxiliary staff') CA/PA 160 000 EUR

11. Order of business

The next item was the order of business.

The final draft agenda for the July 2003 sittings (332.957/PDOJ) had been distributed and a number of changes had been proposed (Rule 111):

Sittings of 30 June 2003 to 3 July 2003

Monday 30 June

— no changes

Tuesday 1 July

— The President proposed including in the following day's voting time the Per Stenmarck report A5-0241/2003 from the BUDG Committee under Rule 110a.

Parliament approved the proposal.

— The Commission had requested that the oral question tabled by the Verts/ALE Group on water and protein added to chicken meat (B5-099/2003), which was due to be dealt with before the Jan Mulder report A5-0240/2003, be moved forward in the agenda to come after the joint debate on food safety (*Items 16, 18, 14, 15 and 17 of the PDOJ*).

Dagmar Roth-Behrendt opposed the proposal.

Parliament rejected the proposal.

Wednesday 2 July

— 32 Members had, in order to be able to table amendments, submitted a written objection, in accordance with Rule 104(4), to the motion for a resolution on trafficking in children and child soldiers (*Item 46 of the PDOJ*) being put to the vote pursuant to Rule 104a.

Glyn Ford insisted that a debate take place.

Monday, 30 June 2003

The item was added with debate, in accordance with Rule 104(4), to the end of Tuesday's agenda.

Vote: 12.00 on Wednesday

Deadline for tabling amendments: Tuesday 10.00

Thursday 3 July

- Debate on cases of breaches of human rights, democracy and the rule of law (Rule 50):
 - request from the GUE/NGL Group to replace the item 'Uganda'(Item 66 of the PDOJ) with a new item 'Iran'.

Parliament rejected the request.

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The order of business was thus established.

Olle Schmidt requested that his report on an initiative of the Republic of Austria, which had recently been adopted by the LIBE Committee, be added to the agenda of that part-session, under Rule 110a (the President replied that such a request ought to have been submitted to the Conference of Presidents and that it had not been made within the deadline laid down by the Rules of Procedure. He indicated that he could not agree to it).

12. One-minute speeches on matters of political importance

Pursuant to Rule 121a, the following Members who wished to draw the attention of Parliament to matters of political importance spoke for one minute:

Proinsias De Rossa, Pasqualina Napoletano, Jean Lambert, Mary Elizabeth Banotti, Camilo Nogueira Román, Carlos Bautista Ojeda, Theresa Villiers, Nuala Ahern and Véronique De Keyser.

13. Request to waive Mr Cohn-Bendit's immunity (debate)

Report on the request for waiver of the immunity of Daniel Marc Cohn-Bendit [2000/2109(IMM)] — Committee on Legal Affairs and the Internal Market. Rapporteur: Klaus-Heiner Lehne (A5-0246/2003)

Klaus-Heiner Lehne introduced the report

The following spoke: François Zimeray, on behalf of the PSE Group, Neil MacCormick, on behalf of the Verts/ALE Group, and Gianfranco Dell'Alba, Non-attached Member

The debate closed.

Vote: Minutes of 1.7.2003, Item 15.

Monday, 30 June 2003

14. Request to waive Mr Camre's immunity (debate)

Report on the request for waiver of the immunity of Mogens N.J. Camre [2002/2249(IMM)] — Committee on Legal Affairs and the Internal Market. Rapporteur: Neil MacCormick (A5-0243/2003)

Neil MacCormick introduced the report:

The following spoke: Klaus-Heiner Lehne, on behalf of the PPE-DE Group, and François Zimeray, on behalf of the PSE Group

The debate closed.

Vote: *Minutes of 1.7.2003, Item 16.*

IN THE CHAIR: James L.C. PROVAN

Vice-President

15. Request to defend Mr Musotto's immunity and privileges (debate)

Report on the request for upholding of the immunity and privileges of Mr Francesco Musotto [2002/2201(IMM)] — Committee on Legal Affairs and the Internal Market. Rapporteur: François Zimeray (A5-0248/2003)

François Zimeray introduced the report.

Stefano Zappalà spoke on behalf of the PPE-DE Group.

The debate closed.

Vote: *Minutes of 1.7.2003, Item 17.*

16. Securities prospectuses ***II (debate)

Recommendation for second reading on the common position of the Council with a view to adopting a European Parliament and Council directive on the prospectus to be published when securities are offered to the public or admitted to trading and amending Directive 2001/34/EC [5390/4/2003 — C5-0143/2003 — 2001/0117(COD)] — Committee on Economic and Monetary Affairs. Rapporteur: Christopher Huhne (A5-0218/2003).

Christopher Huhne introduced the recommendation for second reading.

Frits Bolkestein (Member of the Commission) spoke.

The following spoke: Othmar Karas, on behalf of the PPE-DE Group, Harald Ettl, on behalf of the PSE Group, Ioannis Patakis, on behalf of the GUE/NGL Group, Theresa Villiers, Pervenche Berès, Astrid Lulling, Peter William Skinner, Jean-Louis Bourlanges and Christa Randzio-Plath.

The debate closed.

Vote: *Minutes of 2.7.2003, Item 4.*

Monday, 30 June 2003

17. Procedures for supply, service and works contracts ***II — Procurement procedures for water, energy and transport, and postal services ***II (debate)

Recommendation for second reading on the common position of the Council with a view to adopting a directive of the European Parliament and of the Council on the coordination of procedures for the award of public supply contracts, public service contracts and public works contracts [11029/3/2002 — C5-0141/2003 — 2000/0115(COD)] — Committee on Legal Affairs and the Internal Market. Rapporteur: Stefano Zappalà (A5-0242/2003)

Recommendation for second reading on the common position of the Council with a view to adopting a directive of the European Parliament and of the Council coordinating the procurement procedures of entities operating in the water, energy and transport sectors, and postal services [12634/3/2002 — C5-0142/2003 — 2000/0117(COD)] — Committee on Legal Affairs and the Internal Market. Rapporteur: Stefano Zappalà (A5-0245/2003)

Stefano Zappalà introduced his recommendations for second reading.

IN THE CHAIR: Alonso José PUERTA

Vice-President

The following spoke: Frits Bolkestein (Member of the Commission), Klaus-Heiner Lehne, on behalf of the PPE-DE Group, Ioannis Koukiadis, on behalf of the PSE Group, Astrid Thors, on behalf of the ELDR Group, Neil MacCormick, on behalf of the Verts/ALE Group, Johannes (Hans) Blokland, on behalf of the EDD Group, Helmuth Markov, on behalf of the GUE/NGL Group, Malcolm Harbour, Evelyne Gebhardt, Inger Schörling, Herman Schmid, Bent Hindrup Andersen and Othmar Karas.

IN THE CHAIR: José PACHECO PEREIRA

Vice-President

The following spoke: Hans Karlsson, Arlette Laguiller, Pierre Jonckheer, Stephen Hughes, Claude Turmes, Helle Thorning-Schmidt, Theodorus J.J. Bouwman, Maria Berger, Bill Miller and Frits Bolkestein.

The debate closed.

Vote: *Minutes of 2.7.2003, Items 5 and 6.*

18. Agenda for next sitting

The President referred Members to the document 'Agenda' 332.957/OJMA.

19. Closure of sitting

The sitting closed at 20.35.

Julian Priestley
Secretary-General

Catherine Lalumière
Vice-President

ATTENDANCE REGISTER

The following signed:

Aaltonen, Ahern, Ainardi, Alyssandrakis, Andersen, Andersson, Andreasen, André-Léonard, Andrews, Arvidsson, Atkins, Attwooll, Auroi, Averoff, Avilés Perea, Ayuso González, Bakopoulos, Balfé, Baltas, Banotti, Barón Crespo, Bartolozzi, Bastos, Bautista Ojeda, Bayona de Perogordo, Beazley, Belder, Berend, Berenguer Fuster, Berès, van den Berg, Berger, Berlato, Bernié, Berthu, Bertinotti, Bethell, Beysen, Blak, Blokland, Böge, Bösch, von Boetticher, Bonde, Boogerd-Quaak, Booth, Bordes, Boumediene-Thiery, Bourlanges, Bouwman, Bowe, Bowis, Bradbourn, Brie, Brienza, Buitenweg, Bushill-Matthews, Busk, Butel, Callanan, Camisón Asensio, Camre, Cappato, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Caudron, Caullery, Cauquil, Caveri, Celli, Cercas, Cerdeira Morterero, Ceyhun, Chichester, Philip Claeys, Clegg, Cocilovo, Coelho, Cohn-Bendit, Collins, Colom i Naval, Corbett, Corbey, Cornillet, Corrie, Cossutta, Raffaele Costa, Coûteaux, Cox, Cunha, Cushnahan, van Dam, Dary, Daul, Davies, De Clercq, Decourrière, Dell'Alba, De Mita, Deprez, De Rossa, Descamps, Désir, Deva, De Veyrac, Dhaene, Díez González, Di Lello Finuoli, Dillen, Dimitrakopoulos, Doorn, Dover, Doyle, Dührkop Dührkop, Duff, Duin, Dupuis, Dybkjær, Ebner, Echerer, Elles, Eriksson, Ettl, Jillian Evans, Jonathan Evans, Färm, Farage, Fatuzzo, Ferber, Fernández Martín, Ferreira, Ferrer, Fiebigger, Figueiredo, Fiori, Fitzsimons, Flemming, Florenz, Folias, Ford, Formentini, Foster, Fourtoul, Friedrich, Gähler, Garaud, García-Margallo y Marfil, García-Orcyoyen Tormo, Gargani, Garot, Garriga Polledo, Gasòliba i Böhm, de Gaulle, Gawronski, Gebhardt, Gemelli, Ghilardotti, Gillig, Gil-Robles Gil-Delgado, Glante, Glase, Gobbo, Goebbels, Görlach, Gomolka, González Álvarez, Goodwill, Gorostiaga Atxalandabaso, Graefe zu Baringdorf, Graça Moura, Gröner, Gröfeldt Bergman, Grosch, Grossetête, Guy-Quint, Hänsch, Hager, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Hedkvist Petersen, Helmer, Hermange, Herranz García, Herzog, Hieronymi, Honeyball, Hortefeux, Howitt, Hudghton, Hughes, Huhne, Hyland, Iivari, Ilgenfritz, Imbeni, Inglewood, Izquierdo Collado, Izquierdo Rojo, Jackson, Jeggel, Jensen, Jonckheer, Jové Peres, Karamanou, Karas, Karlsson, Katiforis, Kaufmann, Keßler, Kindermann, Glenys Kinnock, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korakas, Korhola, Koukiadis, Koulourianos, Krehl, Kreissl-Dörfler, Kronberger, Kuhne, Lage, Lagendijk, Laguiller, Lalumière, Lambert, Lang, Lange, Langen, Langenhagen, Lannoye, de La Perrière, Laschet, Lavarra, Lechner, Leinen, Lisi, Ludford, Lulling, Lund, Lynne, Maaten, McCarthy, McCartin, MacCormick, McKenna, McMillan-Scott, McNally, Maes, Maij-Weggen, Malliori, Manders, Manisco, Erika Mann, Thomas Mann, Marchiani, Marinho, Marini, Marinos, Markov, Marset Campos, Martens, Hans-Peter Martin, Martinez, Martínez Martínez, Mastorakis, Mathieu, Mauro, Hans-Peter Mayer, Xaver Mayer, Medina Ortega, Meijer, Mendiluce Pereiro, Menéndez del Valle, Mennitti, Menrad, Miguélez Ramos, Miller, Miranda, Mombaur, Monsonís Domingo, Moraes, Moreira Da Silva, Morillon, Emilia Franziska Müller, Müller, Mulder, Murphy, Muscardini, Mussa, Musumeci, Myller, Napoletano, Napolitano, Naranjo Escobar, Nassauer, Newton Dunn, Nicholson of Winterbourne, Niebler, Nisticò, Nobilia, Nogueira Román, Nordmann, Obiols i Germà, Ojeda Sanz, Olsson, Ó Neachtain, Oomen-Ruijten, Oostlander, Oreja Arburúa, Paasilinna, Pacheco Pereira, Paciotti, Pack, Papayannakis, Parish, Pastorelli, Patakis, Patrie, Paulsen, Pérez Álvarez, Pérez Royo, Roy Perry, Pesälä, Pex, Piecyk, Pirker, Piscarreta, Podestà, Poettering, Pohjamo, Pomés Ruiz, Poos, Posselt, Prets, Procacci, Pronk, Provan, Puerta, Purvis, Randzio-Plath, Raymond, Ridruejo, Riis-Jørgensen, Ripoll y Martínez de Bedoya, de Roo, Roth-Behrendt, Rothe, Rübig, Rühle, Ruffolo, Sacconi, Sacrédeus, Sakellariou, Salafranca Sánchez-Neyra, Sandbæk, Santer, Santini, dos Santos, Sauquillo Pérez del Arco, Savary, Sbarbati, Schaffner, Scheele, Schierhuber, Schleicher, Herman Schmid, Olle Schmidt, Schmitt, Schnellhardt, Schörling, Schulz, Schwaiger, Segni, Seppänen, Sichrovsky, Simpson, Sjøstedt, Skinner, Smet, Soares, Sornosa Martínez, Souchet, Souladakis, Speroni, Staes, Stauner, Stenmarck, Stenzel, Sterckx, Stevenson, Stihler, Stirbois, Stockmann, Stockton, Sturdy, Sudre, Sumberg, Suominen, Swiebel, Sørensen, Tajani, Tannock, Theato, Theorin, Thomas-Mauro, Thorning-Schmidt, Thors, Thyssen, Titford, Titley, Torres Marques, Trakatellis, Trentin, Tsatsos, Turchi, Turmes, Uca, Vachetta, Väyrynen, Vairinhos, Valdivielso de Cué, Vallvé, Van Brempt, Van Lancker, Varela Suanzes-Carpegna, Vatanen, Veltroni, van Velzen, Vermeer, Vidal-Quadras Roca, Villiers, Vinci, Virrankoski, Voggenhuber, Volcic, Wachtmeister, Wallis, Walter, Watson, Watts, Weiler, Wenzel-Perillo, Whitehead, Wieland, Wiersma, von Wogau, Wuori, Wurtz, Wynn, Xarchakos, Zabell, Zacharakis, Zimeray, Zimmerling, Zissener, Zorba, Zrihen.

Observers

Balsai István, Bastys Mindaugas, Bekasovs Martijans, Bielan Adam, Bobelis Kazys Jaunutis, Bonnici Josef, Brejc Mihael, Christodoulidis Doros, Chronowski Andrzej, Chrzanowski Zbigniew, Cilevičs Boriss, Cybulski Zygmunt, Czinege Imre, Demetriou Panayiotis, Didžiokas Gintaras, Drzeźła Bernard, Ekert Milan, Ékes József, Fazakas Szabolcs, Filipek Krzysztof, Germič Ljubo, Grzyb Andrzej, Gyürk András, Hegyi Gyula, Holáň Vilém, Horvat Franc, Kāposts Andis, Kelemen András, Kiršteins Aleksandrs, Kłopotek Eugeniusz, Klukowski Waclaw, Kolář Robert, Kozlík Sergej, Kreitzberg Peeter, Kriščiūnas Kęstutis, Kroupa Daniel, Kuzmickas Kęstutis, Kvietkauskas Vytautas, Landsbergis Vytautas, Laštůvka Vladimír, Lepper Andrzej, Lisak Janusz, Lydeka Arminas, Łyżwiński Stanisław, Maldeikis Eugenijus, Manninger Jenő, Mavrou Eleni, Oleksy Józef, Óry Csaba, Pasternak Agnieszka, Pęczak Andrzej, Peterle Alojz, Pīks Rihards, Plokšto Artur,

Monday, 30 June 2003

Podgórski Bogdan, Podobnik Janez, Pospíšil Jiří, Pusz Sylwia, Savi Toomas, Sefzig Luděk, Smorawiński Jerzy, Surján László, Svoboda Pavel, Szájer József, Szczygło Aleksander, Szent-Iványi István, Tabajdi Csaba, Tomaka Jan, Vaculík Josef, Valys Antanas, Vareikis Egidijus, Vastagh Pál, Vella George, Vésaité Biruté, Widuch Marek, Wiśniowska Genowefa, Wojciechowski Janusz, Żenkiewicz Marian.

(2004/C 74 E/02)

MINUTES**PROCEEDINGS OF THE SITTING**

IN THE CHAIR: Pat COX

*President***1. Opening of sitting**

The sitting opened at 09.05.

The following spoke:

- Gérard Onesta, who stated that, in breach of a recognised right enjoyed by French parliamentarians, he had been prevented from seeing the trade unionist José Bové in a French prison, on the pretext that a French Member of the European Parliament is not a French parliamentarian. He asked that the President should approach the French authorities to ensure that, in future, Members of the European Parliament are not faced with obstacles in the performance of their work, and that the Secretary-General should submit a report to the Bureau on the limitations on the ability of Members of the European Parliament to carry out their work compared with the rights and obligations of national parliamentarians (the President replied that he would write to the competent French authorities in order to resolve this problem direct, without involving the Bureau of the European Parliament);
- José Ribeiro e Castroon the situation in Angola and the progress being made there towards democracy.

2. Debate on cases of breaches of human rights, democracy and the rule of law (announcement of motions for resolutions tabled)

Pursuant to Rule 50, the following Members or political groups had requested that such a debate be held on the following motions for resolutions:

CAMBODIA

- Bastiaan Belder, on behalf of the EDD Group, on the situation in Cambodia on the eve of the general elections of 27 July 2003 (B5-0337/2003);
- Margrietus J. van den Berg, on behalf of the PSE Group, on the general elections in Cambodia (B5-0343/2003);
- Patricia McKenna, on behalf of the Verts/ALE Group, on Cambodia (B5-0346/2003);
- Hartmut Nassauer, on behalf of the PPE-DE Group, on Cambodia (B5-0349/2003);
- Luisa Morgantini, on behalf of the GUE/NGL Group, on the situation in Cambodia on the eve of the general elections of 27 July 2003 (B5-0353/2003);
- Graham R. Watson, on behalf of the ELDR Group, on the situation in Cambodia on the eve of the general elections of 27 July 2003 (B5-0357/2003);

Tuesday, 1 July 2003

LAOS

- Bastiaan Belder, on behalf of the EDD Group, on Laos (B5-0336/2003);
- Pervenche Berès, on behalf of the PSE Group, on the arrest of European journalists, an American translator and their Laotian companions (B5-0345/2003);
- Patricia McKenna, on behalf of the Verts/ALE Group, on the arrest of European journalists, an American translator and their Laotian companions (B5-0348/2003);
- Hartmut Nassauer, on behalf of the PPE-DE Group, on Laos (B5-0350/2003);
- Pernille Frahm, on behalf of the GUE/NGL Group, on the arrest of journalists in Laos (B5-0354/2003);
- Anne André-Léonard, on behalf of the ELDR Group, on the arrest of Messrs Falise, Reynaud, Mua and four Laotian citizens, and on the general situation in Laos (B5-0356/2003);

UGANDA

- Margrietus J. van den Berg, on behalf of the PSE Group, on the situation in Uganda (B5-0344/2003);
- Nelly Maes, on behalf of the Verts/ALE Group, on the situation in Uganda (B5-0347/2003);
- Mario Mauro, on behalf of the PPE-DE Group, on human rights violations in Northern Uganda (B5-0351/2003);
- Yasmine Boudjenah, on behalf of the GUE/NGL Group, on the situation in Uganda (B5-0352/2003);
- Johan Van Hecke, on behalf of the ELDR Group, on the abduction of children by the LRA (B5-0355/2003);
- Cristiana Muscardini, on behalf of the UEN Group, on human rights violations in Northern Uganda (B5-0358/2003).

Speaking time would be allocated in accordance with Rule 120.

3. Greek presidency (statements followed by debate)

European Council report and Commission statement — European Council (Thessaloniki, 20/21 June 2003) and statement by the President-in-Office of the Council — Review of the Greek presidency

Konstantinos Simitis (President-in-Office of the Council) made a report and a statement.

Romano Prodi (President of the Commission) made a statement.

The following spoke: Hans-Gert Poettering, on behalf of the PPE-DE Group, Enrique Barón Crespo, on behalf of the PSE Group, Graham R. Watson, on behalf of the ELDR Group, Francis Wurtz, on behalf of the GUE/NGL Group, Johannes Voggenhuber, on behalf of the Verts/ALE Group, Gerard Collins, on behalf of the UEN Group, Jens-Peter Bonde, on behalf of the EDD Group, Charles de Gaulle, Non-attached Member, Jonathan Evans, Giorgos Katiforis, Andrew Nicholas Duff, Efstratios Korakas, Neil MacCormick and Luís Queiró.

Tuesday, 1 July 2003

IN THE CHAIR: Giorgos DIMITRAKOPOULOS

Vice-President

The following spoke: Jean-Louis Bernié, Georges Berthu, Antonios Trakatellis, Jannis Sakellariou, Bob van den Bos, Mihail Papayannakis, Jean Lambert, Mario Borghezio, Elmar Brok, Anna Terrón i Cusí, Sarah Ludford, Gérard Caudron, Arie M. Oostlander, Richard Corbett, Alexandros Alavanos, Hartmut Nassauer, Carlos Lage, Hanja Maij-Weggen, Dimitris Tsatsos, Ursula Stenzel, Pervenche Berès, Marianne L.P. Thyssen, Jan Andersson, Francesco Fiori, Othmar Karas, Doris Pack, Karl von Wogau, Konstantinos Simitis and Romano Prodi.

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

- Monica Frassoni, Daniel Marc Cohn-Bendit and Nelly Maes, on behalf of the Verts/ALE Group, on the Thessaloniki European Council meeting (B5-0325/2003)
- Hans-Gert Poettering, Ilkka Suominen, Francesco Fiori, Elmar Brok, Arie M. Oostlander, Doris Pack, Karl von Wogau and Hubert Pirker, on behalf of the PPE-DE Group, on the Thessaloniki European Council of 19-20 June 2003 (B5-0327/2003)
- Francis Wurtz, on behalf of the GUE/NGL Group, on the conclusions of the Thessaloniki European Council (B5-0331/2003)
- Enrique Barón Crespo, on behalf of the PSE Group, on the European Council meeting held in Thessaloniki on 19 and 20 June 2003 (B5-0333/2003)
- Andrew Nicholas Duff, on behalf of the ELDR Group, on the Thessaloniki European Council of 19-20 June 2003 (B5-0335/2003)
- Gerard Collins and Cristiana Muscardini, on behalf of the UEN Group, on the Thessaloniki European Council of 20-21 June 2003 (B5-0340/2003)

The debate closed.

Vote: *Minutes of 3.7.2003, Item 8.*

4. Official welcome

On behalf of Parliament, the President welcomed Mr Pier Ferdinando Casini, President of the Italian Chamber of Deputies, and Mr Frans Weisglas, President of the Second Chamber of the Netherlands States-General, who had taken their seats in the official gallery.

IN THE CHAIR: Guido PODESTÀ

Vice-President

VOTING TIME

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

Tuesday, 1 July 2003

5. Commission's implementing powers * (vote)

Report on the proposal for a Council decision amending Decision 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission [COM(2002) 719 — C5-0002/2003 — 2002/0298(CNS)] — Committee on Constitutional Affairs. Rapporteur: Richard Corbett (A5-0128/2003)

(The debate and the vote on the Commission proposal had taken place on 13 May 2003 (*Items 7 and 19 of the Minutes of that date*) and the matter had been referred back to committee pursuant to Rule 69(2))

(*Simple majority*)

(*Voting record: Annex 1, Item 1*)

DRAFT LEGISLATIVE RESOLUTION

Request for referral back to committee pursuant to Rules 68(1) and 144(1):

Approved.

6. European Environment Protection Agency and the European Environment Information and Observation Network ***II (Rule 110a) (vote)

Recommendation for second reading (in the form of a letter) on the common position of the Council with a view to the adoption of a regulation of the European Parliament and the Council amending Council Regulation (EEC) No 1210/90 on the establishment of the European Environment Protection Agency and the European Environment Information and Observation Network [8239/1/2003 — C5-0274/2003 — 2002/0169(COD)] — Committee on Budgets.

(*Qualified majority*)

(*Voting record: Annex 1, Item 2*)

COMMON POSITION OF THE COUNCIL

Declared approved (P5_TA(2003)0298)

7. European Food Safety Authority ***II (Rule 110a) (vote)

Recommendation for second reading (in the form of a letter) on the common position of the Council with a view to adopting a regulation of the European Parliament and the Council amending Regulation (EC) No 178/2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety [8240/1/2003 — C5-0275/2003 — 2002/0179(COD)] — Committee on Budgets.

(*Qualified majority*)

(*Voting record: Annex 1, Item 3*)

COMMON POSITION OF THE COUNCIL

Declared approved (P5_TA(2003)0299)

8. European Aviation Safety Agency ***II (Rule 110a) (vote)

Recommendation for second reading (in the form of a letter) on the common position of the Council with a view to adopting a regulation of the European Parliament and the Council amending Regulation (EC) No 1592/2002 on the common rules in the field of civil aviation and establishing a European Aviation Safety Agency [8241/1/2003 — C5-0276/2003 — 2002/0181(COD)] — Committee on Budgets.

(Qualified majority)

(Voting record: Annex 1, Item 4)

COMMON POSITION OF THE COUNCIL

Declared approved (P5_TA(2003)0300)

9. European Maritime Safety Agency ***II (Rule 110a) (vote)

Recommendation for second reading (in the form of a letter) Common position of the Council with a view to adopting a regulation of the European Parliament and the Council amending Regulation (EC) No 1406/2002 establishing a European Maritime Safety Agency [8242/1/2003 — C5-0277/2003 — 2002/0182(COD)] — Committee on Budgets.

(Qualified majority)

(Voting record: Annex 1, Item 5)

COMMON POSITION OF THE COUNCIL

Declared approved (P5_TA(2003)0301)

10. Good laboratory practice for tests on chemical substances ***I (Rule 110a) (vote)

Report on the proposal for a European Parliament and Council directive on the harmonisation of laws, regulations and administrative provisions relating to the application of the principles of good laboratory practice and the verification of their applications for tests on chemical substances (codified version) [COM(2002) 530 — C5-0444/2002 — 2002/0231(COD)] — Committee on Legal Affairs and the Internal Market. Rapporteur: Giuseppe Gargani (A5-0206/2003)

(Simple majority)

(Voting record: Annex 1, Item 6)

COMMISSION PROPOSAL and DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5_TA(2003)0302)

Tuesday, 1 July 2003

11. Inspection and verification of good laboratory practice *I** (Rule 110a)
(vote)

Report on the proposal for a European Parliament and Council directive on the inspection and verification of good laboratory practice (GLP) (codified version) [COM(2002) 529 — C5-0445/2002 — 2002/0233(COD)] — Committee on Legal Affairs and the Internal Market. Rapporteur: Giuseppe Gargani (A5-0205/2003)

(Simple majority)

(Voting record: Annex 1, Item 7)

COMMISSION PROPOSAL and DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5_TA(2003)0303)

12. Areal surveys and remote-sensing techniques *I** (Rule 110a) (vote)

Report on the proposal for a European Parliament and Council decision on the continued application of areal surveys and remote-sensing techniques to the agricultural statistics for 2004-2007 and amending Decision 1445/2000/EC of the European Parliament and of the Council [COM(2003) 218 — C5-0196/2003 — 2003/0085(COD)] — Committee on Agriculture and Rural Development. Rapporteur: Joseph Daul (A5-0208/2003)

(Simple majority)

(Voting record: Annex 1, Item 8)

COMMISSION PROPOSAL and DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5_TA(2003)0304)

13. Renewal of EC-Ukraine science and technology cooperation agreement *
(Rule 110a) (vote)

Report on the proposal for a Council Decision concerning the conclusion of an agreement aimed at renewing the Agreement on cooperation in science and technology between the European Community and Ukraine [COM(2003) 231 — C5-0242/2003 — 2003/0087(CNS)] — Committee on Industry, External Trade, Research and Energy. Rapporteur: Carlos Westendorp y Cabeza (A5-0227/2003)

(Simple majority)

(Voting record: Annex 1, Item 9)

DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5_TA(2003)0305)

14. Draft Amending Budget No 2/2003 (Rule 110a) (vote)

Report on the Draft Amending Budget No 2/2003 of the European Union for the financial year 2003 — Section VII, Committee of the Regions [2003/2058(BUD)] — Committee on Budgets. Rapporteur: Per Stenmarck (A5-0241/2003)

(Qualified majority)

(Voting record: Annex 1, Item 10)

MOTION FOR A RESOLUTION

Adopted by single vote (P5_TA(2003)0306)

15. Request to waive Mr Cohn-Bendit's immunity (vote)

Report on the request for waiver of the immunity of Daniel Marc Cohn-Bendit [2000/2109(IMM)] — Committee on Legal Affairs and the Internal Market. Rapporteur: Klaus-Heiner Lehne (A5-0246/2003)

(Simple majority)

(Voting record: Annex 1, Item 11)

PROPOSAL FOR A DECISION

Adopted (P5_TA(2003)0307)

16. Request to waive Mr Camre's immunity (vote)

Report on the request for waiver of the immunity of Mogens N.J. Camre [2002/2249(IMM)] — Committee on Legal Affairs and the Internal Market. Rapporteur: Neil MacCormick (A5-0243/2003)

(Simple majority)

(Voting record: Annex 1, Item 12)

PROPOSAL FOR A DECISION

Adopted (P5_TA(2003)0308)

17. Request to defend Mr Musotto's immunity and privileges (vote)

Report on the request for upholding of the immunity and privileges of Mr Francesco Musotto [2002/2201(IMM)] — Committee on Legal Affairs and the Internal Market. Rapporteur: François Zimeray (A5-0248/2003)

(Simple majority)

(Voting record: Annex 1, Item 13)

PROPOSAL FOR A DECISION

Adopted (P5_TA(2003)0309)

Tuesday, 1 July 2003

18. Indirect vision systems of vehicles ***II (vote)

Recommendation for second reading on the common position of the Council with a view to adopting a European Parliament and Council directive on the approximation of the laws of the Member States relating to the type-approval of devices for indirect vision and of vehicles equipped with these devices, amending Directive 70/156/EEC and repealing Directive 71/127/EEC [10880/1/2002 — C5-0169/2003 — 2001/0317(COD)] — Committee on Legal Affairs and the Internal Market. Rapporteur: Giuseppe Gargani (A5-0234/2003)

(Qualified majority)

(Voting record: Annex 1, Item 14)

COMMON POSITION OF THE COUNCIL

Declared approved as amended (P5_TA(2003)0310)

19. Explanations of vote

Written explanations of vote:

Explanations of vote submitted in writing under Rule 137(3) appear in the verbatim report of proceedings for this sitting.

Oral explanations of vote:

Report MacCormick — A5-0243/2003: Philip Claeys

20. Corrections to votes

Voting corrections were submitted by the following Members:

Report Gargani — A5-0206/2003

— single vote
for: Juan José Bayona de Perogordo

Report Daul — A5-0208/2003

— single vote
for: Juan José Bayona de Perogordo, Hiltrud Breyer

Report MacCormick — A5-0243/2003

— single vote
for: Juan José Bayona de Perogordo, Hans-Peter Martin, Roseline Vachetta
against: Jan Andersson, Göran Färm, Hans Karlsson, Ewa Hedkvist Petersen, Yvonne Sandberg-Fries, Maj Britt Theorin

END OF VOTING TIME

Tuesday, 1 July 2003

Edward H.C. McMillan-Scott complained about the difficulties he had encountered in getting to Strasbourg the previous day and raised the question of the seat of the European Parliament.

The following spoke on the same issue: Elizabeth Lynne, Richard Corbett, John Hume, Dominique Vlasto, Francesco Enrico Speroni, Pervenche Berès, Bruno Gollnisch, Jean-Louis Bourlanges, Hugues Martin and Christopher Heaton-Harris.

(The sitting was suspended at 13.00 and resumed at 15.05.)

IN THE CHAIR: Catherine LALUMIÈRE

Vice-President

21. Approval of Minutes of previous sitting

Gérard Onesta and Eurig Wyn had informed the Presidency that they had been present at the sitting of 30 June 2003 but that their names were not on the attendance register.

For technical reasons, the names of Marcin Libicki and Adam Biela did not appear in the attendance register of observers.

The Minutes of the previous sitting were approved.

22. Genetically modified food and feed *II — Traceability and labelling of GMOs ***II (debate)**

Recommendation for second reading on the common position of the Council with a view to adopting a regulation of the European Parliament and of the Council on genetically modified food and feed [5204/3/2003 — C5-0133/2003 — 2001/0173(COD)] — Committee on the Environment, Public Health and Consumer Policy. Rapporteur: Karin Scheele (A5-0202/2003)

Recommendation for second reading on the common position of the Council with a view to adopting a regulation of the European Parliament and of the Council concerning traceability and labelling of genetically modified organisms and traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC [15798/1/2002 — C5-0131/2003 — 2001/0180(COD)] — Committee on the Environment, Public Health and Consumer Policy. Rapporteur: Antonios Trakatellis (A5-0204/2003)

Karin Scheele introduced her recommendation for second reading.

Antonios Trakatellis introduced his recommendation for second reading.

The following spoke: David Byrne (Member of the Commission), Margot Wallström (Member of the Commission), Renate Sommer, on behalf of the PPE-DE Group, Torben Lund, on behalf of the PSE Group, Chris Davies, on behalf of the ELDR Group, Jonas Sjöstedt, on behalf of the GUE/NGL Group, Hiltrud Breyer, on behalf of the Verts/ALE Group, Mauro Nobile, on behalf of the UEN Group, Jean-Louis Bernié, on behalf of the EDD Group, Dominique F.C. Souchet, Non-attached Member, Françoise Grossetête, Robert Goebbels, Frédérique Ries, Ioannis Patakis, Jillian Evans, Bent Hindrup Andersen, Jean-Claude Martinez, Caroline F. Jackson, Dagmar Roth-Behrendt, Jules Maaten, Arlette Laguiller, Danielle Auroi, Ria G.H.C. Oomen-Ruijten, Anne Ferreira, Erik Meijer, Patricia McKenna, Horst Schnellhardt, David Robert Bowe, Marie Anne Isler Béguin and Marialiese Flemming.

Tuesday, 1 July 2003

IN THE CHAIR: Gerhard SCHMID

Vice-President

The following spoke: Dorette Corbey, Inger Schörling, Emilia Franziska Müller, Karin Scheele, Caroline Lucas, David Byrne and Margot Wallström.

Hiltrud Breyer made a personal statement following Horst Schnellhardt's remarks.

The debate closed.

Vote: *Minutes of 2.7.2003, Items 7 and 8.*

23. Strengthening the European pharmaceutical industry in the interest of patients — proposals for action (Commission statement)

Commission statement — Strengthening the European pharmaceutical industry in the interest of patients — proposals for action

Erkki Erkki Liikanen (Member of the Commission) and David Byrne (Member of the Commission) made the statement.

Dagmar Roth-Behrendt put a question under the 'catch the eye' procedure, which Erkki Liikanen answered.

Armonia Bordes spoke.

The following put questions which Erkki Erkki Liikanen and David Byrne answered: Didier Rod, Anne Ferreira, Dorette Corbey, Gérard Caudron, Carlos Lage and Imelda Mary Read.

IN THE CHAIR: Alonso José PUERTA

Vice-President

The 'catch the eye' procedure was closed.

24. Question Time (Commission)

Parliament considered a number of questions to the Commission (B5-0098/2003).

First part

The President stated that question 30 would be dealt with in the second part and would be answered by Mr Lamy.

Question 31 by Carlos Lage: Reform of the common fisheries policy and the stability principle.

Franz Fischler (Member of the Commission) answered the question and a supplementary by Carlos Lage.

Question 32 by Proinsias De Rossa: EU support for the ILO's International Programme on the Elimination of Child Labour.

Poul Nielson (Member of the Commission) answered the question and a supplementary by Proinsias De Rossa.

Tuesday, 1 July 2003

Second part

Question 33 by Camilo Nogueira Román: The association between Mercosur and the European Union in the light of the new political situation in Brazil and Argentina_ Economic relations with both countries.

Pascal Lamy (Member of the Commission) answered the question and a supplementary by Camilo Nogueira Román.

Question 34 by Bernd Posselt: Foreign trade with southern Africa.

Pascal Lamy answered the question and supplementaries by Bernd Posselt, John Purvis and Carlos Lage.

Question 35 by Glenys Kinnock: WTO — TRIPS.

Pascal Lamy answered the question and a supplementary by Glenys Kinnock.

Question 36 by Juan José Bayona de Perogordo: Unfair competition from goods imported from China.

Pascal Lamy answered the question and supplementaries by Juan José Bayona de Perogordo, José Manuel García-Margallo y Marfil and Malcolm Harbour.

Question 30 by Christos Zacharakis: Contravention of international legal rules by Turkey, and danger of causing a serious accident to a passenger aeroplane in Greek airspace.

John Purvis raised a point of order.

Pascal Lamy answered the question and a supplementary by Christos Zacharakis.

Question 37 had been withdrawn.

Question 38 by Lennart Sacrédeus: Member State's tax subsidy of abortion for other EU citizens.

Frits Bolkestein (Member of the Commission) answered the question and a supplementary by Lennart Sacrédeus.

Question 39 by Antonios Trakatellis: Use of a mathematical formula in awarding public contracts: distortion of the rules of competition.

Frits Bolkestein answered the question and a supplementary by Antonios Trakatellis.

Question 40 by Elly Plooij-van Gorsel: Principle of 'fair compensation'.

Frits Bolkestein answered the question and supplementaries by Elly Plooij-van Gorsel and Astrid Thors.

Question 41 by Patricia McKenna: Rapid Alert Notifications.

David Byrne (Member of the Commission) answered the question and a supplementary by Patricia McKenna.

Question 42 was not taken as the subject was already on the agenda.

Question 43 by John Purvis: Cost-benefit analysis of the identification and registration of sheep and goats.

David Byrne answered the question and a supplementary by John Purvis.

Tuesday, 1 July 2003

Question 44 by María Izquierdo Rojo: Irresponsible rise in cases of Bovine spongiform encephalopathy (BSE) or 'Mad cow disease' in Spain.

David Byrne answered the question and a supplementary by María Izquierdo Rojo.

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

Commission Question Time closed.

(The sitting was suspended at 19.20 and resumed at 21.00.)

IN THE CHAIR: Gérard ONESTA

Vice-President

25. Indication of the ingredients present in foodstuffs *II — Food additives other than colours and sweeteners ***I — Substances having a hormonal or thyrostatic action and beta-agonists ***II (debate)**

Recommendation for second reading on the common position of the Council with a view to adopting a directive of the European Parliament and of the Council amending Directive 2000/13/EC as regards indication of the ingredients present in foodstuffs [15514/2/2002 — C5-0080/2003 — 2001/0199(COD)] — Committee on the Environment, Public Health and Consumer Policy — rapporteur: Christa Klaß (A5-0191/2003)

Report on the proposal for a directive of the European Parliament and of the Council amending Directive 95/2/EC on food additives other than colours and sweeteners [COM(2002) 662 — C5-0577/2002 — 2002/0274(COD)] — Committee on the Environment, Public Health and Consumer Policy. Rapporteur: María del Pilar Ayuso González (A5-0216/2003)

Recommendation for second reading on the common position of the Council with a view to adopting a directive of the European Parliament and of the Council amending Council Directive 96/22/EC concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of beta-agonists [14502/1/2002 — C5-0079/2003 — 2000/0132(COD)] — Committee on the Environment, Public Health and Consumer Policy — rapporteur: Karl Erik Olsson (A5-0201/2003)

Christa Klaß introduced the recommendation for second reading.

María del Pilar Ayuso González introduced the report.

Karl Erik Olsson introduced the recommendation for second reading.

David Byrne (Member of the Commission) spoke.

The following spoke: Astrid Lulling, on behalf of the PPE-DE Group, Béatrice Patrie, on behalf of the PSE Group, Marit Paulsen, on behalf of the ELDR Group, Alexander de Roo, on behalf of the Verts/ALE Group, Nicole Thomas-Mauro, on behalf of the UEN Group, Eija-Riitta Anneli Korhola, Torben Lund, Horst Schnellhardt, David Byrne, Christa Klaß, who put a question to the Commission, and David Byrne, who answered the question.

The debate closed.

Vote: *Minutes of 2.7.2003, Items 9 and 10 (A5-0191 and 0201/2003) and Minutes of 3.7.2003, Item 16 (A5-0216/2003).*

Tuesday, 1 July 2003

26. Packaging and packaging waste ***II (debate)

Recommendation for second reading on the common position of the Council with a view to adopting a directive of the European Parliament and of the Council amending Directive 94/62/EC on packaging and packaging waste [14843/1/2002 — C5-0082/2003 — 2001/0291(COD)] — Committee on the Environment, Public Health and Consumer Policy — rapporteur: Dorette Corbey (A5-0200/2003)

Dorette Corbey introduced the recommendation for second reading.

Margot Wallström (Member of the Commission) spoke.

The following spoke: María del Pilar Ayuso González, on behalf of the PPE-DE Group, Riitta Myller, on behalf of the PSE Group, Marit Paulsen, on behalf of the ELDR Group, Laura González Álvarez, on behalf of the GUE/NGL Group, Patricia McKenna, on behalf of the Verts/ALE Group, Johannes (Hans) Blokland, on behalf of the EDD Group, Caroline F. Jackson, Ralf Walter, Karl-Heinz Florenz, David Robert Bowe, Ria G.H.C. Oomen-Ruijten, Avril Doyle, Eija-Riitta Anneli Korhola, Emilia Franziska Müller and Margot Wallström.

The debate closed.

Vote: *Minutes of 2.7.2003, Item 11.*

27. Greenhouse gas emission allowance trading ***II (debate)

Recommendation for second reading on the common position of the Council with a view to adopting a directive of the European Parliament and of the Council establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC [15792/1/2002 — C5-0135/2003 — 2001/0245(COD)] — Committee on the Environment, Public Health and Consumer Policy — Rapporteur: Jorge Moreira Da Silva (A5-0207/2003)

Jorge Moreira Da Silva introduced the recommendation for second reading.

Margot Wallström (Member of the Commission) spoke.

The following spoke: Karl-Heinz Florenz, on behalf of the PPE-DE Group, Dorette Corbey, on behalf of the PSE Group, Chris Davies, on behalf of the ELDR Group, Esko Olavi Seppänen, on behalf of the GUE/NGL Group, Alexander de Roo, on behalf of the Verts/ALE Group, Ria G.H.C. Oomen-Ruijten, Bernd Lange, Laura González Álvarez, Cristina García-Orcoyen Tormo, Riitta Myller, Peter Liese, Rolf Linkohr, Avril Doyle, Eija-Riitta Anneli Korhola, Margot Wallström and Alexander de Roo, who put a question to the Commission to which Margot Wallström replied.

The debate closed.

Vote: *Minutes of 2.7.2003, Item 12.*

28. Addition of water and proteins to chicken meat (Oral question with debate)

Oral question by Paul A.A.J.G. Lannoye, Caroline Lucas and Alexander de Roo, on behalf of the Verts/ALE-Group, to the Commission on the addition of water and proteins to chicken meat (B5-0099/2003)

Alexander de Roo moved the oral question.

The following spoke: David Byrne (Member of the Commission), Phillip Whitehead, on behalf of the PSE Group, Diana Wallis, on behalf of the ELDR Group and, David Byrne, who replied to questions raised by.

Intervention: Phillip Whitehead et Diana Wallis.

The debate closed.

Tuesday, 1 July 2003

29. 2004 budget conciliation procedure (debate)

Report on the conciliation procedure prior to the first reading in the Council of the 2004 budget [2003/2027(BUD)] — Committee on Budgets. Rapporteur: Jan Mulder (A5-0240/2003)

Jan Mulder introduced the report.

Michaele Schreyer (Member of the Commission) spoke.

The following spoke: Johan Van Hecke (draftsman of the opinion of the AFET Committee), Albert Jan Maat (draftsman of the opinion of the AGRI Committee), Brigitte Langenhagen (draftsman of the opinion of the PECH Committee), Salvador Garriga Polledo, on behalf of the PPE-DE Group, Ralf Walter, on behalf of the PSE Group, Kyösti Tapio Virrankoski, on behalf of the ELDR Group, Joaquim Miranda, on behalf of the GUE/NGL Group, Rijk van Dam, on behalf of the EDD Group, and Brigitte Langenhagen, on the previous speaker's remarks.

The debate closed.

Vote: *Minutes of 3.7.2003, Item 18.*

30. Implementation of 2003 budget (debate)

Report on the 2003 budget: implementation profile, transfers of appropriations and supplementary and amending budgets [2003/2026(BUD)] — Committee on Budgets. Rapporteur: Göran Färm (A5-0233/2003)

Göran Färm introduced the report.

Michaele Schreyer (Member of the Commission) spoke.

The following spoke: Markus Ferber, on behalf of the PPE-DE Group, and Kyösti Tapio Virrankoski, on behalf of the ELDR Group.

The debate closed.

Vote: *Minutes of 3.7.2003, Item 19.*

31. Trafficking in children and child soldiers (debate)

Motion for a resolution on trafficking in children and child soldiers — Committee on Development and Cooperation (B5-0320/2003)

Marie-Arlette Carlotti introduced the motion for a resolution.

The following spoke: Glyn Ford and Michaele Schreyer (Member of the Commission).

The debate closed.

Vote: *Minutes of 3.7.2003, Item 20.*

Tuesday, 1 July 2003

32. Agenda for next sitting

The President referred Members to the document 'Agenda' PE 332.957/OJME.

33. Closure of sitting

The sitting closed at 00.35.

Julian Priestley
Secretary-General

Guido Podestà
Vice-President

Tuesday, 1 July 2003

ATTENDANCE REGISTER

The following signed:

Aaltonen, Abitbol, Ahern, Ainardi, Alavanos, Alyssandrakis, Andersen, Andersson, Andreasen, André-Léonard, Andrews, Andria, Angelilli, Aparicio Sánchez, Arvidsson, Atkins, Attwooll, Auroi, Avilés Perea, Ayuso González, Bakopoulos, Baltas, Barón Crespo, Bartolozzi, Bastos, Bautista Ojeda, Bayona de Perogordo, Beazley, Bébéar, Belder, Berend, Berenguer Fuster, Berès, van den Berg, Berger, Berlato, Bernié, Berthu, Bertinotti, Bethell, Beysen, Bigliardo, Blak, Blokland, Böge, Bösch, von Boetticher, Bonde, Boogerdt-Quaak, Booth, Bordes, van den Bos, Boselli, Boudjenah, Boumediene-Thiery, Bourlanges, Bouwman, Bowe, Bowis, Bradbourn, Breyer, Brie, Brienza, Brok, Brunetta, Buitenweg, Bullmann, van den Burg, Bushill-Matthews, Busk, Butel, Callanan, Camisón Asensio, Campos, Camre, Cappato, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Caudron, Caullery, Cauquil, Caveri, Celli, Cercas, Cerdeira Morterero, Cesaro, Ceyhun, Chichester, Philip Claeys, Clegg, Cocilovo, Coelho, Cohn-Bendit, Collins, Colom i Naval, Corbett, Corbey, Cornillet, Corrie, Cossutta, Raffaele Costa, Coûteaux, Cox, Crowley, Cunha, Cushmanan, van Dam, Daul, Davies, De Clercq, Decourrière, Dehousse, De Keyser, Dell'Alba, Dell'Utri, De Mita, Deprez, De Rossa, De Sarnez, Descamps, Désir, Deva, De Veyrac, Dhaene, Díez González, Di Lello Finuoli, Dillen, Dimitrakopoulos, Doorn, Dover, Doyle, Dührkop Dührkop, Duff, Duhamel, Duin, Dupuis, Dybkjær, Ebner, Echerer, Elles, Eriksson, Esclopé, Ettl, Jillian Evans, Jonathan Evans, Färm, Farage, Fatuzzo, Fava, Ferber, Fernández Martín, Ferreira, Ferrer, Ferri, Fiebigler, Figueiredo, Fiori, Fitzsimons, Flautre, Flemming, Fleisch, Florenz, Folias, Ford, Formentini, Foster, Fournou, Frahm, Fraisse, Frassoni, Friedrich, Fruteau, Gahler, Garaud, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garot, Garriga Polledo, Gasòliba i Böhm, de Gaille, Gawronski, Gebhardt, Gemelli, Ghilardotti, Gill, Gillig, Gil-Robles Gil-Delgado, Glante, Glase, Gobbo, Goebbels, Goepel, Görlach, Gollnisch, Gomolka, González Álvarez, Goodwill, Gorostiaga Atxalandabaso, Graefe zu Baringdorf, Graça Moura, Gröner, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Guy-Quint, Hänsch, Hager, Hannan, Hansenne, Harbour, Hatzidakis, Haug, Hazan, Heaton-Harris, Hedkvist Petersen, Helmer, Hermange, Hernández Mollar, Herranz García, Herzog, Hieronymi, Hoff, Honeyball, Hortefeux, Howitt, Hudghton, Hughes, Huhne, van Hulten, Hume, Hyland, Iivari, Ilgenfritz, Imbeni, Inglewood, Isler Béguin, Izquierdo Collado, Izquierdo Rojo, Jackson, Jarzembowski, Jeggel, Jensen, Jöns, Jonckheer, Jové Peres, Junker, Karamanou, Karas, Karlsson, Katiforis, Kaufmann, Kauppi, Keppelhoff-Wiechert, Keßler, Khanbhai, Kindermann, Glenys Kinnock, Kirkhope, Klamt, Klaf, Knolle, Koch, Konrad, Korakas, Korhola, Koukiadis, Koulourianos, Krarup, Kratsa-Tsagaropoulou, Krehl, Kreissl-Dörfler, Krivine, Kronberger, Kuckelkorn, Kuhne, Kuntz, Lage, Lagendijk, Laguiller, Lalumière, Lamassoure, Lambert, Lang, Lange, Langen, Langenhagen, Lannoye, de La Perrière, Laschet, Lavarra, Lechner, Lehne, Leinen, Linkohr, Lipietz, Lisi, Lombardo, Lucas, Ludford, Lulling, Lund, Lynne, Maat, Maaten, McCarthy, McCartin, McCormick, McKenna, McMillan-Scott, McNally, Maes, Maij-Weggen, Malliori, Manders, Manisco, Erika Mann, Thomas Mann, Mantovani, Marchiani, Marinho, Marini, Marinos, Markov, Marques, Marset Campos, Martens, David W. Martin, Hans-Peter Martin, Hugues Martin, Martinez, Martínez Martínez, Mastella, Mastorakis, Mathieu, Matikainen-Kallström, Mauro, Hans-Peter Mayer, Xaver Mayer, Mayol i Raynal, Medina Ortega, Meijer, Méndez de Vigo, Mendiluce Pereiro, Menéndez del Valle, Mennea, Menniti, Menrad, Miguélez Ramos, Miller, Miranda, Miranda de Lage, Modrow, Mombaur, Monsonis Domingo, Montfort, Moraes, Moreira Da Silva, Morgantini, Morillon, Emilia Franziska Müller, Müller, Mulder, Murphy, Muscardini, Musotto, Mussa, Musumeci, Myller, Napoletano, Napolitano, Naranjo Escobar, Nassauer, Newton Dunn, Nicholson, Nicholson of Winterbourne, Niebler, Nisticò, Nobilia, Nogueira Román, Nordmann, Obiols i Germà, Ojeda Sanz, Olsson, Ó Neachtain, Onesta, Oostlander, Oreja Arburúa, Ortuondo Larrea, Paasilinna, Pacheco Pereira, Paciotti, Pack, Paisley, Pannella, Papayannakis, Parish, Pasqua, Pastorelli, Patakis, Patrie, Paulsen, Pérez Álvarez, Pérez Royo, Roy Perry, Pesälä, Pex, Piecyk, Piétrasanta, Pirker, Piscarreta, Plooj-van Gorsel, Podestà, Poettering, Pohjamo, Poignant, Poli Bortone, Pomés Ruiz, Poos, Posselt, Prets, Procacci, Pronk, Provan, Puerta, Purvis, Queiró, Quisthoudt-Rowohl, Rack, Radwan, Randzio-Plath, Rapkay, Raschhofer, Raymond, Read, Redondo Jiménez, Ribeiro e Castro, Ridruejo, Ries, Riis-Jørgensen, Ripoll y Martínez de Bedoya, Rocard, Rod, Rodríguez Ramos, de Roo, Roth-Behrendt, Rothe, Roure, Rovsing, Rübig, Rühle, Ruffolo, Rutelli, Sacconi, Sacrédeus, Saint-Josse, Sakellariou, Salafraña Sánchez-Neyra, Sandbæk, Sanders-ten Holte, Santer, Santini, dos Santos, Sartori, Sauquillo Pérez del Arco, Savary, Sbarbati, Scallon, Scapagnini, Scarbonchi, Schaffner, Scheele, Schierhuber, Schleicher, Gerhard Schmid, Herman Schmid, Olle Schmidt, Schmitt, Schnellhardt, Schörling, Ilka Schröder, Jürgen Schröder, Schroedter, Schulz, Schwaiger, Segni, Seppänen, Sichrovsky, Simpson, Sjöstedt, Skinner, Smet, Soares, Sommer, Sornosa Martínez, Souchet, Souladakis, Sousa Pinto, Speroni, Staes, Stauner, Stenmarck, Stenzel, Sterckx, Stevenson, Stihler, Stirbois, Stockmann, Stockton, Sturdy, Sudre, Sumberg, Suominen, Swibel, Swoboda, Sylla, Sørensen, Tajani, Tannock, Terrón i Cusí, Theato, Theorin, Thomas-Mauro, Thorning-Schmidt, Thors, Thyssen, Tiford, Titley, Torres Marques, Trakatellis, Trentin, Tsatsos, Turchi, Turco, Turmes, Uca, Vachetta, Vairinhos, Valdivielso de Cué, Valenciano Martínez-Orozco, Vallvé, Van Bremept, Van Hecke, Van Lancker, Van Orden, Varaut, Varela Suanzes-Carpegna, Vatanen, Vattimo, Veltroni, van Velzen, Vermeer, de Veyrinas, Vidal-Quadras Roca, Villiers, Vinci, Virrankoski, Vlasto, Voggenhuber, Volcic, Wachtmeister, Wallis, Walter, Watson, Watts, Weiler, Wenzel-Perillo, Whitehead, Wieland, Wiersma, Wijkman, von Wogau, Wuermeling, Wuori, Wurtz, Wynn, Xarchakos, Zabell, Zacharakis, Zimmerling, Zissener, Zorba, Zrihen.

Tuesday, 1 July 2003

Observers

Bagó Zoltán, Balla Mihály, Balsai István, Bastys Mindaugas, Bekasovs Martijans, Beneš Miroslav, Biela Adam, Bielan Adam, Bobelis Kazys Jaunutis, Bonnici Josef, Brejc Mihael, Christodoulidis Doros, Chronowski Andrzej, Chrzanowski Zbigniew, Ciemiak Grażyna, Čilevičs Boriss, Cybulski Zygmunt, Czinege Imre, Demetriou Panayiotis, Didžiokas Gintaras, Drzęźła Bernard, Ekert Milan, Ékes József, Fajmon Hynek, Fazakas Szabolcs, Fenech Antonio, Filipek Krzysztof, Gałązewski Andrzej, Gawłowski Andrzej, Germič Ljubo, Giertych Maciej, Gruber Attila, Grzebisz-Nowicka Zofia, Grzyb Andrzej, Gyürk András, Hegyi Gyula, Holáň Vilém, Horvat Franc, Kamiński Michał Tomasz, Kāposts Andis, Kelemen András, Kiršteins Aleksandrs, Kļaviņš Paulis, Kłopotek Eugeniusz, Klukowski Waclaw, Kolář Robert, Kósá Kovács Magda, Kowalska Bronisława, Kozlík Sergej, Kreitzberg Peeter, Kriščiūnas Kęstutis, Kroupa Daniel, Kuzmickas Kęstutis, Kvietkauskas Vytautas, Lachnit Petr, Landsbergis Vytautas, Laštůvka Vladimír, Lepper Andrzej, Lewandowski Janusz Antoni, Libicki Marcin, Liepina Liene, Lisak Janusz, Litwiniec Bogusław, Lydeka Arminas, Macierewicz Antoni, Maldeikis Eugenijus, Mallotová Helena, Manninger Jenő, Matsakis Marios, Mavrou Eleni, Oleksy Józef, Óry Csaba, Ouzký Miroslav, Palečková Alena, Pasternak Agnieszka, Pęczak Andrzej, Peterle Alojz, Pieniążek Jerzy, Pīks Rihards, Plokšto Artur, Podgórski Bogdan, Podobnik Janez, Pospíšil Jiří, Pusz Sylwia, Reiljan Janno, Rouček Libor, Rutkowski Krzysztof, Savi Toomas, Sefzig Luděk, Smorawiński Jerzy, Surján László, Svoboda Pavel, Szabó Zoltán, Szájer József, Szczygło Aleksander, Szent-Iványi István, Tabajdi Csaba, Tomaka Jan, Tomczak Witold, Vaculík Josef, Valys Antanas, Vareikis Egidijus, Vastagh Pál, Vella George, Vēsaitē Birutē, Wenderlich Jerzy, Widuch Marek, Wikiński Marek, Winiarczyk-Kossakowska Małgorzata, Wiśniowska Genowefa, Wojciechowski Janusz, Zahradil Jan, Żenkiewicz Marian.

Tuesday, 1 July 2003

ANNEX I

RESULTS OF VOTES

Abbreviations and symbols

+	adopted
-	rejected
↓	lapsed
W	withdrawn
RCV (... , ... , ...)	roll-call vote (for, against, abstentions)
EV (... , ... , ...)	electronic vote (for, against, abstentions)
split	split vote
sep	separate vote
am	amendment
CA	compromise amendment
CP	corresponding part
D	deleting amendment
=	identical amendments
§	paragraph
art	article
rec	recital
MOT	motion for a resolution
JT MOT	joint motion for a resolution
SEC	secret ballot

1. Commission's implementing powers *

Report: CORBETT (A5-0128/2003)

Subject	RCV, etc.	Vote	RCV/EV — remarks
<i>vote on the request for referral back to the Committee</i>		+	Rule 144(1)

The vote on the Commission's proposal took place on 13 May 2003.

Tuesday, 1 July 2003

2. European Environment Protection Agency and the European Environment Information and Observation Network ***II

Recommendation for second reading in the form of a letter (C5-0274/2003)

Subject	Remarks
approval without vote	declared approved

3. European Food Safety Authority ***II

Recommendation for second reading in the form of a letter (C5-0275/2003)

Subject	Remarks
approval without vote	declared approved

4. European Aviation Safety Agency ***II

Recommendation for second reading in the form of a letter (C5-0276/2003)

Subject	Remarks
approval without vote	declared approved

5. European Maritime Safety Agency ***II

Recommendation for second reading in the form of a letter (C5-0277/2003)

Subject	Remarks
approval without vote	declared approved

6. Good laboratory practice for tests on chemical substances ***I

Report: GARGANI (A5-0206/2003)

Subject	RCV, etc.	Vote	RCV/EV — remarks
single vote	RCV	+	545, 3, 11

Requests for roll-call votes:

PPE-DE final vote

Tuesday, 1 July 2003

7. Inspection and verification of good laboratory practice *I**

Report: GARGANI (A5-0205/2003)

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

8. Arial surveys and remote-sensing techniques *I**

Report: DAUL (A5-0208/2003)

Subject	RCV, etc.	Vote	RCV/EV — remarks
<i>single vote</i>	RCV	+	537, 4, 22

Requests for roll-call votes:

PPE-DE final vote

9. Renewal of EC-Ukraine science and technology cooperation agreement *

Report: WESTENDORP Y CABEZA (A5-0227/2003)

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

10. Amending Budget 2/2003

Report: STENMARCK (A5-0241/2003)

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

11. Request to waive Mr Cohn-Bendit's immunity

Report: LEHNE (A5-0246/2003)

Subject	RCV, etc.	Vote	RCV/EV — remarks
<i>vote: proposal for a decision (as a whole)</i>		+	

Tuesday, 1 July 2003

12. Request to waive Mr Camre's immunity

Report: MacCORMICK (A5-0243/2003)

Subject	RCV, etc.	Vote	RCV/EV — remarks
<i>vote: proposal for a decision (as a whole)</i>	RCV	+	492, 48, 18

Requests for roll-call votes

GUE/NGL: final vote

13. Request to defend Mr Musotto's immunity and privileges

Report: ZIMERAY (A5-0248/2003)

Subject	RCV, etc.	Vote	RCV/EV — remarks
<i>vote: proposal for a decision (as a whole)</i>		+	

14. Indirect vision systems of vehicles ***II

Recommendation for second reading: GARGANI (A5-0234/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
Art 2	2	PPE-DE		+	
	1	<i>committee</i>		↓	

Tuesday, 1 July 2003

ANNEX II

RESULT OF ROLL-CALL VOTES

Gargani report A5-0206/2003
Whole text

For: 545

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

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Caveri, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Formentini, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Olsson, Paulsen, Pesälä, Plooi-jan Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Värynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Krivine, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Berthu, Beysen, Claeys, Dillen, Garaud, de Gaulle, Gollnisch, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Martinez, Raschhofer, Souchet, Stirbois, Varaut

PPE-DE: Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Beazley, Berend, Bethell, Bodrato, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cunha, Cushnahan, Daul, Decourrière, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Fiori, Flemming, Folias, Foster, Fourtou, Friedrich, Gähler, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kauppi, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, McCartin, McMillan-Scott, Majj-Weggen, Mann Thomas, Marini, Marinos, Marques, Martens, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller Emilia Franziska, Musotto, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Boselli, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rosa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, Ettl, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulst, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Murphy, Myller, Napolitano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Tuesday, 1 July 2003

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

Verts/ALE: Ahern, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Buitenweg, Celli, Echerer, Evans Jillian, Flautre, Frassoni, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori

Against: 3

EDD: Booth, Farage, Titford

Abstention: 11

EDD: Abitbol, Coûteaux, Kuntz

NI: Borghezio, Cappato, Dell'Alba, Dupuis, Gobbo, Speroni, Turco

PPE-DE: Costa Raffaele

**Daul report A5-0208/2003
Whole text**

For: 537

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

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Caveri, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Formentini, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bertinotti, Blak, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Krivine, Manisco, Markov, Maset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Berthu, Beysen, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, de La Perriere, Raschhofer, Souchet, Varaut

PPE-DE: Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Beazley, Berend, Bethell, Bodrato, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa Raffaele, Cunha, Cushnahan, Daul, Decourrière, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Fiori, Flemming, Folias, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kauppi, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, McCartin, McMillan-Scott, Maij-Weggen, Mann Thomas, Marini, Marinos, Martens, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller Emilia Franziska, Musotto, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Scallan, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

Tuesday, 1 July 2003

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

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

Verts/ALE: Aaltonen, Ahern, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Flautre, Frassoni, Graefe zu Baringdorf, Hudghton, Isler Béguin, Lagendijk, Lambert, Lannoye, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori

Against: 4

EDD: Booth, Coûteaux, Farage, Titford

Abstention: 22

EDD: Kuntz

GUE/NGL: Alyssandrakis, Bordes, Cauquil, Korakas, Laguiller, Patakis

NI: Borghezio, Cappato, Claeys, Dell'Alba, Dillen, Dupuis, Garaud, de Gaulle, Gobbo, Gollnisch, Lang, Martinez, Speroni, Stirbois, Turco

**MacCormick report A5-0243/2003
Decision**

For: 492

EDD: Abitbol, Belder, Blokland, Coûteaux, van Dam, Kuntz

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Caveri, Clegg, Davies, De Clercq, Duff, Flesch, Formentini, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Alyssandrakis, Di Lello Finuoli, Korakas, Manisco, Markov, Patakis

NI: Berthu, Beysen, Borghezio, Cappato, Claeys, Dell'Alba, Dillen, Dupuis, Garaud, de Gaulle, Gobbo, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Martinez, Raschhofer, Souchet, Speroni, Stirbois, Turco, Varaut

Tuesday, 1 July 2003

PPE-DE: Andria, Arvidsson, Atkins, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Bethell, Bodrato, Böge, von Boetticher, Bourlanges, Bowis, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Cesaro, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cunha, Cushnahan, Daul, Decourrière, De Mita, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans Jonathan, Fatuzzo, Ferber, Fernández Martín, Ferrer, Fiori, Flemming, Foliás, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcyoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kauppi, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Lamassoure, Langen, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, McMillan-Scott, Maij-Weggen, Mann Thomas, Marini, Marinos, Marques, Martens, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller Emilia Franziska, Musotto, Naranjo Escobar, Nassauer, Niebler, Nisticò, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Røvsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Scallon, Scapagnini, Schaffner, Schierhuber, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Boselli, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Cercas, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Dührkop Dührkop, Duhamel, Duin, Ettl, Färm, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hughes, van Hulten, Hume, Iivari, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Kindermann, Kinnock, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Lage, Lalumière, Lange, Leinen, Linkohr, McCarthy, McNally, Malliori, Mann Erika, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Rothley, Roure, Ruffolo, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Veltroni, Volcic, Walter, Watts, Weiler, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Berlato, Bigliardo, Caullery, Collins, Crowley, Hyland, Marchiani, Mussa, Musumeci, Nobilea, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Ahern, Auroi, Bautista Ojeda, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans Jillian, Flautre, Frassoni, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Legendijk, Lambert, Lannoye, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Piétrasantá, Rod, de Roo, Rühle, Schroedter, Staes, Turmes, Voggenhuber, Wuori

Against: 48

EDD: Andersen, Bonde, Sandbæk

ELDR: Dybkjær, Sørensen

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Eriksson, Fiebigger, Figueiredo, Frahm, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Krivine, Laguiller, Maset Campos, Meijer, Miranda, Modrow, Papayannakis, Puerta, Scarbonchi, Schmid Herman, Schröder Ilka, Seppänen, Sjöstedt, Sylla, Uca, Vinci, Wurtz

PPE-DE: Gil-Robles Gil-Delgado

PSE: Keßler, Kuhne, Lund, Thorning-Schmidt

Tuesday, 1 July 2003

Abstention: 18

EDD: Booth, Farage, Titford

GUE/NGL: Vachetta

NI: Gorostiaga Atxalandabaso

PPE-DE: Costa Raffaele, Hermange, Lombardo, Martin Hugues, Valdivielso de Cué, de Veyrinas, Vlasto

PSE: Ford, Whitehead

UEN: Camre

Verts/ALE: Boumediene-Thiery, Hudghton, Schörling

TEXTS ADOPTED**P5_TA(2003)0298****European Environment Protection Agency and the European Environment Information and Observation Network ***II**

Common position of the Council with a view to adopting a regulation of the European Parliament and the Council amending Council Regulation (EEC) No 1210/90 on the establishment of the European Environment Protection Agency and the European Environment Information and Observation Network [8239/1/2003 — C5-0274/2003 — 2002/0169(COD)]

(Codecision procedure: second reading)

The common position was approved. The act was accordingly deemed adopted in accordance with the common position.

P5_TA(2003)0299**European Food Safety Authority ***II**

Common position of the Council with a view to adopting a regulation of the European Parliament and the Council amending Regulation (EC) 178/2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety [8240/1/2003 — C5-0275/2003 — 2002/0179(COD)]

(Codecision procedure: second reading)

The common position was approved. The act was accordingly deemed adopted in accordance with the common position.

P5_TA(2003)0300**European Aviation Safety Agency ***II**

Common position of the Council with a view to adopting a regulation of the European Parliament and the Council amending Regulation (EC) No 1592/2002 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency [8241/1/2003 — C5-0276/2003 — 2002/0181(COD)]

(Codecision procedure: second reading)

The common position was approved. The act was accordingly deemed adopted in accordance with the common position.

Tuesday, 1 July 2003

P5_TA(2003)0301

European Maritime Safety Authority ***II

Common position of the Council with a view to adopting a regulation of the European Parliament and the Council amending Regulation (EC) No 1406/2002 establishing a European Maritime Safety Agency [8242/1/2003 — C5-0277/2003 — 2002/0182(COD)]

(Codecision procedure: second reading)

The common position was approved. The act was accordingly deemed adopted in accordance with the common position.

P5_TA(2003)0302

Good laboratory practice for tests on chemical substances ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council directive on the harmonisation of laws, regulations and administrative provisions relating to the application of the principles of good laboratory practice and the verification of their applications for tests on chemical substances (codified version) (COM(2002) 530 — C5-0444/2002 — 2002/0231(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2002) 530) ⁽¹⁾,
- having regard to Article 251(2) and Article 95 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0444/2002),
- having regard to Rules 67, 89 and 158(1) of its Rules of Procedure,
- having regard to the report of the Committee on Legal Affairs and the Internal Market (A5-0206/2003),

1. Approves the Commission proposal;

⁽¹⁾ Not yet published in the Official Journal.

Tuesday, 1 July 2003

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 the Commission.
-

P5_TA(2003)0303

Inspection and verification of good laboratory practice *I**

European Parliament legislative resolution on the proposal for a European Parliament and Council directive on the inspection and verification of good laboratory practice (GLP) (codified version) (COM(2002) 529 — C5-0445/2002 — 2002/0233(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2002) 529) ⁽¹⁾,
- having regard to Article 251(2) and Article 95 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0445/2002),
- having regard to Rules 67, 89 and 158(1) of its Rules of Procedure,
- having regard to the report of the Committee on Legal Affairs and the Internal Market (A5-0205/2003),

1. Approves the Commission proposal;
2. Calls on the Commission to refer the matter back 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 the Commission.

⁽¹⁾ Not yet published in the Official Journal.

Tuesday, 1 July 2003

P5_TA(2003)0304

Areal surveys and remote-sensing techniques *I**

European Parliament legislative resolution on the proposal for a European Parliament and Council decision on the continued application of areal surveys and remote sensing techniques to the agricultural statistics for 2004-2007 and amending European Parliament and Council Decision 1445/2000/EC (COM (2003) 218 — C5-0196/2003 — 2003/0085(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM (2003) 218) ⁽¹⁾,
 - having regard to Articles 251(2) and 285 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0196/2003),
 - having regard to Rules 67 and 158(1) of its Rules of Procedure,
 - having regard to the report of the Committee on Agriculture and Rural Development (A5-0208/2003),
1. Approves the Commission proposal;
 2. Asks for the matter to be referred to it again, should the Commission intend to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ Not yet published in the Official Journal.

P5_TA(2003)0305

Renewal of EC-Ukraine science and technology cooperation agreement *

European Parliament legislative resolution on the proposal for a Council decision concerning the conclusion of an Agreement aimed at renewing the Agreement on cooperation in science and technology between the European Community and Ukraine (COM(2003) 231 — C5-0242/2003 — 2003/0087(CNS))

(Consultation procedure)

Tuesday, 1 July 2003

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2003) 231) ⁽¹⁾,
 - having regard to Article 170, first sentence of the first subparagraph of Article 300 (2) and first subparagraph of Article 300 (3) of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0242/2003),
 - having regard to Rules 67, 97(7) and 158(1) of its Rules of Procedure,
 - having regard to the report of the Committee on Industry, External Trade, Research and Energy (A5-0227/2003),
1. Approves conclusion of the agreement;
 2. Instructs its President to forward its position to the Council and Commission, and the governments and parliaments of the Member States and Ukraine.

⁽¹⁾ Not yet published in the Official Journal.

P5_TA(2003)0306

Amending Budget 2/2003

European Parliament resolution on Draft Amending Budget No 2/2003 of the European Union for the financial year 2003 — Section VII, Committee of the Regions (10177/2003 — C5-0280/2003 — 2003/2058(BUD))

The European Parliament,

- having regard to Article 272 of the EC Treaty and Article 177 of the Euratom Treaty,
- having regard to the 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 in particular Articles 37 and 38 thereof,
- having regard to the general budget of the European Union for the financial year 2003, as finally adopted on 19 December 2002 ⁽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 the Preliminary Draft Amending Budget No 2/2003 to the budget for 2003, which the Commission presented on 31 March 2003 (SEC(2003) 423),
- having regard to Draft Amending Budget No 2/2003, which the Council established on 16 June 2003 (10177/2003 — C5-0280/2003),
- having regard to Rule 92 of and Annex IV to its Rules of Procedure,
- having regard to the report of the Committee on Budgets (A5-0241/2003),

⁽¹⁾ OJ L 248, 16.9.2002.

⁽²⁾ OJ L 54, 28.2.2003.

⁽³⁾ OJ C 172, 18.6.1999, p. 1.

Tuesday, 1 July 2003

- A. whereas the Preliminary Draft Amending Budget No 2/2002 aims to enter in the 2003 Budget of the Committee of the Regions (Section VII) an amount of EUR 350 000 in order to allow the participation of the 95 observers of the accession countries in the plenary sessions starting from July 2003,
 - B. whereas this amount would correspond to a significant increase of the appropriations against Item 251 (Meetings expenses of representatives of the applicant countries), which would increase from EUR 70 000 to EUR 420 000
 - C. whereas the Committee of the Regions did not consider it necessary to request these appropriations during the budgetary procedure for the financial year 2003,
 - D. whereas there is some margin for manoeuvre for transfers within total 2003 Budget of the Committee of the Regions,
1. Welcomes Council's modification of the Preliminary Draft Amending Budget No 2/2003,
 2. Has decided not to introduce budgetary amendments and to accept Council's Draft Amending Budget,
 3. Instructs its President to forward this resolution to the Council, the Commission and the Committee of Regions.

P5_TA(2003)0307

Request to waive Mr Cohn-Bendit's immunity

European Parliament decision on the request for waiver of the immunity of Mr Daniel Marc Cohn-Bendit ((2000/2109/(IMM))

The European Parliament,

- having received a request for waiver of the immunity of Daniel Marc Cohn-Bendit, dated 23 March 2000, forwarded on 23 March 2000 by the competent German authorities and announced in plenary sitting on 14 April 2000,
- having regard to Article 10 of the Protocol on the Privileges and Immunities of the European Communities of 8 April 1965 and Article 4(2) of the Act concerning the Election of the Representatives of the European Parliament by Direct Universal Suffrage of 20 September 1976,
- having regard to the additional information forwarded by the competent authority on 18 July 2002 and 27 January 2003 in response to the requests of the committee responsible of 29 June 2000 and 3 December 2002,
- having regard to the judgments of the European Court of Justice of 12 May 1964 and 10 July 1986 ⁽¹⁾,
- having regard to Article 46 of the German Basic Law,

⁽¹⁾ See Case 101/63, Wagner v. Fohrmann and Krier (1964) ECR 397 and Case 149/85, Wybot v. Faure (1986) ECR 2403.

Tuesday, 1 July 2003

- having regard to Rules 6 and 6a of its Rules of Procedure,
 - having regard to the report of the Committee on Legal Affairs and the Internal Market (A5-0246/2003),
1. Decides not to waive the immunity of Daniel Marc Cohn-Bendit;
 2. Instructs its President immediately to forward this decision and the report of its committee to the public prosecutor's office at the Frankfurt-am-Main district court.

P5_TA(2003)0308

Request to waive Mr Camre's immunity

European Parliament resolution on the request for waiver of the immunity of Mogens N.J. Camre (2002/2249(IMM))

The European Parliament,

- having received a request for waiver of the immunity of Mr Mogens N.J. Camre, forwarded by the Danish Minister for European Affairs on 30 October 2002 and announced in plenary sitting on 18 November 2002,
 - having regard to Article 10 of the Protocol on the Privileges and Immunities of the European Communities of 8 April 1965, and to Article 4(2) of the Act concerning the Election of Representatives to the European Parliament by direct universal suffrage of 20 September 1976,
 - having regard to the judgments of the Court of Justice of the European Communities of 12 May 1964 and 10 July 1986 ⁽¹⁾,
 - having regard to Section 57 of the Constitution of the Kingdom of Denmark,
 - having regard to Rules 6 and 6a of its Rules of Procedure,
 - having regard to the report of the Committee on Legal Affairs and the Internal Market (A5-0243/2003),
1. Decides not to waive the immunity of Mr Mogens N.J. Camre;
 2. Instructs its President immediately to forward this decision and the report of its committee to the Danish Minister for European Affairs for transmission to the appropriate authority.

⁽¹⁾ See Case 101/63 Wagner v Fohrmann and Krier, English special edition 1964, p. 195, [1964] ECR 399 and Case 149/85 Wybot v Faure [1986] ECR 2403.

Tuesday, 1 July 2003

P5_TA(2003)0309

Request to defend Mr Musotto's immunity and privileges

European Parliament decision on the request for upholding of the immunity and privileges of Francesco Musotto (2002/2201(IMM))

The European Parliament,

- having received from Francesco Musotto, MEP, a request dated 29 August 2002 for the upholding of his immunity in connection with criminal proceedings brought before an Italian judicial authority, which was announced in plenary session on 2 September 2002,
 - having regard to Article 10 of the Protocol on the privileges and immunities of the European Communities of 8 April 1965, and to Article 4(2) of the Act concerning the election of representatives to the European Parliament by direct universal suffrage of 20 September 1976,
 - having regard to the judgments of the Court of Justice of the European Communities of 12 May 1964 and 10 July 1986 ⁽¹⁾,
 - having regard to Rules 6 and 6a of its Rules of Procedure,
 - having regard to the report of the Committee on Legal Affairs and the Internal Market (A5-0248/2003),
- A. whereas Mr Francesco Musotto is a Member of the European Parliament who was elected in the fifth direct elections of 10 to 13 June 1999 and whereas his credentials were verified by the European Parliament on 13 December 1999 ⁽²⁾,
- B. whereas the European Parliament meets in continuous session during a five-year term ⁽³⁾,
- C. whereas the present session of the European Parliament will close on 8 March 2004 and the next session will open on 9 March 2004 ⁽⁴⁾, and whereas the term of the present European Parliament will expire on 19 July 2004,
- D. whereas Members of the European Parliament may not be subject to any form of inquiry, detention or legal proceedings in respect of opinions expressed or votes cast by them in the performance of their duties ⁽⁵⁾,
- E. whereas during the sessions of the European Parliament its Members enjoy in the territory of their own State the immunities accorded to members of their parliament and whereas immunity cannot be claimed when a Member is found in the act of committing an offence and does not prevent the European Parliament from exercising its right to waive the immunity of one of its Members ⁽⁶⁾,

⁽¹⁾ See Case 101/63: Wagner v Fohrmann and Krier, English special edition 1964, p. 195, [1964] ECR 397, and Case 149/85: Wybot v Faure [1986] ECR 2403.

⁽²⁾ European Parliament Decision on the verification of credentials following the fifth direct elections to the European Parliament, (OJ C 296, 18.10.2000, p. 93).

⁽³⁾ Articles 3 and 10 of the Act concerning the election of the representatives of the European Parliament by direct universal suffrage and the aforementioned cases 149/85: Wybot v Faure, and others.

⁽⁴⁾ Article 196 of the EC Treaty.

⁽⁵⁾ Article 9 of the Protocol on the privileges and immunities.

⁽⁶⁾ Article 10 of the Protocol on the privileges and immunities.

Tuesday, 1 July 2003

- F. whereas, in view of its purpose, Articles 9 and 10 of the Protocol on the privileges and immunities must be interpreted in such a way that these provisions are effective from the time of publication of the results of the elections to the European Parliament,
1. Decides to uphold the immunity of Francesco Musotto;
 2. Instructs its President immediately to forward this decision and the report of its committee to the Public Prosecutions Department at the court of Caltanissetta in connection with criminal case no 1020/99 R.G.N.R.

P5_TA(2003)0310

Indirect vision systems of vehicles *II**

European Parliament legislative resolution on the common position adopted by the Council with a view to adopting a European Parliament and Council directive on the approximation of the laws of the Member States relating to the type-approval of devices for indirect vision and of vehicles equipped with these devices, amending Directive 70/156/EEC and repealing Directive 71/127/EEC (10880/1/2002 — C5-0169/2003 — 2001/0317(COD))

(Codecision procedure: second reading)

The European Parliament,

- having regard to the Council common position (10880/1/2002 — C5-0169/2003),
 - having regard to its position at first reading ⁽¹⁾ on the Commission proposal to Parliament and the Council (COM(2001) 811) ⁽²⁾,
 - having regard to Article 251(2) of the EC Treaty,
 - having regard to Rule 80 of its Rules of Procedure,
 - having regard to the recommendation for second reading of the Committee on Legal Affairs and the Internal Market (A5-0234/2003),
1. Amends the common position as follows;
 2. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ OJ C 127 E, 29.5.2003, p. 88.

⁽²⁾ OJ C 126 E, 28.5.2002, p. 225.

Tuesday, 1 July 2003

P5_TC2-COD(2001)0317

Position of the European Parliament adopted at second reading on 1 July 2003 with a view to the adoption of European Parliament and Council Directive 2003/.../EC on the approximation of the laws of the Member States relating to the type-approval of devices for indirect vision and of vehicles equipped with these devices, amending Directive 70/156/EEC and repealing Directive 71/127/EEC

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 95 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the Opinion of the Economic and Social Committee ⁽²⁾,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽³⁾,

Whereas:

- (1) Council Directive 71/127/EEC of 1 March 1971 on the approximation of the laws of the Member States relating to the rear-view mirrors of motor vehicles ⁽⁴⁾ was adopted as one of the separate directives of the EC type-approval procedure which has been established by Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers ⁽⁵⁾. Consequently, the provisions laid down in Directive 70/156/EEC relating to vehicle systems, components and separate technical units apply to Directive 71/127/EEC.
- (2) Existing provisions, in particular in the case of categories N₂, N₃, M₂ and M₃, have proved inadequate as regards the exterior field of vision to the side, front and rear of the vehicle. In order to remedy this shortcoming, it is necessary to require an extension of the field of vision.
- (3) In the light of the experience gained and the present state of the art, it is now possible to amplify certain requirements of Directive 71/127/EEC with a view to improving road safety and to permit the use of mirrors to be supplemented by other technologies.
- (4) Taking into account the nature and the number of changes necessary to the requirements in force today, it is advisable to repeal and replace Directive 71/127/EEC by this Directive. Since the type-approval and the conformity of production procedures are provided for in Directive 70/156/EEC, it is not necessary to repeat them in this Directive.
- (5) The Annexes to Directive 70/156/EEC should be amended accordingly,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

The aim of this Directive is to harmonise rules relating to the type-approval of devices for indirect vision and of vehicles equipped with these devices.

⁽¹⁾ OJ C 126 E, 28.5.2002, p. 225.

⁽²⁾ OJ C 149, 21.6.2002, p. 5.

⁽³⁾ Position of the European Parliament of 9 April 2002 (OJ C 127 E, 29.5.2003, p. 88), Council Common Position of 8 April 2003 (not yet published in the Official Journal) and Position of the European Parliament of 1 July 2003.

⁽⁴⁾ OJ L 68, 22.3.1971, p. 1. Directive as last amended by the 1994 Act of Accession.

⁽⁵⁾ OJ L 42, 23.2.1970, p. 1. Directive as last amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36).

These rules are contained in the Annexes to this Directive.

For the purpose of this Directive 'vehicle' means any motor vehicle as defined in Section A of Annex II to Directive 70/156/EEC.

Article 2

1. With effect from ... (*), Member States shall not, on grounds relating to devices for indirect vision,
 - refuse to grant EC type-approval or national type approval of a vehicle, or a device for indirect vision,
 - prohibit the sale, registration or entry into service of vehicles, or devices for indirect vision,

if the vehicles, or devices for indirect vision comply with the requirements of this Directive.

2. With effect from ... (*), Member States shall refuse to grant EC type-approval for any new type of vehicle on grounds relating to the device for indirect vision or for any new type of device for indirect vision, if the requirements of this Directive are not fulfilled.

However, this date shall be postponed by 12 months as regards the requirements concerning a class VI front mirror as a component and its installation on vehicles.

3. With effect from ... (**), Member States shall prohibit the national type-approval for any new type of vehicle on grounds relating to the device for indirect vision if the requirements of this Directive are not fulfilled.

However, this date shall be postponed by 12 months as regards the requirements concerning a class VI front mirror as a component and its installation on vehicles.

4. With effect from ... (***), for vehicles of categories M₁ and N₁, and with effect from ... (****), for all vehicles of other categories, Member States:

- shall consider certificates of conformity which accompany new vehicles in accordance with the provisions of Directive 70/156/EEC to be no longer valid for the purposes of Article 7(1) of that Directive,
- shall prohibit the sale, registration or entry into service of vehicles,

on grounds relating to the device for indirect vision if the vehicles do not comply with the requirements of this Directive.

(*) 12 months after the entry into force of this Directive.

(**) 24 months after the entry into force of this Directive.

(***) 72 months after the entry into force of this Directive.

(****) 36 months after the entry into force of this Directive.

Tuesday, 1 July 2003

5. With effect from ... (*), for vehicles of categories M₁ and N₁, and with effect from (**), for all vehicles of other categories, the requirements of this Directive relating to the device for indirect vision as a component shall apply for the purposes of Article 7(2) of Directive 70/156/EEC.

6. Notwithstanding paragraphs 2 and 5, for the purposes of replacement parts, Member States shall continue to grant EC type-approval and to permit the sale and entry into service of components or separate technical units intended for use on vehicle types which have been approved before ... (***), pursuant to Directive 71/127/EEC and, where applicable, subsequent extensions to those approvals.

7. Notwithstanding paragraph 3, Member States may continue to grant national type approval for any new type of articulated vehicle of category M₂ and M₃, class I, as defined in Annex I, point 2.1.1.1 to Directive 2001/85/EC ⁽¹⁾, composed of at least three articulated rigid parts, which do not comply with the provisions of this Directive, provided that the requirements for the driver's field of vision are respected as referred in point 5 of Annex III to this Directive.

8. The provisions of this Directive shall also contribute to establishing a high level of protection in the context of the international harmonisation of legislation in this area. Therefore, as soon as possible after the adoption of this Directive, the Commission shall submit a proposal to the United Nations Economic Committee for Europe with the aim of aligning the provisions of UNECE Regulation 46 with the provisions of this Directive.

Article 3

By … (*), the Commission shall carry out a detailed study to ascertain whether the amendments introduced by this Directive are having a positive effect on road safety, in particular as regards pedestrians, cyclists and other vulnerable road users. On the basis of those findings, the Commission shall, if necessary, propose additional legislative measures for further improvement of the field of indirect vision.

Article 4

Directive 70/156/EEC is hereby amended as follows:

1) in Annex I, point 9.9 shall be replaced by the following:

- '9.9. Devices for indirect vision
 - 9.9.1. Mirrors (state for each mirror).....
 - 9.9.1.1. Make.....
 - 9.9.1.2. EC type-approval mark.....
 - 9.9.1.3. Variant.....
 - 9.9.1.4. Drawing(s) for the identification of the mirror showing the position of the mirror relative to the vehicle structure.....

(*) 72 months after the entry into force of this Directive.
 (**) 36 months after the entry into force of this Directive.
 (***) 36 months after the entry into force of this Directive.
⁽¹⁾ Directive 2001/85/EC of the European Parliament and of the Council of 20 November 2001 relating to special provisions for vehicles used for the carriage of passengers comprising more than eight seats in addition to the driver's seat, and amending Directives 70/156/EEC and 97/27/EC (OJ L 42, 13.2.2002, p. 1).

Tuesday, 1 July 2003

- 9.9.1.5. Details of the method of attachment including that part of the vehicle structure to which it is attached.....
- 9.9.1.6. Optional equipment which may affect the rearward field of vision.....
- 9.9.1.7. A brief description of the electronic components (if any) of the adjustment system
- 9.9.2. Devices for indirect vision other than mirrors.....
- 9.9.2.1. Type and characteristics (such as a complete description of the device).....
- 9.9.2.1.1. In the case of a camera-monitor device, the detection distance (mm), contrast, luminance range, glare correction, display performance (black and white/colour), image repetition frequency, luminance reach of the monitor.....
- 9.9.2.1.2. Sufficiently detailed drawings to identify the complete device, including installation instructions; the position for the EC type-approval mark has to be indicated on the drawings.....'
- 2) in Annex III, point 9.9 shall be replaced by the following:
- '9.9. Devices for indirect vision
- 9.9.1. Mirrors (state for each mirror).....
- 9.9.1.1. Make.....
- 9.9.1.2. EC type-approval mark.....
- 9.9.1.3. Variant.....
- 9.9.1.4. Drawing(s) for the identification of the mirror showing the position of the mirror relative to the vehicle structure.....
- 9.9.1.5. Details of the method of attachment including that part of the vehicle structure to which it is attached.....
- 9.9.1.6. Optional equipment which may affect the rearward field of vision.....
- 9.9.1.7. A brief description of the electronic components (if any) of the adjustment system
- 9.9.2. Devices for indirect vision other than mirrors.....
- 9.9.2.1. Type and characteristics (such as a complete description of the device).....
- 9.9.2.1.1. In the case of camera-monitor device, the detection distance (mm), contrast, luminance range, glare correction, display performance (black and white/colour), image repetition frequency, luminance reach of the monitor
- 9.9.2.1.2. Sufficiently detailed drawings to identify the complete device, including installation instructions; the position for the EC type-approval mark has to be indicated on the drawings.....'

Tuesday, 1 July 2003

3) Annex IV is hereby amended as follows:

— Part I, point 8 of the table shall be replaced by the following:

'Subject	Directive number	Official Journal reference	Applicability									
			M ₁	M2	M3	N1	N2	N3	O1	O2	O3	PO4
.....												
8. Indirect vision devices	2003/.../ EC	L ... of .../.../...	X	X	X	X	X	X'				

— in point 8 of Part I, the term 'rear-view mirrors' shall be replaced by 'devices for indirect vision',

— in point 8 of Part II, the term 'rear-view mirrors' shall be replaced by 'devices for indirect vision';

4) in point 8 of Appendices 1 and 2 to Annex XI, the term 'rear-view mirrors' shall be replaced by 'devices for indirect vision.'

Article 5

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before ... (*). They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by the Member States.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 6

Directive 71/127/EEC shall be repealed with effect from ... (**).

References to the repealed Directive shall be construed as being made to this Directive and shall be read in accordance with the correlation table set out in Annex IV.

Article 7

This Directive shall enter into force on the day of its publication in the Official Journal of the European Union.

(*) 12 months after the entry into force of this Directive.

(**) 72 months after the entry into force of this Directive.

Article 8

This Directive is addressed to the Member States.

Done at ,

For the European Parliament
The President

For the Council
The President

ANNEX

LIST OF ANNEXES

Annex I Definitions and administrative provisions for EC type-approval

Appendix 1 Information document relating to EC type-approval of a device for indirect vision

Appendix 2 Model EC component type-approval certificate for a device for indirect vision

Appendix 3 Information document relating to EC type-approval of a vehicle

Appendix 4 Model EC type-approval certificate for a vehicle with regard to the installation of devices for indirect vision

Appendix 5 EC component type-approval mark

Appendix 6 Procedure for determining the H point and verifying the relative positions of the R and H points

Annex II Design specifications and tests required for EC component type-approval of a device for indirect vision.

Appendix 1 Procedure for determining the radius of curvature 'r' of the reflecting surface of a mirror

Appendix 2 Test method for determining reflectivity

Annex III Requirements concerning the fitting of mirrors and other devices for indirect vision to vehicles.

Appendix Calculation of the detection distance.

Annex IV Correlation table provided for in Article 6.

Tuesday, 1 July 2003

ANNEX I

DEFINITIONS AND ADMINISTRATIVE PROVISIONS FOR EC TYPE-APPROVAL

1. DEFINITIONS

- 1.1. 'Devices for Indirect Vision' means devices to observe the traffic area adjacent to the vehicle which cannot be observed by direct vision. These can be conventional mirrors, camera-monitors or other devices able to present information about the indirect field of vision to the driver.
- 1.1.1. 'Mirror' means any device, excluding devices such as periscopes, intended to give a clear view to the rear, side or front of the vehicle within the fields of vision defined in point 5 of Annex III.
- 1.1.1.1. 'Interior mirror' means a device as defined in point 1.1, which can be fitted in the passenger compartment of a vehicle.
- 1.1.1.2. 'Exterior mirror' means a device as defined in point 1.1, which can be mounted on the external surface of a vehicle.
- 1.1.1.3. 'Surveillance mirror' means a mirror other than the ones defined in point 1.1.1. which can be fitted to the inside or outside of the vehicle in order to provide fields of vision other than those specified in point 5 of Annex III.
- 1.1.1.4. 'r' means the average of the radii of curvature measured over the reflecting surface, in accordance with the method described in point 2 of Appendix 1 to Annex II.
- 1.1.1.5. The principal radii of curvature at one point on the reflecting surface ' r_i ' means the values obtained with the apparatus defined in Appendix 1 to Annex II, measured on the arc of the reflecting surface passing through the centre of this surface parallel to the segment b, as defined in point 2.2.1 of Annex II and on the arc perpendicular to this segment.
- 1.1.1.6. The radius of curvature at one point on the reflecting surface ' r_p ' means the arithmetical average of the principal radii of curvature r_i and r_i' i.e.:
- $$r_p = \frac{r_i + r_i'}{2}$$
- 1.1.1.7. 'Spherical surface' means a surface which has a constant and equal radius in all directions
- 1.1.1.8. 'Aspherical surface' means a surface which has only in one plane a constant radius.
- 1.1.1.9. 'Aspherical mirror' means a mirror composed of a spherical and an aspherical part, in which the transition of the reflecting surface from the spherical to the aspherical part has to be marked. The curvature of the main axis of the mirror is defined in the x/y Coordinate system defined by the radius of the spherical primary calotte with:

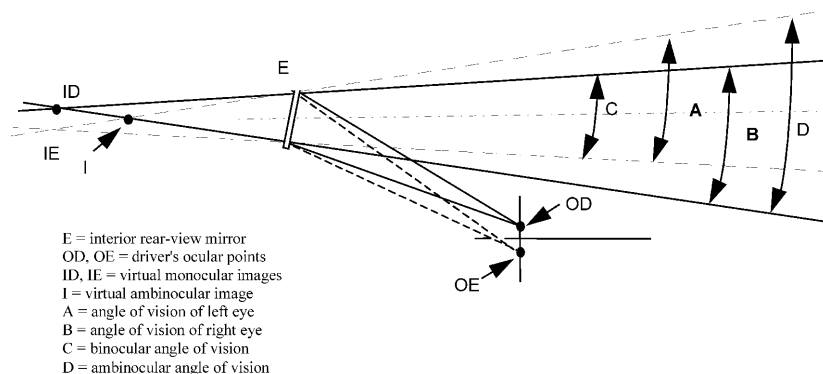
$$y = R - \sqrt{(R^2 - x^2) + k(x - a)^3}$$

R: nominal radius in the spherical part

k: constant for the change of curvature

a: constant for the spherical size of the spherical primary calotte

- 1.1.1.10. 'Centre of the reflecting surface' means the centre of the visible area of the reflecting surface.
- 1.1.1.11. 'The radius of curvature of the constituent parts of the mirror' means the radius 'c' of the arc of the circle which most closely approximates to the curved form of the part in question.
- 1.1.1.12. 'The driver's ocular points' means two points 65 mm apart and 635 mm vertically above point R of the driver's seat as defined in Appendix 6 to this Annex. The straight line joining these points runs perpendicular to the vertical longitudinal median plane of the vehicle. The centre of the segment joining the two ocular points is in a vertical longitudinal plane which must pass through the centre of the driver's designated seating position, as specified by the vehicle manufacturer.
- 1.1.1.13. 'Ambinocular vision' means the total field of vision obtained by the superimposition of the monocular fields of the right eye and the left eye (see figure 1 below).



- 1.1.1.14. 'Class of mirror' means all devices having one or more common characteristics or functions. They are classified as follows:
- Class I: 'Interior rear-view mirror', giving the field of vision defined in point 5.1 of Annex III.
 - Class II and III: 'Main exterior rear-view mirror', giving the fields of vision defined in points 5.2 and 5.3 of Annex III.
 - Class IV: 'Wide-angle exterior mirror', giving the field of vision defined in point 5.4 of Annex III.
 - Class V: 'Close-proximity exterior mirror', giving the field of vision defined in point 5.5 of Annex III.
 - Class VI: 'Front mirror', giving the field of vision defined in point 5.6 of Annex III.
- 1.1.2. 'Camera-monitor device for indirect vision' means a device as defined in item 1.1, where the field of vision is obtained by means of a camera-monitor combination as defined in points 1.1.2.1 and 1.1.2.2.

Tuesday, 1 July 2003

- 1.1.2.1. 'Camera' means a device that renders an image of the outside world by means of a lens onto a light-sensitive electronic detector that then converts this image into a video signal.
- 1.1.2.2. 'Monitor' means a device that converts a video signal into images that are rendered into the visual spectrum.
- 1.1.2.3. 'Detection' means the ability to distinguish an object from its background/surroundings at certain distance.
- 1.1.2.4. 'Luminance' contrast means the brightness ratio between an object and its immediate background/surrounding that allows the object to be distinguished from its background/surroundings.
- 1.1.2.5. 'Resolution' means the smallest detail that can be discerned with a perceptual system, i.e. perceived as separate from the larger whole. The resolution of the human eye is indicated as 'visual acuity'.
- 1.1.2.6. 'Critical object' means a circular object with a diameter $D_0 = 0,8 \text{ m}$ ⁽¹⁾.
- 1.1.2.7. 'Critical perception' means the level of perception that the human eye is generally capable of achieving under various conditions. For traffic conditions the limiting value for a critical perception is 8 arc-minutes of visual angle.
- 1.1.2.8. 'Field of vision' means the section of the tri-dimensional space in which a critical object can be observed and rendered by the device for indirect vision. This is based on the view on ground level offered by a device and might possibly be limited on the basis of the applicable maximum detection distance of the device.
- 1.1.2.9. 'Detection distance' means the distance measured at ground level from the viewing reference point to the extreme point at which a critical object just can be perceived (the limiting value for a critical perception just barely achieved).
- 1.1.2.10. 'Critical field of vision' means the area in which a critical object has to be detected by means of a device for indirect vision and that is defined by an angle and one or more detection distances.
- 1.1.2.11. 'Viewing reference point' means the point linked to the vehicle to which the prescribed field of vision is related. This point is the projection on the ground of the intersection of a vertical plane passing through the drivers's ocular points with a plane parallel to the median longitudinal plane of the vehicle situated 20 cm outside the vehicle
- 1.1.2.12. 'Visual spectrum' means light with a wavelength within the range within the perceptual limits of the human eyes: 380-780 nm.
- 1.1.3. 'Other devices for indirect vision' means devices as defined in point 1.1, where the field of vision is not obtained by means of a mirror or a Camera-monitor type device for indirect vision.
- 1.1.4. 'Type of device for indirect vision' means devices that do not differ on the following essential characteristics:
- design of the device inclusive, if pertinent, the attachment to the bodywork;
 - in case of mirrors the class, the shape, the dimensions and radius of curvature of the mirror's reflecting surface;
 - in case of camera-monitor devices the detection distance and the range of vision.

⁽¹⁾ A system for indirect vision is intended to detect relevant road users. The relevancy of a road user is defined by his or her position and (potential) speed. More or less in proportion with the speed of the pedestrian-cyclist- moped driver, the dimensions of these road users increase as well. For detection purposes a moped driver ($D = 0,8$) at 40 m distance would be equal to a pedestrian ($D = 0,5$) at a distance of 25 m. Considering the speeds, the moped driver would be selected as the criterion for the detection size; for that reason an object with a size of 0,8 m shall be used for determining the detection performance.

Tuesday, 1 July 2003

- 1.2. Vehicles of categories 'M₁, M₂, M₃, N₁, N₂, N₃' means those defined in Annex II, Part A to Directive 70/156/EEC.
- 1.2.1. 'Type of vehicle as regards indirect vision' means motor vehicles which are identical in respect of the following basic features:
 - 1.2.1.1. Type of device for indirect vision
 - 1.2.1.2. The bodywork features which reduce the field of vision;
 - 1.2.1.3. The coordinates of point R;
 - 1.2.1.4. The prescribed positions, and type approval markings of compulsory and (if fitted) optional devices for indirect vision.
2. APPLICATION FOR EC COMPONENT TYPE-APPROVAL OF A DEVICE FOR INDIRECT VISION
 - 2.1. The application for EC component type-approval for a type of device for indirect vision shall be made by the manufacturer.
 - 2.2. The model information document is reproduced in Appendix 1 to this Annex.
 - 2.3. For each type of device for indirect vision the application shall be accompanied by:
 - 2.3.1. In case of mirrors, four samples: three for use in the tests and one to be retained by the laboratory for any further examination that might subsequently prove necessary. Additional specimens may be called for at the request of the laboratory.
 - 2.3.2. In case of other devices for indirect vision, one sample of all the parts.
3. INSCRIPTIONS

Specimens of a type of mirror or device for indirect vision other than a mirror submitted for EC component type-approval must bear the applicant's clearly visible and indelible trade mark or name and must allow sufficient space for the inscription of the EC component type-approval mark; this space must be indicated in the diagrams referred to in point 1.2.1.2 of Appendix 1 to this Annex.
4. APPLICATION FOR EC TYPE-APPROVAL OF A VEHICLE WITH REGARD TO THE INSTALLATION OF THE DEVICES FOR INDIRECT VISION
 - 4.1. The application for EC vehicle type-approval with regard to devices for indirect vision shall be made by the manufacturer.
 - 4.2. The model information document is reproduced in Appendix 3 to this Annex.
 - 4.3. For each type of vehicle the application shall be accompanied by:
 - 4.3.1. A vehicle representative of the type, the vehicle being if necessary determined by agreement with the technical department responsible for conducting the tests.
5. EC COMPONENT TYPE-APPROVAL
 - 5.1. Once the relevant requirements have been met, EC component type-approval shall be granted and a component type-approval number, in accordance with Annex VII to Directive 70/156/EEC, issued in respect of any mirror or device for indirect vision other than a mirror.
 - 5.2. This number shall not be assigned to any other type of device for indirect vision.
 - 5.3. The model EC type-approval certificate is reproduced in Appendix 2 to this Annex.

Tuesday, 1 July 2003

6. MARKING

Any device for indirect vision conforming to a type in respect of which component type-approval has been granted pursuant to this Directive shall bear an EC component type-approval mark as specified in Appendix 5.

7. EC VEHICLE TYPE-APPROVAL

7.1. Once the relevant requirements have been met, EC vehicle type-approval shall be granted in respect of any type of vehicles.

7.2. The model EC type-approval certificate is reproduced in Appendix 4 to this Annex.

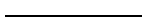
7.3. A type-approval number in accordance with Annex VII of Directive 70/156/EEC is assigned to each vehicle type. The same Member State must not assign the same number to another vehicle type.

8. TYPE MODIFICATIONS AND AMENDMENTS TO THE APPROVALS

8.1. Where type modifications are made to the type of vehicle or type of device for indirect vision approved pursuant to this Directive, the provisions of Article 5 of Directive 70/156/EEC shall apply.

9. CONFORMITY OF PRODUCTION (vehicles and components)

9.1. Measures to ensure conformity of production must be taken in accordance with the provisions laid down in Article 10 of Directive 70/156/EEC.



Appendix 1

Information document No ... relating to EC type-approval of a device for indirect vision —

Directive 2003/.../EC of the European Parliament and of the Council

The following information, if applicable, must be supplied in triplicate and must include a list of contents. Any drawings must be supplied in appropriate scale and in sufficient detail on size A4 on a folder of A4 format. Photographs, if any, must show sufficient detail.

0. GENERAL

0.1. Make (trade name of manufacturer):

0.2. Type:

0.3. Means of identification of the type, if indicated on the device:

0.4. Category of vehicle for which the device is intended:

0.5. Name and address of manufacturer:

0.7. Location of and method of affixing the EC type-approval mark:

0.8. Address(es) of the production plant(s):

1. DEVICE FOR INDIRECT VISION

1.1. Mirrors (state for each mirror):

1.1.3. Variant:

- 1.1.4. Drawing(s) for the identification of the mirror:
- 1.1.5. Details of the method of attachment:
- 1.2. Devices for indirect vision other than mirrors:
- 1.2.1. Type and characteristics (such as a complete description of the device):
- 1.2.1.1. In the case of camera-monitor device, the detection distance (mm), contrast, luminance range, glare correction, display performance (black and white/colour), image repetition frequency, luminance reach of the monitor:
- 1.2.1.2. Sufficiently detailed drawings to identify the complete device including the installation instructions; the position for the EC type-approval mark has to be indicated on the drawings:

Appendix 2

Model EC component type-approval certificate for a device for indirect vision

Notification concerning the grant, refusal, withdrawal or extension of EC component type-approval for a type of device for indirect vision

Name of Administration

EC component type-approval No.

1. Trade name or mark:

2. Identification of the devices: mirror, camera/monitor, other device (!):

— in the case of a mirror Class (I, II, III, IV, V, VI) (!)

— in the case of a camera/monitor or other device for indirect vision (S) (!)

3. Name and address of manufacturer:

.....

.....

4. If applicable, name and address of manufacturer's authorised representative:

.....

5. Symbol $\underline{2m}$ defined in point 4.1.1 of part A of Annex II: yes/no (!):

6. Submitted for type-approval on:

.....

7. Test laboratory:

.....

(!) Delete where inapplicable.

Tuesday, 1 July 2003

- 8. Date and number of laboratory report:
-
- 9. Date of grant/refusal/withdrawal/extension of EC component type-approval ⁽¹⁾:
.....
- 10. Place:
- 11. Date:
- 12. The following documents, bearing the type-approval number shown above, are annexed to this type-approval certificate:
-
-
-

(Descriptive notes, drawings, diagrams and plans)

These documents must be supplied to the competent authorities of the other Member States at their express request

Remarks, if any, particularly as regards restrictions on use and/or conditions for fitting:

.....

.....

.....

.....

.....

(Signature)

⁽¹⁾ Delete where inapplicable.

Appendix 3

Information document No ... relating to EC type-approval of a vehicle —

Directive 2003/ /EC of the European Parliament and of the Council

The following information, if applicable, must be supplied in triplicate and must include a list of contents. Any drawings must be supplied in appropriate scale and in sufficient detail on size A4 on a folder of A4 format. Photographs, if any, must show sufficient detail.

- 0. GENERAL
- 0.1. Make (trade name of manufacturer):
- 0.2. Type:

- 0.2.1. Commercial description (if applicable):
- 0.3. Means of identification of the type, if indicated on the vehicle:
- 0.3.1. Location of that marking:
- 0.4. Category of vehicle ⁽¹⁾:
- 0.5. Name and address of manufacturer:
- 0.8. Address(es) of the production plant(s):
1. GENERAL CONSTRUCTION CHARACTERISTICS OF THE VEHICLE
- 1.1. Photographs and/or drawings of a representative vehicle:
- 1.7. Driving cab (forward control or bonneted) ⁽²⁾
- 1.8. Driving position: left/right ⁽²⁾
- 1.8.1. Vehicle is equipped to be driven in right-hand/left-hand traffic ⁽²⁾
- 2.4. Range of vehicle dimensions (overall):
- 2.4.1. For chassis without bodywork:
- 2.4.1.2. Width ^(k):
- 2.4.1.2.1. Maximum permissible width:
- 2.4.1.2.2. Minimum permissible width:
- 2.4.2. For chassis with bodywork:
- 2.4.2.2. Width ^(k):
9. BODYWORK
- 9.9. Devices for indirect vision:
- 9.9.1. Mirrors:
- 9.9.1.4. Drawing(s) showing the position of the mirror relative to the vehicle structure:
- 9.9.1.5. Details of the method of attachment including that part of the vehicle structure to which it is attached:
- 9.9.1.6. Optional equipment which may affect the rearward field of vision:
- 9.9.1.7. A brief description of the electronic components (if any) of the adjustment device:
- 9.9.2. Devices for indirect vision other than mirrors:
- 9.9.2.1.2. Sufficiently detailed drawings with the installation instructions:

⁽¹⁾ Within the meaning of Annex IIA to Directive 70/156/EEC.

⁽²⁾ Delete where inapplicable.

Tuesday, 1 July 2003

Appendix 4

Model EC type-approval certificate for a vehicle with regard to the installation of devices for indirect vision

Articles 4(2) and 10 of Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers

Name of Administration

EC type-approval No

..... extension ⁽¹⁾

1. Trade name or mark of vehicle:

2. Type of vehicle:

3. Category of vehicle (M₁, M₂, M₃, N₁, N₂ ≤ 7,5 t, N₂ > 7,5 t, N₃) ⁽²⁾

3.1. Type of category N₃ vehicle: rigid lorry/trailer/semi-trailer ⁽²⁾

4. Name and address of manufacturer:

5. If applicable, name and address of authorised representative:

6. Trade name or mark of mirrors and supplementary devices for indirect vision and component type-approval number:

7. Class(es) of mirrors and devices for indirect vision (I, II, III, IV, V, VI, S) ⁽²⁾

8. Extension of EC type-approval of the vehicle to cover the following device for indirect vision:

9. Data for identification of the R point of the driver's seating position

10. Maximum and minimum bodywork widths in respect of which the mirror and the device for indirect vision has been granted type-approval (in the case of chassis/cabs referred to in point 3.3 of Annex III):

⁽¹⁾ Where appropriate, state whether the extension of the initial EC type-approval is the first, second, etc.
⁽²⁾ Delete where inapplicable.

Tuesday, 1 July 2003

11. Vehicle submitted for EC type-approval on:
12. Technical department responsible for checking conformity for the purpose of EC type-approval:
13. Date of report issued by that department:
14. Number of report issued by that department:
15. EC type-approval in respect of the installation of devices for indirect vision has been granted/refused ⁽¹⁾
16. An extension of EC type-approval in respect of the installation of devices for indirect vision has been granted/refused ⁽¹⁾
17. Place:
18. Date:
19. Signature:
20. The following documents, bearing the type-approval number shown above, are annexed to this certificate:
 - drawings showing the mountings of the devices for indirect vision;
 - drawings and plans showing the mounting positions and characteristics of the part of the structure where the devices for indirect vision are mounted;
 - general view from the front, the rear and the passenger compartment showing where the devices for indirect vision are fitted.

These documents must be supplied to the competent authorities of the other Member States at their express request.

⁽¹⁾ Delete where inapplicable.

Appendix 5

EC component type-approval mark

1. GENERAL
 - 1.1. The EC component type-approval mark shall consist of a rectangle surrounding the lower case letter 'e' followed by the distinguishing number of the Member State which has granted the component type-approval: 1 for Germany, 2 for France, 3 for Italy, 4 for the Netherlands, 5 for Sweden, 6 for Belgium, 9 for Spain, 11 for the United Kingdom, 12 for Austria, 13 for Luxembourg, 17 for Finland, 18 for Denmark, 21 for Portugal, 23 for Greece, 24 for Ireland. It must also include in the vicinity of the rectangle the EC component type-approval number. This number shall consist of the component type-approval number shown on the certificate completed for the type (see Appendix 3), preceded by two figures indicating the sequence number of the latest amendment to this Directive on the date EC component type-approval was granted. The amendment sequence number and the component type-approval number shown on the certificate shall be separated by an asterisk. In this Directive the sequence number is 03.

Tuesday, 1 July 2003

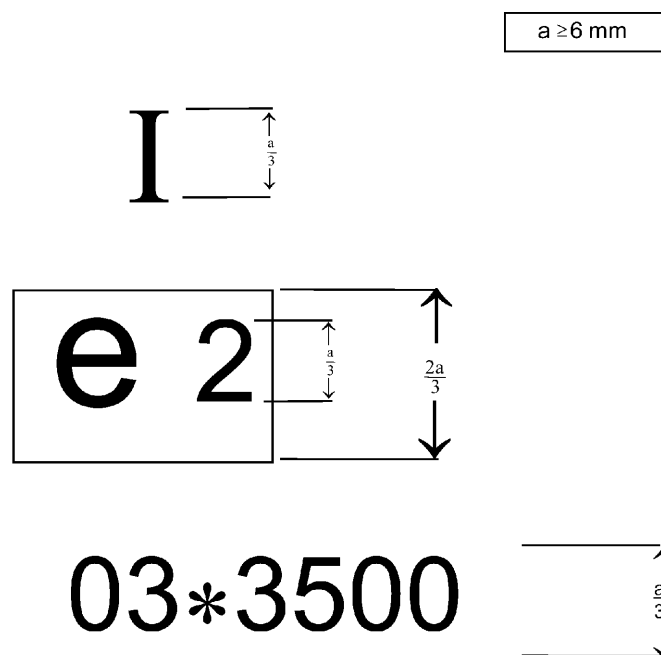
- 1.2. The EC component type-approval mark shall be completed by the addition of the symbol I or II or III or IV or V or VI, specifying the class to which the type of mirror belongs or the symbol S in case of any device for indirect vision other than a mirror. The additional symbol shall be placed in any convenient position in the vicinity of the rectangle containing the letter 'e'.
- 1.3. The EC component type-approval mark and the additional symbol shall be indelibly inscribed on an integral part of the mirror or any other device for indirect vision other than a mirror in such a way as to be clearly visible even after the mirror or other device for indirect vision has been mounted on a vehicle.

2. EXAMPLES OF THE EC COMPONENT TYPE-APPROVAL MARK

- 2.1. Five examples of EC component type-approval marks, completed by the additional symbol are given below.

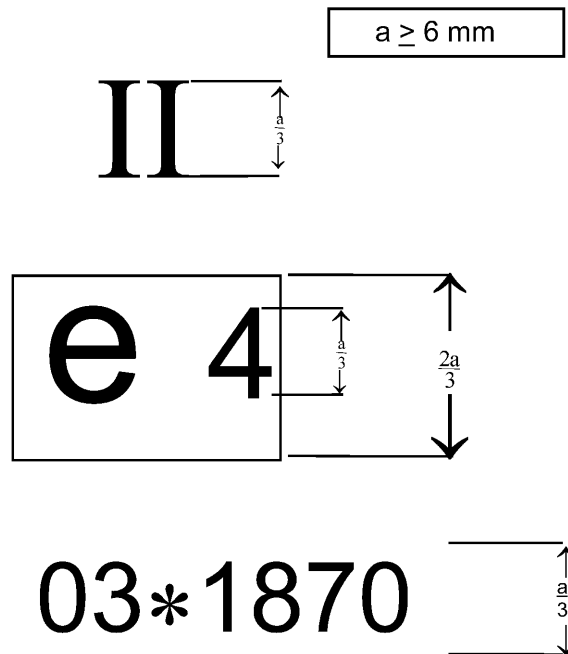
Examples of EC component type-approval marks and the additional symbol

Example No 1



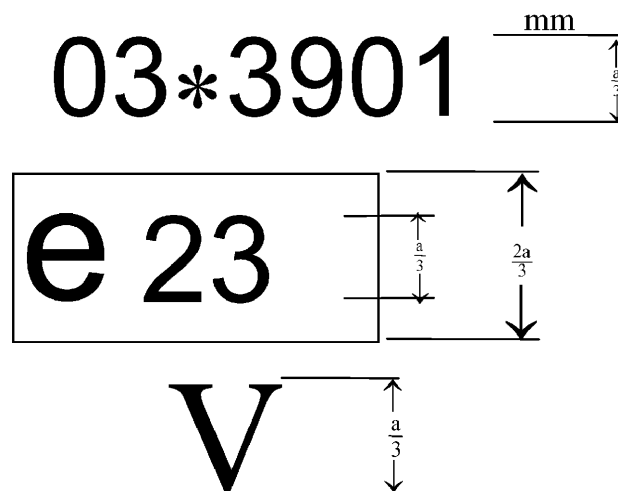
The mirror bearing the EC component type-approval mark shown above is a Class I mirror (interior rear-view), which has been approved in France (e2) under the number 03*3500

Example No 2



The mirror bearing the EC component type-approval mark shown above is a Class II mirror (exterior rear-view), which has been approved in the Netherlands (e4) under the number 03*1870.

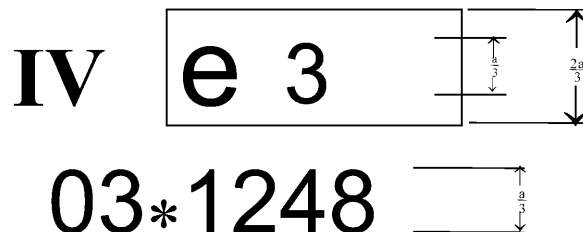
Example No 3



The mirror bearing the EC component type-approval mark shown above is a Class V mirror (close proximity), which has been approved in Greece (e23) under the number 03*3901.

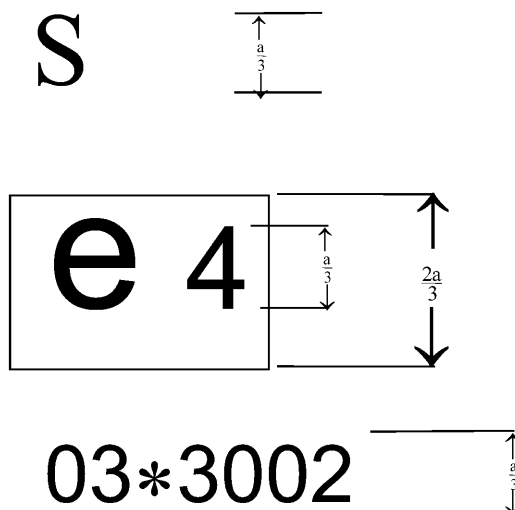
Tuesday, 1 July 2003

Example No 4

 $a \geq 6 \text{ mm}$

The mirror bearing the EC component type-approval mark shown above is a Class IV mirror (exterior rear-view — wide angle), which has been approved in Italy (e3) under the number 03*1248

Example No 5

 $a \geq 6 \text{ mm}$ 

Explanation:

The device for indirect vision bearing the EC component type approval mark shown above is a device for indirect vision (S), other than a mirror which has been approved in the Netherlands (e4) under number 03*3002.

Appendix 6

Procedure for determining the H point and verifying the relative positions of the R and H points

The relevant parts of Annex III to Directive 77/649/EEC⁽¹⁾ are applicable.

⁽¹⁾ Council Directive 77/649/EEC of 27 September 1977 on the approximation of the laws of the Member States relating to the field of vision of motor vehicle drivers (OJ L 267, 19.10.1977, p. 1). Directive as last amended by Commission Directive 90/630/EEC (OJ L 341, 6.12.1990, p. 20).

ANNEX II

DESIGN SPECIFICATIONS AND TESTS REQUIRED FOR EC COMPONENT TYPE-APPROVAL OF A DEVICE FOR INDIRECT VISION

A. MIRRORS

1. GENERAL SPECIFICATIONS

1.1. All mirrors must be adjustable.

1.2. The edge of the reflecting surface must be enclosed in a protective housing (holder, etc.) which, on its perimeter, must have a value 'c' greater than or equal to 2,5 mm at all points and in all directions. If the reflecting surface projects beyond the protective housing, the radius of curvature 'c' on the edge of the projecting part must be not less than 2,5 mm and the reflecting surface must return into the protective housing under a force of 50 N applied to the point of greatest projection, relative to the protective housing, in a horizontal direction, approximately parallel to the longitudinal median plane of the vehicle.

1.3. When the mirror is mounted on a plane surface, all parts, irrespective of the adjustment position of the device, including those parts remaining attached to the support after the test provided for in point 4.2, which are in potential, static contact with a sphere either 165 mm in diameter in the case of an interior mirror or 100 mm in diameter in the case of an exterior mirror, must have a radius of curvature 'c' of not less than 2,5 mm.

1.3.1. Edges of fixing holes or recesses of which the diameter or longest diagonal is less than 12 mm are exempt from the radius requirements of point 1.3 provided that they are blunted.

1.4. The device for the attachment of mirrors to the vehicle must be so designed that a cylinder with a 70 mm radius, having as its axis the axis, or one of the axes, of pivot or rotation which ensures deflection of the mirror in the direction of impact concerned, passes through at least part of the surface to which the device is attached.

1.5. The parts of exterior mirrors referred to in points 1.2 and 1.3 which are made of a material with a Shore A hardness not exceeding 60 are exempt from the relevant provisions.

1.6. In the case of those parts of interior mirrors which are made of a material with a Shore A hardness of less than 50 and which are mounted on a rigid support, the requirements of points 1.2 and 1.3 shall only apply to the support.

Tuesday, 1 July 2003

2. DIMENSIONS

2.1. Interior rear-view mirrors (Class I)

The dimensions of the reflecting surface must be such that it is possible to inscribe thereon a rectangle one side of which is 40 mm and the other 'a' mm in length, where

$$a = 150 \text{ mm} \times \frac{1}{1 + \frac{1000}{r}}$$

and r is the radius of curvature.

2.2. Main exterior rear-view mirrors (Classes II and III).

2.2.1. The dimensions of the reflecting surface must be such that it is possible to inscribe therein:

- a rectangle 40 mm high the base length of which, measured in millimetres, has the value 'a';
- a segment which is parallel to the height of the rectangle and the length of which, expressed in millimetres, has the value 'b'.

2.2.2. The minimum values of 'a' and 'b' are given in the table below:

Class of rear-view mirror	a [mm]	b [mm]
II	$\frac{170}{1 + \frac{1000}{r}}$	200
III	$\frac{130}{1 + \frac{1000}{r}}$	70

2.3. 'Wide-angle' exterior mirrors (Class IV)

The contours of the reflecting surface must be of simple geometric form and its dimensions such that it provides, if necessary in conjunction with a Class II exterior mirror, the field of vision specified in point 5.4 of Annex III.

2.4. 'Close-proximity' exterior mirrors (Class V)

The contours of the reflecting surface must be of simple geometric form and its dimensions such that the mirror provides the field of vision specified in point 5.5 of Annex III.

2.5. Front mirrors (Class VI)

The contours of the reflecting surface must be of simple geometric form and its dimensions such that the mirror provides the field of vision specified in point 5.6 of Annex III.

3. REFLECTING SURFACE AND COEFFICIENTS OF REFLECTION

- 3.1. The reflecting surface of a mirror must be either flat or spherically convex. Exterior mirrors may be equipped with an additional aspherical part provided that the main mirror fulfils the requirements of the indirect field of vision.
- 3.2. Differences between the radii of curvature of mirrors
- 3.2.1. The difference between r_i or r'_i and r_p at each reference point must not exceed $0,15 r$.
- 3.2.2. The difference between any of the radii of curvature (r_{p1} , r_{p2} , and r_{p3}) and r must not exceed $0,15 r$.
- 3.2.3. When r is not less than 3 000 mm, the value of $0,15 r$ quoted in points 3.2.1 and 3.2.2 is replaced by $0,25 r$.
- 3.3. Requirements for aspherical parts of mirrors
- 3.3.1. Aspherical mirrors shall be of sufficient size and shape to provide useful information to the driver. This normally means a minimum width of 30 mm at some point.
- 3.3.2. The radius of curvature r_i of the aspherical part shall not be less than 150 mm.
- 3.4. Value of 'r' for spherical mirrors must not be less than:
- 3.4.1. 1 200 mm for interior rear-view mirrors (Class I);
- 3.4.2. 1 200 mm for Class II and III main exterior rear-view mirrors;
- 3.4.3. 300 mm for 'wide-angle' exterior mirrors (Class IV) and 'close-proximity' exterior mirrors (Class V);
- 3.4.4. 200 mm for front mirrors (Class VI).
- 3.5. The value of the normal coefficient of reflection, as determined according to the method described in Appendix 1 to this Annex, must be not less than 40 %.

In the case of reflecting surfaces with a changeable degree of reflection, the 'day' position must allow the colours of the signals used for road traffic to be recognised. The value of the normal coefficient of reflection in the 'night' position must be not less than 4 %.

- 3.6. The reflecting surface must retain the characteristics laid down in point 3.5 in spite of prolonged exposure to adverse weather conditions in normal use.

4. TESTS

- 4.1. Mirrors shall be subjected to the tests described in point 4.2.
- 4.1.1. The test provided for in point 4.2 shall not be required in the case of any exterior mirror of which no part is less than 2 m from the ground, regardless of the adjustment position, when the vehicle is under a load corresponding to its maximum technically permissible mass.

This derogation also applies to the attachments of mirrors (attachment plates, arms, swivel joints, etc.) which are situated less than 2 m from the ground and which do not project beyond the overall width of the vehicle, measured in the transverse plane passing through the lowest mirror attachments or any other point forward of this plane if this configuration produces a greater overall width.

In such cases, a description specifying that the mirror must be mounted so as to conform to the abovementioned conditions for the positioning of its attachments on the vehicle must be provided.

Tuesday, 1 July 2003

Where advantage is taken of this derogation, the arm shall be indelibly marked with the symbol

$$\frac{\Delta}{2\text{ m}}$$

and the type-approval certificate shall be endorsed to this effect.

4.2. Impact test

The test according to this paragraph is not to be carried out for devices integrated in the bodywork of the vehicle and providing a frontal deflecting area of an angle not more than 45° measured in relation to the longitudinal median plane of the vehicle, or devices not protruding more than 100 mm measured beyond the circumscribing bodywork of the vehicle according to 74/483/EEC.

4.2.1. Description of the test rig

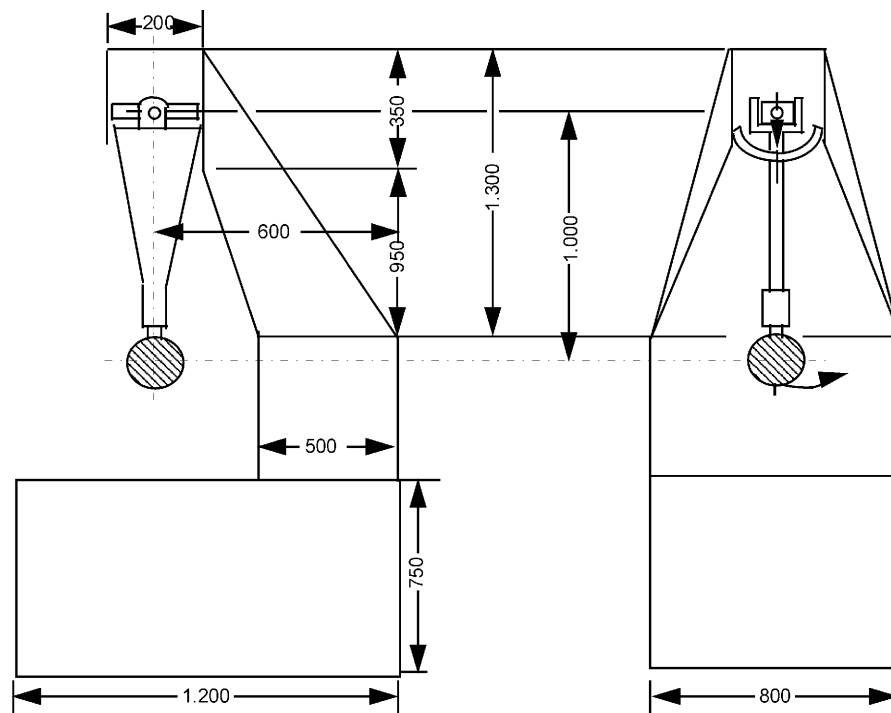
- 4.2.1.1. The test rig consists of a pendulum capable of swinging about two horizontal axes at right angles to each other, one of which is perpendicular to the plane containing the 'release' trajectory of the pendulum.

The end of the pendulum comprises a hammer formed by a rigid sphere with a diameter of 165 ± 1 mm having a 5 mm thick rubber covering of Shore A hardness 50.

A device is provided which permits determination of the maximum angle assumed by the arm in the plane of release.

A support firmly fixed to the structure of the pendulum serves to hold the specimens in compliance with the impact requirements specified in point 4.2.2.6.

Figure 2 below gives the dimensions of the test rig and the special design specifications:



- 4.2.1.2. The centre of percussion of the pendulum coincides with the centre of the sphere, which forms the hammer. It is at a distance 'l' from the axis of oscillation in the release plane, which is equal to $1\text{ m} \pm 5\text{ mm}$. The reduced mass of the pendulum is $m_0 = 6,8 \pm 0,05$ kilograms. The relationship of 'm₀' to the total mass 'm' of the pendulum and to the distance 'd' between the centre of gravity of the pendulum and its axis of rotation is expressed in the equation:

$$m_0 = m \times \frac{d}{l}$$

- 4.2.2. Description of the test

- 4.2.2.1. The procedure used to clamp the mirror to the support shall be that recommended by the manufacturer of the device or, where appropriate, by the vehicle manufacturer.

- 4.2.2.2. Positioning of the mirror for the test

- 4.2.2.2.1. Mirrors shall be positioned on the pendulum impact rig in such a way that the axes which are horizontal and vertical when the mirror is installed on a vehicle in accordance with the applicant's mounting instructions are in a similar position.

- 4.2.2.2.2. When a mirror is adjustable with respect to the base, the test position shall be that in which any pivoting device is least likely to operate, within the limits of adjustment provided by the applicant.

- 4.2.2.2.3. When the mirror has a device for adjusting its distance from the base, the device must be set in the position in which the distance between the housing and the base is shortest.

- 4.2.2.2.4. When the reflecting surface is mobile in the housing, it shall be so adjusted that the upper corner, which is furthest from the vehicle, is in the position of greatest projection relative to the housing.

- 4.2.2.3. Except in the case of test 2 for interior mirrors (see point 4.2.2.6.1), when the pendulum is in a vertical position, the horizontal and longitudinal vertical planes passing through the centre of the hammer shall pass through the centre of the reflecting surface as defined in point 1.1.1.10 of Annex I. The longitudinal direction of oscillation of the pendulum shall be parallel to the longitudinal median plane of the vehicle.

- V4.2.2.4. When, under the conditions governing adjustment laid down in points 4.2.2.1 and 4.2.2.2 parts of the mirror limit the return of the hammer, the point of impact must be displaced in a direction perpendicular to the axis of rotation or pivoting in question.

The displacement must be no greater than is strictly necessary for the execution of the test; it must be limited in such a way that:

- either the sphere delimiting the hammer remains at least tangential to the cylinder as defined in point 1.4;
- or the point of contact with the hammer is located at least 10 mm from the periphery of the reflecting surface.

- 4.2.2.5. The test consists in allowing the hammer to fall from a height corresponding to a pendulum angle of 60° from the vertical so that the hammer strikes the mirror at the moment when the pendulum reaches the vertical position.

- 4.2.2.6. The mirrors are subjected to impact under the following different conditions:

Tuesday, 1 July 2003

4.2.2.6.1. Interior mirrors

- Test 1: The points of impact shall be as defined in point 4.2.2.3. The impact must be such that the hammer strikes the mirror on the reflecting surface side.
- Test 2: Point of impact on the edge of the protective housing, such that the impact produced makes an angle of 45° with the plane of the reflecting surface and is situated in the horizontal plane passing through the centre of that surface. The impact must occur on the reflecting surface side.

4.2.2.6.2. Exterior mirrors

- Test 1: The point of impact shall be as defined in point 4.2.2.3 or 4.2.2.4. The impact must be such that the hammer strikes the mirror on the reflecting surface side.
- Test 2: The point of impact shall be as defined in point 4.2.2.3 or 4.2.2.4. The impact must be such that the hammer strikes the mirror on the side opposite to the reflecting surface.

Where Class II or III rear-view mirrors are fixed to the same mounting as Class IV rear-view mirrors, the abovementioned tests shall be executed on the lower mirror. Nevertheless, the technical service responsible for testing may repeat one or both of these tests on the upper mirror if this is less than 2 m from the ground.

5. RESULTS OF THE TEST

- 5.1. In the tests described in point 4.2, the pendulum must continue to swing after impact in such a way that the projection of the position assumed by the arm on the plane of release makes an angle of at least 20° with the vertical. The accuracy of measurement of the angle shall be within $\pm 1^\circ$.
 - 5.1.1. This requirement is not applicable to mirrors stuck to the windscreen, in respect of which the requirement stipulated in point 5.2 shall apply after the test.
 - 5.1.2. The required angle to the vertical is reduced from 20° to 10° for all Class II and Class IV rear-view mirrors and for Class III rear-view mirrors which are attached to the same mounting as Class IV mirrors.
- 5.2. Should the mounting of the mirror break during the tests described in point 4.2. for mirrors stuck to the windscreen, the part remaining must not project beyond the base by more than 10 mm and the configuration remaining after the test must satisfy the conditions laid down in point 1.3.
- 5.3. The reflecting surface must not break during the tests described in point 4.2. However breakage of the reflecting surface will be allowed if one of the following conditions is fulfilled:
 - 5.3.1. The fragments of glass still adhere to the back of the housing or to a surface firmly attached to the housing; partial separation of the glass from its backing is admissible provided this does not exceed 2,5 mm on either side of the cracks. It is permissible for small splinters to become detached from the surface of the glass at the point of impact;
 - 5.3.2. The reflecting surface is made of safety glass.

B. DEVICES FOR INDIRECT VISION OTHER THAN MIRRORS

1. GENERAL REQUIREMENTS

- 1.1. If adjustment by the user is needed, the device for indirect vision shall be adjustable without the use of tools.
- 1.2. If a device for indirect vision can only render the total prescribed field of vision by scanning the field of vision, the total process of scanning, rendering and reset to its initial position together shall not take more than 2 seconds.

2. CAMERA-MONITOR DEVICES FOR INDIRECT VISION
 - 2.1. General requirements
 - 2.1.1. When the camera-monitor device for indirect vision is mounted on a plane surface, all parts, irrespective of the adjustment position of the device which are in potential, static contact with a sphere either 165 mm in diameter in the case of a monitor or 100 mm in diameter in the case of a camera, must have a radius of curvature 'c' of not less than 2,5 mm.
 - 2.1.2. Edges of fixing holes or recesses of which the diameter or longest diagonal is less than 12 mm are exempt from the radius requirements of point 2.1.1. provided that they are blunted.
 - 2.1.3. For parts of the camera and the monitor which are made of a material with a Shore A hardness of less than 60 and which are mounted on a rigid support, the requirements of point 2.1.1 shall only apply to the support.
 - 2.2. Functional requirements
 - 2.2.1. The camera should function well under low sunlight conditions. The camera shall provide a luminance contrast of at least 1:3 under low sun condition in a region outside the part of the image where the light source is reproduced (condition as defined in EN 12368: 8.4). The light source shall illuminate the camera with 40 000 lx. The angle between the normal of the sensor plane and the line connecting the midpoint of the sensor and the light source shall be 10°.
 - 2.2.2. The monitor shall render a minimum contrast under various light conditions as specified by draft international standard ISO/DIS 15008 [2].
 - 2.2.3. It shall be possible to adjust the average luminance of the monitor either manually or automatically to the ambient conditions.
 - 2.2.4. The measurements for the luminance contrast shall be carried out according to ISO/DIS 15008.
3. OTHER DEVICES FOR INDIRECT VISION

It has to be proved that the device meets the following requirements:

 - 3.1. The device shall perceive the visual spectrum and shall always render this image without the need for interpretation into the visual spectrum.
 - 3.2. The functionality shall be guaranteed under the circumstances of use in which the system shall be put into service. Depending on the technology used in obtaining images and presenting them point 2.2 shall be entirely or partly applicable. In other cases this can be achieved by establishing and demonstrating by means of system sensitivity analogous to point 2.2 that a function is ensured that is comparable to or better than what is required for and by demonstrating that a functionality is guaranteed that is equivalent or better than that required for mirror- or camera-monitor devices for indirect vision.

Appendix 1

Procedure for determining the radius of curvature 'r' of the reflecting surface of a mirror

1. MEASUREMENT
 - 1.1. Equipment

A 'spherometer' similar to the one described in Figure 3 having the indicated distances between the tracing pin of the dial gauge and the fixed legs of the bar is used.

Tuesday, 1 July 2003

1.2. Measuring points

1.2.1. The principal radii of curvature shall be measured at three points situated as close as possible to positions at one-third, one-half and two-thirds of the distance along the arc of the reflecting surface passing through the centre of this surface and parallel to segment b, or of the arc passing through the centre of the reflecting surface which is perpendicular to it if this arc is the longer.

1.2.2. Where, owing to the size of the reflecting surface, it is impossible to obtain measurements in the directions defined in point 1.1.1.5. of Annex I, the technical services responsible for the tests may take measurements at the said point in two perpendicular directions as close as possible to those prescribed above.

2. CALCULATION OF THE RADIUS OF CURVATURE 'r'

'r' expressed in mm is calculated from the formula:

$$r = \frac{r_{p1} + r_{p2} + r_{p3}}{3}$$

where:

r_{p1} = the radius of curvature at the first measuring point,

r_{p2} = the radius of curvature at the second measuring point,

r_{p3} = the radius of curvature at the third measuring point.

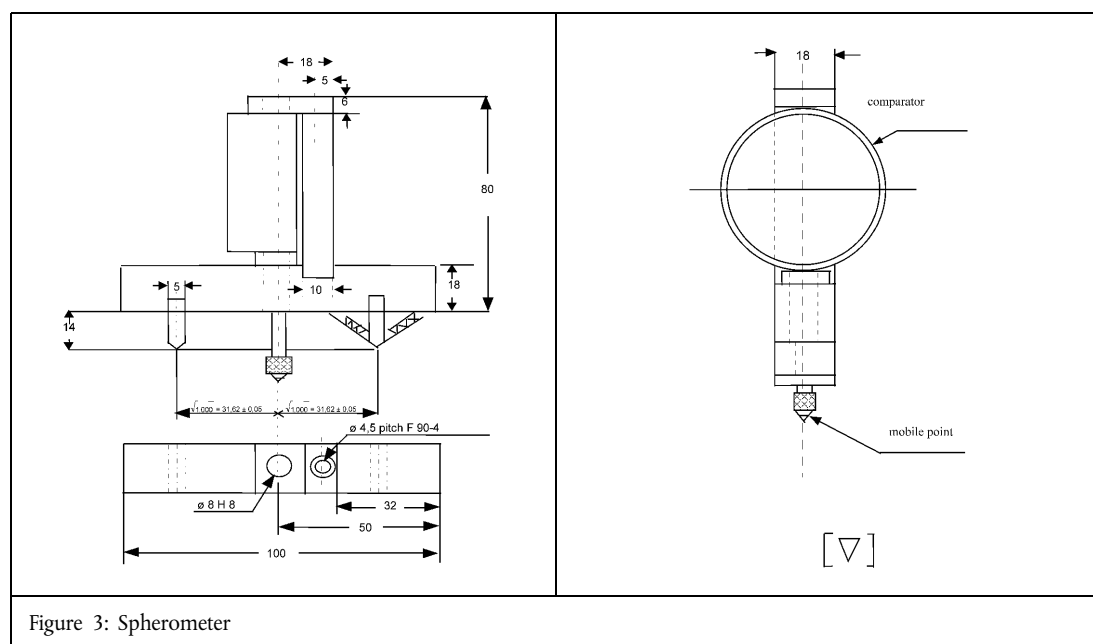


Figure 3: Spherometer

Appendix 2

Test method for determining reflectivity

1. DEFINITIONS

- 1.1. CIE standard illuminate A ⁽¹⁾: Colorimetric illuminate, respecting the full radiator at $T_{68} = 2\,855,6$ K.
- 1.2. CIE standard source A ⁽¹⁾: Gas-filled tungsten filament lamp operating at a correlated colour temperature of $T_{68} = 2\,855,6$ K.
- 1.3. CIE 1931 standard colorimetric observer ⁽¹⁾: Receptor of radiation whose colorimetric characteristics correspond to the spectral tristimulus values $\bar{x}(\lambda)$, $\bar{y}(\lambda)$, $\bar{z}(\lambda)$ (see table).
- 1.4. CIE spectral tristimulus values ⁽¹⁾: Tristimulus values of the spectral components of an equi-energy spectrum in the CIE (XYZ) system.
- 1.5. Photopic vision ⁽¹⁾: Vision by the normal eye when it is adapted to levels of luminance of at least several cd/m^2 .

2. APPARATUS

2.1. General

The apparatus shall consist of a light source, a holder for the test sample, a receiver unit with a photodetector and an indicating meter (see Figure 4), and means of eliminating the effects of extraneous light.

The receiver may incorporate a light-integrating sphere to facilitate measuring the reflectance of non-flat (convex) mirrors (see Figure 5).

2.2. Spectral characteristics of light source and receiver

The light source shall consist of a CIE standard source A and associated optics to provide a near-collimated light beam. A voltage stabiliser is recommended in order to maintain a fixed lamp voltage during instrument operation.

The receiver shall have a photodetector with a spectral response proportional to the photopic luminosity function of the CIE (1931) standard colorimetric observer (see table). Any other combination of illuminate-filter-receptor giving the overall equivalent of CIE standard illuminate A and photopic vision may be used. When an integrating sphere is used in the receiver, the interior surface of the sphere shall be coated with a matt (diffusive) spectrally non-selective white coating.

2.3. Geometrical conditions

The angle of the incident beam ⁽¹⁾ should preferably be $0,44 \pm 0,09$ rad ($25 \pm 5^\circ$) from the perpendicular to the test surface and shall not exceed the upper limit of the tolerance (i.e. $0,53$ rad or 30°). The axis of the receptor shall make an angle ⁽¹⁾ with this perpendicular equal to that of the incident beam (see Figure 4). The incident beam upon arrival at the test surface shall have a diameter of not less than 13 mm ($0,5$ in.). The reflected beam shall not be wider than the sensitive area of the photodetector, shall not cover less than 50% of such area, and as nearly as possible shall cover the same area segment as used during instrument calibration.

⁽¹⁾ Definitions taken from CIE publication 50 (45), International Electrotechnical Vocabulary, Group 45: Lighting.

Tuesday, 1 July 2003

When an integrating sphere is used in the receiver section, the sphere shall have a minimum diameter of 127 mm (5 in.). The sample and incident beam apertures in the sphere wall shall be of such a size as to admit the entire incident and reflected light beams. The photodetector shall be so located as not to receive direct light from either the incident or the reflected beam.

2.4. Electrical characteristics of the photodetector-indicator unit

The photodetector output as read on the indicating meter shall be a linear function of the light intensity of the photosensitive area. Means (electrical and/or optical) shall be provided to facilitate zeroing and calibration adjustments. Such means shall not affect the linearity or the spectral characteristics of the instrument. The accuracy of the receptor-indicator unit shall be within $\pm 2\%$ of full scale, or $\pm 10\%$ of the magnitude of the reading, whichever is the smaller.

2.5. Sample holder

The mechanism shall be capable of locating the test sample so that the axes of the source arm and receptor intersect at the reflecting surface. The reflecting surface may lie within or at either face of the mirror sample, depending on whether it is a first-surface, second-surface or prismatic 'flip'-type mirror.

3. PROCEDURE

3.1. Direct calibration method

In the direct calibration method, air is used as the reference standard. This method is applicable for those instruments, which are so constructed as to permit calibration at the 100 % point by swinging the receiver to a position directly on the axis of the light source (see Figure 4).

It may be desired in some cases (such as when measuring low-reflectivity surfaces) to use an intermediate calibration point (between 0 and 100 % on the scale) with this method. In these cases, a neutral density filter of known transmittance shall be inserted in the optical path, and the calibration control shall then be adjusted until the meter reads the percentage transmission of the neutral density filter. This filter shall be removed before reflectivity measurements are performed.

3.2. Indirect calibration method

The indirect calibration method is applicable in the case of instruments with fixed source and receiver geometry. A properly calibrated and maintained reflectance standard is required. This reference standard should preferably be a flat mirror with a reflectance value as near as possible to that of the test samples.

3.3. Flat mirror measurement

The reflectance of flat mirror samples can be measured on instruments employing either the direct or the indirect calibration method. The reflectance value is read directly from the indicating meter.

3.4. Non-flat (convex) mirror measurement

Measurement of the reflectance of non-flat (convex) mirrors requires the use of instruments which incorporate an integrating sphere in the receiver unit (see Figure 5). If the instrument-indicating meter indicates n_e divisions with a standard mirror of E % reflectance, then, with a mirror of unknown reflectance, n_x divisions will correspond to a reflectance of X %, in accordance with the formula:

$$X = E \frac{n_x}{n_e}$$

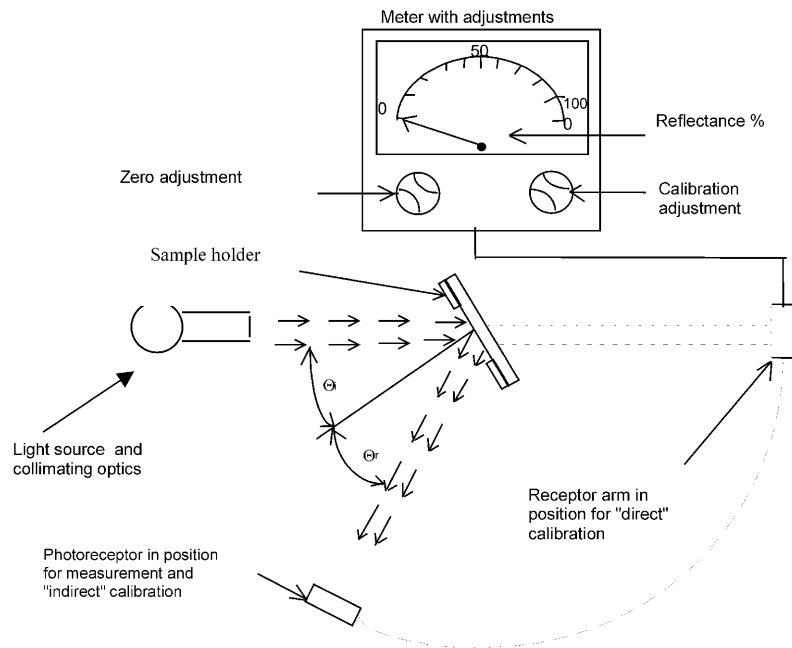


Figure 4: Generalised reflectometer showing experimental set-ups for the two calibration methods

Tuesday, 1 July 2003

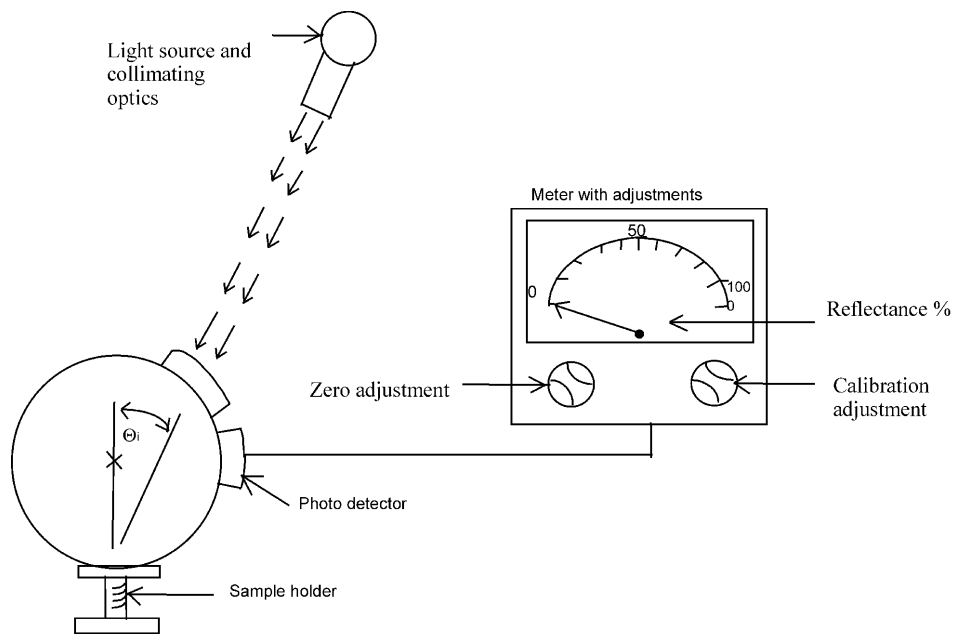


Figure 5: Generalised reflectometer, incorporating an integrating sphere in the receiver
Spectral tristimulus values for the CIE 1931 standard colorimetric observer ⁽¹⁾

⁽¹⁾ Abridged table. The values of $\bar{y}(\lambda) = V(\lambda)$ are rounded off to four decimal places.

Tuesday, 1 July 2003

This table is taken from CIE publication 50 (45) (1970)

λ nm	$\bar{x}(\lambda)$	$\bar{y}(\lambda)$	$\bar{z}(\lambda)$
380	0,001 4	0,000 0	0,006 5
390	0,004 2	0,000 1	0,020 1
400	0,014 3	0,000 4	0,067 9
410	0,043 5	0,001 2	0,207 4
420	0,134 4	0,004 0	0,645 6
430	0,283 9	0,011 6	1,385 6
440	0,348 3	0,023 0	1,747 1
450	0,336 2	0,038 0	1,772 1
460	0,290 8	0,060 0	1,669 2
470	0,195 4	0,091 0	1,287 6
480	0,095 6	0,139 0	0,813 0
490	0,032 0	0,208 0	0,465 2
500	0,004 9	0,323 0	0,272 0
510	0,009 3	0,503 0	0,158 2
520	0,063 3	0,710 0	0,078 2
530	0,165 5	0,862 0	0,042 2
540	0,290 4	0,954 0	0,020 3
550	0,433 4	0,995 0	0,008 7
560	0,594 5	0,995 0	0,003 9
570	0,762 1	0,952 0	0,002 1
580	0,916 3	0,870 0	0,001 7
590	1,026 3	0,757 0	0,001 1
600	1,062 2	0,631 0	0,000 8
610	1,002 6	0,503 0	0,000 3
620	0,854,4	0,381 0	0,000 2
630	0,642 4	0,265 0	0,000 0
640	0,447 9	0,175 0	0,000 0
650	0,283 5	0,107 0	0,000 0
660	0,164 9	0,061 0	0,000 0
670	0,087 4	0,032 0	0,000 0
680	0,046 8	0,017 0	0,000 0
690	0,022 7	0,008 2	0,000 0
700	0,011 4	0,004 1	0,000 0
710	0,005 8	0,002 1	0,000 0
720	0,002 9	0,001 0	0,000 0
730	0,001 4	0,000 5	0,000 0
740	0,000 7	0,000 2 (*)	0,000 0
750	0,000 3	0,000 1	0,000 0
760	0,000 2	0,000 1	0,000 0
770	0,000 1	0,000 0	0,000 0
780	0,000 0	0,000 0	0,000 0

(*) Changed in 1966 (from 3 to 2)

Tuesday, 1 July 2003

ANNEX III

REQUIREMENTS CONCERNING THE FITTING OF MIRRORS AND OTHER DEVICES FOR INDIRECT VISION TO VEHICLES

GENERAL

- 1.1. Mirrors and other devices for indirect vision must be fitted in such a way that the mirror or other device does not move so as significantly to change the field of vision as measured or vibrate to an extent which would cause the driver to misinterpret the nature of the image perceived.
- 1.2. The conditions laid down in item 1.1 must be maintained when the vehicle is moving at speeds of up to 80 % of its maximum design speed, but not exceeding 150 km/h.
- 1.3. The fields of vision defined below shall be established using ambinoocular vision, the eyes being at the 'driver's ocular points' as defined in Annex I, point 1.1.1.12. The fields of vision shall be determined when the vehicle is in running order as defined in Directive 97/27/EC, Annex I, point 2.5. They shall be established through windows which have a total light transmission factor of at least 70 % measured normal to the surface.

MIRRORS

2. Number

2.1. Minimum number of compulsory mirrors

- 2.1.1. The fields of vision prescribed in point 5 shall be obtained from the minimum number on mandatory mirrors set out in the following table. Where the presence of a mirror is not requested on a mandatory base, this means that no other system for indirect vision can be requested on a mandatory base.

Vehicle category	Interior mirror	Exterior mirrors				
	Interior mirror Class I	Main mirror (large) Class II	Main mirror (small) Class III	Wide-angle mirror Class IV	Close-proximity mirror Class V	Front mirror Class VI
M ₁	Compulsory Unless a mirror would not provide rearward vision (as defined in item 5.1 Annex III) Optional If the mirror does not provide rearward vision	Optional	Compulsory 1 on the driver's side and 1 on the passenger's side Class II mirrors may be fitted as an alternative.	Optional 1 on the driver's side and/or 1 on the passenger's side	Optional 1 on the driver's side and 1 on the passenger's side (both must be fitted at least 2 m above the ground)	Optional (must be fitted at least 2 m above the ground)
M ₂	Optional (no requirements for the field of view)	Compulsory 1 on the driver's side and 1 on the passenger's side	Not permitted	Optional 1 on the driver's side and/or 1 on the passenger's side	Optional 1 on the driver's side and 1 on the passenger's side (both must be fitted at least 2 m above the ground)	Optional (must be fitted at least 2 m above the ground)

Tuesday, 1 July 2003

Vehicle category	Interior mirror	Exterior mirrors				
	Interior mirror Class I	Main mirror (large) Class II	Main mirror (small) Class III	Wide-angle mirror Class IV	Close-proximity mirror Class V	Front mirror Class VI
M ₃	Optional (no requirements for the field of view)	Compulsory 1 on the driver's side and 1 on the passenger's side	Not permitted	Optional 1 on the driver's side and/or 1 on the passenger's side	Optional 1 on the driver's side and 1 on the passenger's side (both must be fitted at least 2 m above the ground)	Optional (must be fitted at least 2 m above the ground)

N ₁	Compulsory Unless a mirror would not provide rearward vision (as defined in item 5.1 Annex III) Optional If the mirror does not provide rearward vision	Optional	Compulsory 1 on the driver's side and 1 on the passenger's side Class II mirrors may be fitted as an alternative.	Optional 1 on the driver's side and/or 1 on the passenger's side	Optional 1 on the driver's side and 1 on the passenger's side (both must be fitted at least 2 m above the ground)	Optional (must be fitted at least 2 m above the ground)
N ₂ ≤ 7,5 t	Optional (no requirements for the field of view)	Compulsory 1 on the driver's side and 1 on the passenger's side	Not permitted	Optional 1 on the driver's side and 1 on the passenger's side	Optional 1 on the passenger's side and 1 on Driver's side (both must be fitted at least 2 m above the ground)	Optional 1 front mirror (must be fitted at least 2 m above the ground)
N ₂ > 7,5 t	Optional (no requirements for the field of view)	Compulsory 1 on the driver's side and 1 on the passenger's side	Not permitted	Compulsory 1 on the driver's side and 1 on the passenger's side	Compulsory, see Annex III items 3.7 and 5.5.5 1 on the passenger's side Optional 1 on driver's side (both must be fitted at least 2 m above the ground)	Compulsory, see Annex III item 2.1.2 1 front mirror (must be fitted at least 2 m above the ground)

Tuesday, 1 July 2003

N ₃	Optional (no requirements for the field of view)	Compulsory 1 on the driver's side and 1 on the passenger's side	Not permitted	Compulsory 1 on the driver's side and 1 on the passenger's side	Compulsory, see Annex III items 3.7 and 5.5.5 1 on the passenger's side Optional 1 on driver's side (both must be fitted at least 2 m above the ground)	Compulsory, see Annex III item 2.1.2. 1 front mirror (must be fitted at least 2 m above the ground)
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- 2.1.2. In case the described field of vision of a front mirror prescribed in point 5.6 can be obtained by another device for indirect vision that is approved according to Annex II, part B and that is installed according to this Annex, this device can be used instead of a mirror.

In case a camera/monitor device is used the monitor must exclusively show the field of vision prescribed in point 5.6 while the vehicle is moving forward with a speed up to 30 km/h. In case the vehicle is moving with higher speed or moving backwards the monitor can be used to display the field of vision of other cameras mounted to the vehicle.

- 2.2. The provisions of this Directive do not apply to the surveillance mirrors defined in point 1.1.1.3 of Annex I. Nevertheless, the exterior surveillance mirrors must be mounted at least 2 m above the ground when the vehicle is under a load corresponding to its maximum technical permissible mass.

3. Position

- 3.1. Mirrors must be so placed that the driver, when sitting on the driving seat in a normal driving position, has a clear view of the road to the rear, side(s) or front of the vehicle.

- 3.2. Exterior mirrors shall be visible through the side windows or through the portion of the windscreen that is swept by the windscreen wiper. Nevertheless, for design reasons, this last provision (i.e. the provisions relating the cleaned part of the windscreen) shall not apply to:

- exterior mirrors on the passenger side of vehicles of categories M₂ and M₃;
- Class VI mirrors.

- 3.3. In the case of any vehicle, which is in chassis/cab form when the field of vision is measured, the minimum and maximum body widths shall be stated by the manufacturer and, if necessary, simulated by dummy headboards. All vehicles and mirror configurations taken into consideration during the tests shall be shown on the EC type-approval certificate for a vehicle with regard to the installation of mirrors (see Appendix 4 to Annex I).

- 3.4. The prescribed exterior mirror on the driver's side of the vehicle must be so located that an angle of not more than 55° is formed between the vertical longitudinal median plane of the vehicle and the vertical plane passing through the centre of the mirror and through the centre of the straight line 65 mm long which joins the driver's two ocular points.

- 3.5. Mirrors must not project beyond the external bodywork of the vehicle substantially more than is necessary to comply with the requirements concerning fields of vision laid down in point 5.

- 3.6. Where the lower edge of an exterior mirror is less than 2 m above the ground when the vehicle is loaded to its technically permissible maximum laden mass, this mirror must not project more than 250 mm beyond the overall width of the vehicle measured without mirrors.

- 3.7. Class V and Class VI mirrors shall be mounted on vehicles in such a way that, regardless of their position after adjustment, no part of these mirrors or their holders is less than 2 m from the ground when the vehicle is under a load corresponding to its technically permissible maximum laden mass.

These mirrors shall not, however, be mounted on vehicles the cab height of which is such as to prevent compliance with this requirement. In this case an other device for indirect vision is not required.

3.8. Subject to the requirements of points 3.5, 3.6 and 3.7, mirrors may project beyond the permissible maximum widths of vehicles.

4. Adjustment

4.1. The interior mirror must be capable of being adjusted by the driver from his driving position.

4.2. The exterior mirror situated on the driver's side must be capable of being adjusted from inside the vehicle while the door is closed, although the window may be open. The mirror may, however, be locked in position from the outside.

4.3. The requirements of point 4.2 do not apply to exterior mirrors which, after having been knocked out of alignment, can be returned to their former position without the need for adjustment.

5. Fields of vision

5.1. Interior rear-view mirror (Class I)

The field of vision must be such that the driver can see at least a 20 m wide, flat, horizontal portion of the road centred on the vertical longitudinal median plane of the vehicle and extending from 60 m behind the driver's ocular points (Figure 6) to the horizon.

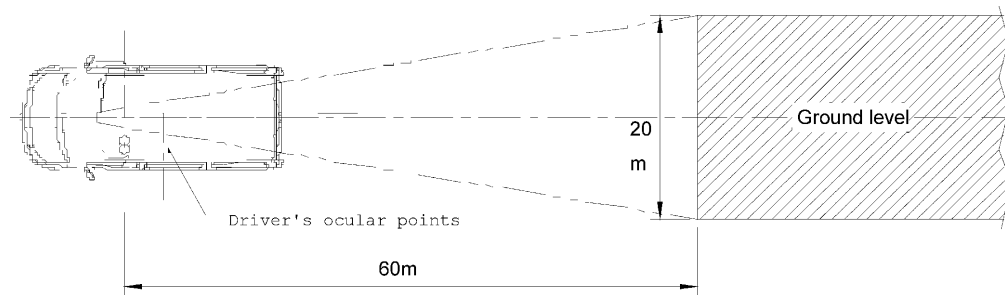


Figure 6: Field of vision of Class I mirror

Tuesday, 1 July 2003

5.2. Main exterior rear-view mirrors Class II

5.2.1. Exterior rear-view mirror on the driver's side

The field of vision must be such that the driver can see at least a 5 m wide, flat, horizontal portion of the road, which is bounded by a plane which is parallel to the median longitudinal vertical plane and passing through the outermost point of the vehicle on the driver's side of the vehicle and extends from 30 m behind the driver's ocular points to the horizon.

In addition, the road must be visible to the driver over a width of 1 m, which is bounded by a plane parallel to the median longitudinal vertical plane and passing through the outermost point of the vehicle starting from a point 4 m behind the vertical plane passing through the driver's ocular points (see Figure 7).

5.2.2. Exterior rear-view mirror on the passenger's side

The field of vision must be such that the driver can see at least a 5 m wide, flat, horizontal portion of the road, which is bounded on the passenger's side by a plane parallel to the median longitudinal vertical plane of the vehicle and passing through the outermost point of the vehicle on the passenger's side and which extends from 30 m behind the driver's ocular points to the horizon.

In addition, the road must be visible to the driver over a width of 1 m, which is bounded by a plane parallel to the median longitudinal vertical plane and passing through the outermost point of the vehicle starting from a point 4 m behind the vertical plane passing through the driver's ocular points (see Figure 7).

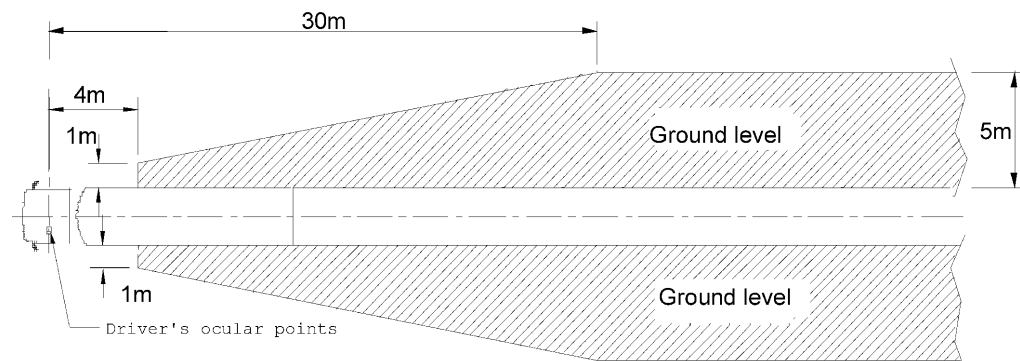


Figure 7: Field of vision of Class II mirrors

5.3. Main exterior rear-view mirrors Class III

5.3.1. Exterior rear-view mirror on the driver's side

The field of vision must be such that the driver can see at least a 4 m wide, flat, horizontal portion of the road, which is bounded by a plane parallel to the median longitudinal vertical plane and passing through the outermost point of the vehicle on the driver's side of the vehicle and extends from 20 m behind the driver's ocular points to the horizon (see Figure 8).

In addition, the road must be visible to the driver over a width of 1 m, which is bounded by a plane parallel to the median longitudinal vertical plane and passing through the outermost point of the vehicle starting from a point 4 m behind the vertical plane passing through the driver's ocular points.

5.3.2. Exterior rear-view mirror on the passenger's side

The field of vision must be such that the driver can see at least a 4 m wide flat, horizontal portion of the road which is bounded by a plane parallel to the median longitudinal vertical plane passing through the outermost point of the vehicle on the passenger's side and which extends from 20 m behind the driver's ocular points to the horizon (see Figure 8).

In addition, the road must be visible to the driver over a width of 1 m which is bounded by a plane which is parallel to the median longitudinal vertical plane and passing through the outermost point of the vehicle starting from a point 4 m behind the vertical plane passing through the driver's ocular points.

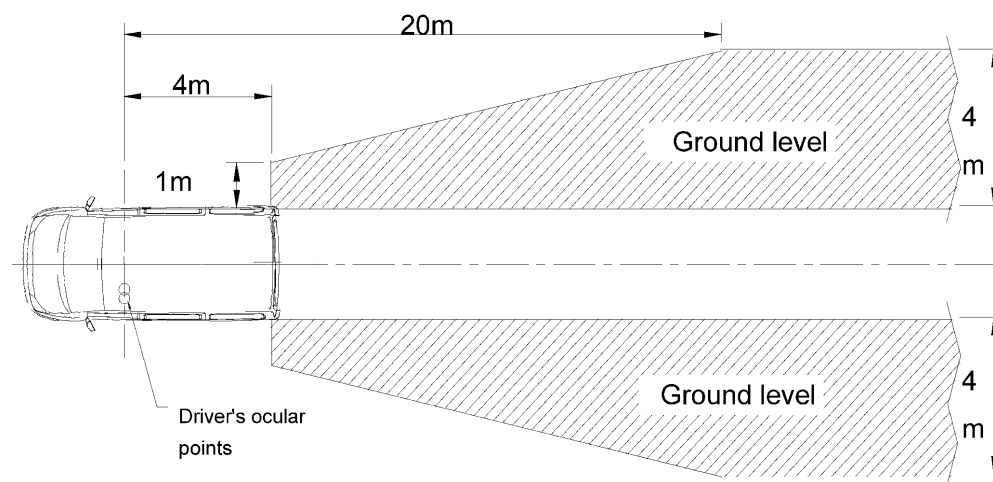


Figure 8: Field of vision of Class III mirrors

5.4. 'Wide-angle' exterior mirror (Class IV)

5.4.1. 'Wide-angle' exterior mirror on the driver's side

The field of vision must be such that the driver can see at least a 15 m wide, flat, horizontal portion of the road, which is bounded by a plane parallel to the median longitudinal vertical plane of the vehicle and passing through the outermost point of the vehicle on the driver's side and which extends from at least 10 m to 25 m behind the driver's ocular points.

In addition, the road must be visible to the driver over a width of 4,5 m, which is bounded by a plane parallel to the median longitudinal vertical plane and passing through the outermost point of the vehicle starting from a point 1,5 m behind the vertical plane passing through the driver's ocular points (see Figure 9).

5.4.2. 'Wide-angle' exterior mirror on the passenger's side

The field of vision must be such that the driver can see at least a 15-m-wide, flat, horizontal portion of the road, which is bounded by a plane parallel to the median longitudinal vertical plane of the vehicle and passing through the outermost point of the vehicle on the passenger's side and which extends from at least 10 m to 25 m behind the driver's ocular points.

Tuesday, 1 July 2003

In addition, the road must be visible to the driver over a width of 4,5 m, which is bounded by a plane parallel to the median longitudinal vertical plane and passing through the outermost point of the vehicle starting from a point 1,5 m behind the vertical plane passing through the driver's ocular points (see Figure 9).

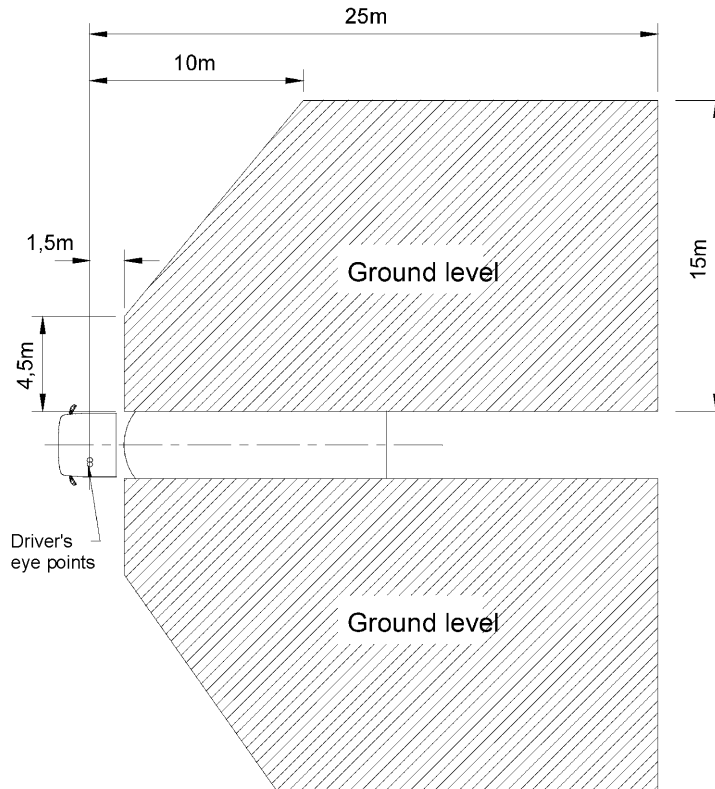


Figure 9: Field of vision of Class IV wide-angle mirrors

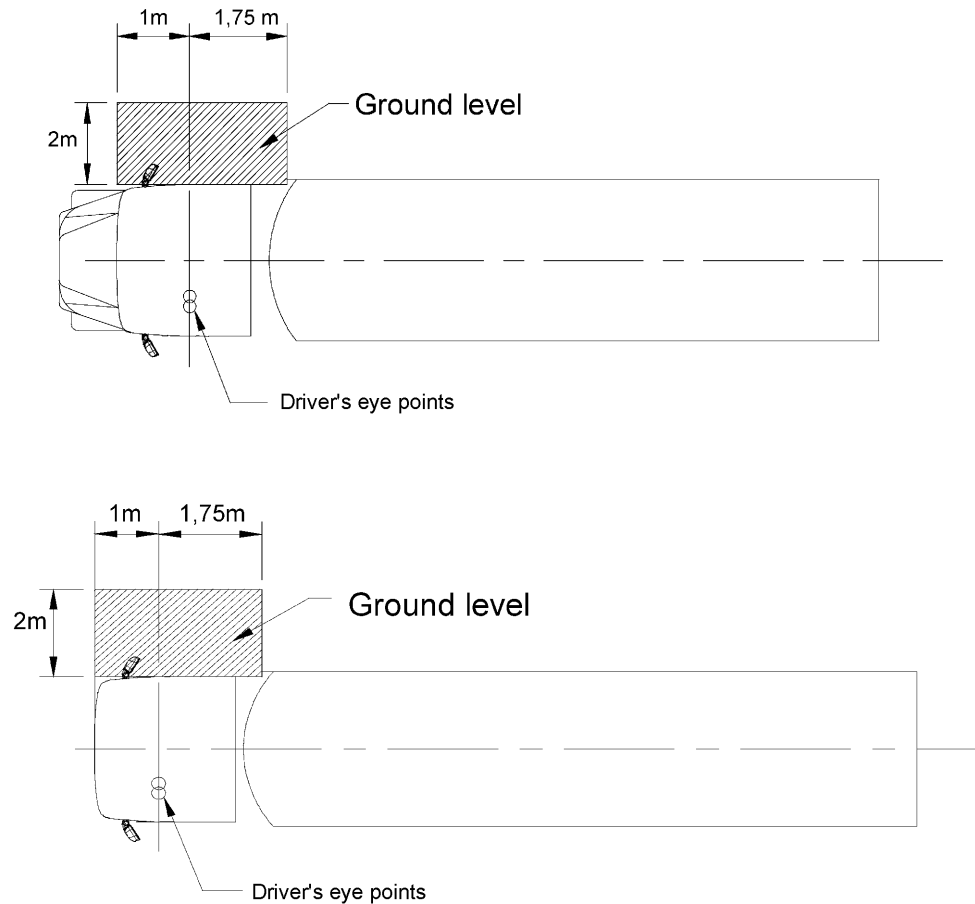
5.5. 'Close-proximity' exterior mirror (Class V)

The field of vision must be such that the driver can see a flat horizontal portion of the road along the side of the vehicle, bounded by the following vertical planes (see Figures 10a and 10b):

- 5.5.1. the plane parallel to the median longitudinal vertical plane of the vehicle which passes through the outermost point of the vehicle cab on the passenger's side;
- 5.5.2. in the transverse direction, the parallel plane passing at a distance of 2 m in front of the plane mentioned in point 5.5.1;
- 5.5.3. to the rear, the plane parallel to the vertical plane passing through the driver's ocular points and situated at a distance of 1,75 m behind that plane;
- 5.5.4. to the front, the plane parallel to the vertical plane passing through the driver's ocular points and situated at a distance of 1 m in front of that plane. If the vertical transverse plane passing through the leading edge of the vehicle bumper is less than 1 m in front of the vertical plane passing through the driver's ocular points, the field of vision shall be limited to that plane.

Tuesday, 1 July 2003

5.5.5. In case the field of vision described in Figures 10a and 10b can be perceived through the combination of the field of vision from a Class IV wide-angle mirror and that of a Class VI front mirror, the installation of a Class V close proximity mirror is not compulsory.



Figures 10a and 10b: Field of vision of Class V close-proximity mirror

5.6. Front mirror (Class VI)

5.6.1. The field of vision must be such that the driver can see at least a flat horizontal portion of the road, which is bounded by:

- one traverse vertical plane through the outermost point of the front of the vehicle-cab
- one traverse vertical plane 2 000 mm in front of the vehicle
- one longitudinal vertical plane parallel to the longitudinal vertical median plane going through the outermost side of the vehicle at the driver's side and
- one longitudinal vertical plane parallel to the longitudinal vertical median plane 2 000 mm outside the outermost side of the vehicle opposite to the driver's side.

Tuesday, 1 July 2003

The front of this field of vision opposite to the driver's side may be rounded off with a radius of 2 000 mm (see Figure 11).

The provisions for front mirrors are compulsory for forward controlled (as defined in Directive 70/156/EEC, Annex I (a), Footnote (2)) vehicles of categories $N_2 > 7,5t$ and N_3 .

If vehicles of these categories with other construction characteristics regarding the body-work cannot fulfil the requirements by using a front mirror, a camera/monitor device shall be used. If either of these options do not provide the adequate field of vision then any other device for indirect vision shall be used. This device must be able to detect an object of 50 cm height and with a diameter of 30 cm within the field defined in Figure 11.

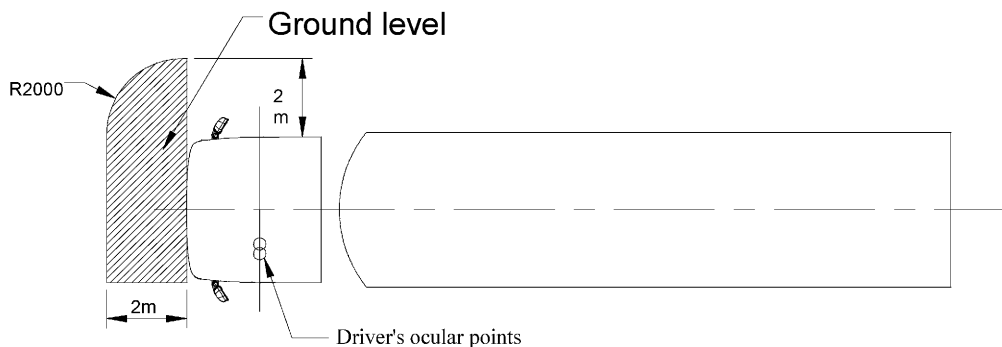


Figure 11: Field of vision of Class VI front mirror

- 5.6.2. However, if the driver can see, taking into account the obstructions by the A-pillars, a straight line 300 mm in front of the vehicle at a height of 1 200 mm above the road surface and which is situated between a longitudinal vertical plane parallel to the longitudinal vertical median plane going through the outermost side of the vehicle at the driver's side and a longitudinal vertical plane parallel to the longitudinal vertical median plane 900 mm outside the outermost side of the vehicle opposite to the driver's side, a front mirror of class VI is not mandatory.
- 5.7. In the case of mirrors consisting of several reflecting surfaces which are either of a different curvature or make an angle with each other, at least one of the reflecting surfaces must provide the field of vision and have the dimensions (see point 2.2.2 of Annex II) specified for the class to which they belong.
- 5.8. Obstructions
- 5.8.1. Interior rear-view mirror (Class I)

The field of vision may be reduced by the presence of headrest and devices such as, in particular, sun visors, rear windscreen wipers, heating elements and stop lamp of category S3 or by components of bodywork such as window columns of rear split doors, provided that all these devices together do not obscure more than 15 per cent of the prescribed field of vision when projected onto a vertical plane perpendicular to the longitudinal median plane of the vehicle. The degree of obstruction shall be measured with the headrests adjusted to their lowest possible position and with the sun visors folded back.

- 5.8.2. Exterior mirrors (Classes II, III, IV, V and VI)

In the fields of vision specified above, obstruction due to the bodywork and some of its components, such as other mirrors, door handles, outline marker lights, direction indicators and rear bumpers, as well as reflective-surface cleaning components, shall not be taken into account if they are responsible for a total obstruction of less than 10 % of the specified field of vision.

- 5.9. Test procedure

The field of vision shall be determined by placing powerful light sources at the ocular points and examining the light reflected on the vertical monitoring screen. Other equivalent methods may be used.

DEVICES FOR INDIRECT VISION OTHER THAN MIRRORS

6. A device for indirect vision shall give such performances that a critical object can be observed within the described field of vision, taking into account the critical perception.
7. Obstruction of the driver's direct view caused by the installation of a device for indirect vision shall be restricted to a minimum.
8. For the determination of the detection distance in case of camera-monitor devices for indirect vision, the procedure of the Appendix to this Annex shall be applied.
9. Installation requirements for the monitor

The viewing direction of the monitor shall roughly be the same direction as the one for the main mirror.

10. Vehicles of category M_2 and M_3 and complete or completed vehicles of categories $N_2 > 7,5$ t and N_3 having a special bodywork for refuse collection may be equipped on the rear part of their bodywork with a device for indirect vision other than a mirror in order to ensure the following field of vision.
- 10.1. The field of vision (see figure 12) must be such that the driver can see at least a flat horizontal portion of the road, which is bounded by:
 - a vertical plane aligned on the furthest rear point of the complete vehicle and perpendicular to the longitudinal vertical median plane of the vehicle;
 - a vertical plane which is parallel to and positioned 2000 mm to the rear of the previous plane (with respect to the rear of the vehicle);
 - two longitudinal vertical planes defined at the outermost sides of the vehicle and which are parallel to the longitudinal vertical median plane of the vehicle.
- 10.2. If vehicles of these categories cannot fulfil the requirements of point 10.1 by using a camera/monitor device, other devices for indirect vision can be used. In this case the device must be able to detect an object of 50 cm height and with a diameter of 30 cm within the field defined in point 10.1.

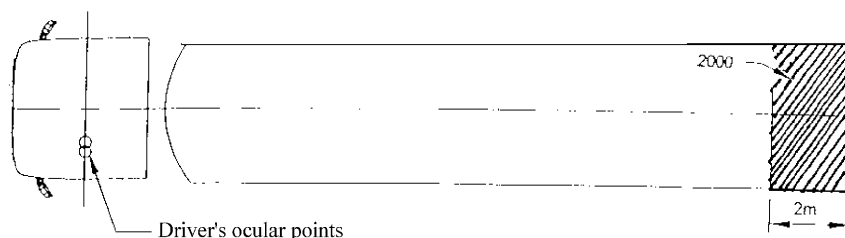


Figure 12 : Field of vision of rear devices for indirect vision

Tuesday, 1 July 2003

Appendix

Calculation of the detection distance

1. CAMERA MONITOR DEVICE FOR INDIRECT VISION

1.1. Resolution threshold of a camera

The resolution threshold of a camera is defined by the formula:

$$\omega_c = 60 \frac{\beta_c}{2N_c}$$

where:

ω_c - resolution threshold of the camera (arc-min)

β_c - angle of vision of the camera (°)

N_c - number of video lines of the camera (#)

The manufacturer shall supply the values for β_c and N_c

1.2. Determination of the critical viewing distance of the monitor

For a monitor having certain dimensions and properties, a distance to the monitor can be calculated within which the detection distance is dependent only on the performances of the camera. This critical viewing distance $r_{m,c}$ is defined by:

$$r_{m,c} = \frac{H_m}{N_m \cdot 2 \cdot \tan\left(\frac{\omega_{eye}}{2.60}\right)}$$

where:

$r_{m,c}$ — critical viewing distance (m)

H_m — height of the monitor image (m)

N_m — number of video lines of the monitor (-)

ω_{eye} — resolution threshold of the observer (minutes of arch)

The number 60 is for conversion from minutes of arches to degrees.

The manufacturer shall supply the values for H_m and N_m .

$\omega_{eye} = 1$

1.3. Determination of the detection distance

1.3.1. Maximum detection distance within the critical viewing distance where, due to the installation, the distance eye-monitor is less than the critical viewing distance, the maximum attainable detection distance shall be defined by:

$$r_d = \frac{D_0}{\tan\left(\frac{f \cdot \omega_c}{60}\right)} = \frac{D_0}{\tan\left(\frac{f \cdot \beta_c}{2 \cdot N_c}\right)}$$

where:

r_d — detection distance [m]

D_o — diameter of the object [m]

f — threshold increasing factor

ω_c , β_c and N_c according to item 2.1

$D_o = 0,8$ m

$f = 8$

- 1.3.2. Detection distance greater than the critical viewing distance. Where, due to the installation, the distance eye-monitor is more than the critical viewing distance, the maximum obtainable detection distance shall be defined:

$$r_d = \frac{D_o}{\operatorname{tg} \left[\frac{f \cdot \beta_c}{2N_c} \cdot \frac{N_c}{0.01524 \cdot D_m} \cdot r_m \cdot \tan \left(\frac{\omega_{eye}}{60} \right) \right]}$$

where:

r_m — viewing distance to the monitor (m)

D_m — diagonal of the monitor screen (inch)

N_m — number of video lines of the monitor (—)

β_c and N_c according to point 1.1

N_m and ω_{eye} according to point 1.2

2. SECONDARY FUNCTIONAL REQUIREMENTS

Based on the installation conditions, a determination shall be made to discover whether the entire device can still satisfy the functional requirements listed in Annex II, especially the glare correction, the maximum and the minimum luminance of the monitor. It shall also be determined the degree to which the glare correction will be addressed and the angle at which sunlight can strike a monitor and these shall be compared to the corresponding measuring results from the system measurements.

This can be based on either a CAD-generated model, a determination of the angles of light for the device when mounted on the relevant vehicle, or by carrying out relevant measurements on the relevant vehicle as described in Annex II, part B, point 3.2.

Tuesday, 1 July 2003

ANNEX IV

CORRELATION TABLE PROVIDED FOR IN ARTICLE 6

Directive 71/127/EEC as amended	This Directive
<p style="text-align: center;">— — Article 1 Article 2 Article 3 Article 4 Article 5 Article 6 Article 7 Article 8 — Article 9 Article 10 — — Article 11 Annex I Appendix 1 to Annex I</p> <p style="text-align: center;">Appendix 2 to Annex I Annex II —</p>	<p style="text-align: center;">Article 1 Article 2 — — — — — Article 3 — Article 4 — Article 5 Article 6 Article 7 Article 8 Annex I Appendix 1 to Annex I Appendix 2 to Annex I Appendix 3 to Annex I Appendix 4 to Annex I Appendix 5 to Annex I Appendix 6 to Annex I Annex II, A Annex II, B</p>
<p style="text-align: center;">Appendix 1 to Annex II — Appendix 2 to Annex II Appendix 3 to Annex II Annex III — Appendix to Annex III —</p>	<p style="text-align: center;">Appendix 1 to Annex II Appendix 2 to Annex II</p> <p style="text-align: center;">Annex I and Appendix 5 to Annex I Appendix 2 to Annex I Annex III Appendix to Annex III Appendix 4 to Annex I Annex IV</p>

(2004/C 74 E/03)

MINUTES**PROCEEDINGS OF THE SITTING**

IN THE CHAIR: Pat COX

*President***1. Opening of sitting**

The sitting opened at 9.00.

2. Action taken on Parliament's positions and resolutions

The Commission communication on the action taken on the positions and resolutions adopted by Parliament during the April 2003 part-session had been distributed.

3. The programme of the Italian presidency (statement followed by debate)

Statement by the President-in-Office of the Council — Programme of the Italian presidency

Silvio Berlusconi (President-in-Office of the Council) began his statement.

(Several Members held up placards which the President then asked them to remove. They did as he had asked.)

Silvio Berlusconi continued his statement.

Romano Prodi (President of the Commission) spoke.

The following spoke: Hans-Gert Poettering, on behalf of the PPE-DE Group, Enrique Barón Crespo, on behalf of the PSE Group, Graham R. Watson, on behalf of the ELDR Group, Francis Wurtz, on behalf of the GUE/NGL Group, Monica Frassoni, on behalf of the Verts/ALE Group, Cristiana Muscardini, on behalf of the UEN Group, Jens-Peter Bonde, on behalf of the EDD Group, Marco Pannella, Non-attached Member, Antonio Tajani, Pasqualina Napolitano, Francesco Rutelli, Fausto Bertinotti, Nelly Maes, Francesco Enrico Speroni, Gerardo Galeote Quecedo, Johannes (Hannes) Swoboda, Antonio Di Pietro, Armando Cossutta, Camilo Nogueira Román, William Abitbol, Koenraad Dillen, Jonathan Evans, Martin Schulz, Luciana Sbarbati, Francesco Fiori, Gary Titley, Olle Schmidt, Margie Sudre, Pervenche Berès, Guido Bodrato, Robert Goebbels, Marielle De Sarnez, Anna Terrón i Cusí, Guido Podestà, Dagmar Roth-Behrendt, Charles Tannock, Proinsias De Rossa, Giuseppe Brienza, Manuel António dos Santos, Georg Jarzembowski, Giorgio Napolitano, Vitaliano Gemelli, Giorgio Lisi, Jas Gawronski, Renato Brunetta, Mario Mauro and Silvio Berlusconi.

The following spoke: Enrique Barón Crespo, on behalf of the PSE Group, who asked Silvio Berlusconi, to retract his remarks about Martin Schulz, Martin Schulz, who made a personal statement following Silvio Berlusconi's remarks, and Silvio Berlusconi, who refused to withdraw his remarks.

Whilst regretting the tone of the end of the debate, the President decided, in view of the busy vote ahead, not to give the floor to those Members who had expressed a wish to speak in the light of the remarks made by the previous speakers.

Wednesday 2 July 2003

Romano Prodi spoke.

The President regretted the offence caused to Martin Schulz.

The debate closed.

VOTING TIME

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

IN THE CHAIR: Renzo IMBENI

Vice-President

4. Securities prospectuses ***II (vote)

Recommendation for second reading on the common position of the Council with a view to adopting a European Parliament and Council directive on the prospectus to be published when securities are offered to the public or admitted to trading and amending directive 2001/34/EG [5390/4/2003 — C5-0143/2003 — 2001/0117(COD)] — Committee on Economic and Monetary Affairs. Rapporteur: Christopher Huhne (A5-0218/2003)

(Qualified majority)

(Voting record: Annex 1, Item 1)

COMMON POSITION OF THE COUNCIL

Declared approved as amended (P5_TA(2003)0311)

Joachim Wuermelingspoke.

5. Procedures for supply, service and works contracts ***II (vote)

Recommendation for second reading on the common position of the Council with a view to adopting a directive of the European Parliament and of the Council on the coordination of procedures for the award of public supply contracts, public service contracts and public works contracts [11029/3/2002 — C5-0141/2003 — 2000/0115(COD)] — Committee on Legal Affairs and the Internal Market. Rapporteur: Stefano Zappalà (A5-0242/2003)

(Qualified majority)

(Voting record: Annex 1, Item 2)

COMMON POSITION OF THE COUNCIL

Declared approved as amended (P5_TA(2003)0312)

The following spoke:

- Bent Hindrup Andersen moved an oral amendment to amendments 88 and 89, which applied also to amendments 71 and 72 to the recommendation for second reading A5-0245/2003.

There were no objections to this oral amendment which was thus incorporated.

- Astrid Thors requested a vote on the original text of Article 52(2) (the President replied that this would require a request from a political group).

Wednesday 2 July 2003

6. Procurement procedures for water, energy and transport, and postal services ***II (vote)

Recommendation for second reading on the common position of the Council with a view to adopting a directive of the European Parliament and of the Council coordinating the procurement procedures of entities operating in the water, energy and transport sectors, and postal services [12634/3/2002 — C5-0142/2003 — 2000/0117(COD)] — Committee on Legal Affairs and the Internal Market. Rapporteur: Stefano Zappalà (A5-0245/2003)

(Qualified majority)

(Voting record: Annex 1, Item 3)

COMMON POSITION OF THE COUNCIL

Declared approved as amended (P5_TA(2003)0313)

7. Genetically modified food and feed ***II (vote)

Recommendation for second reading on the common position of the Council with a view to adopting a regulation of the European Parliament and of the Council on genetically modified food and feed [5204/3/2003 — C5-0133/2003 — 2001/0173(COD)] — Committee on the Environment, Public Health and Consumer Policy. Rapporteur: Karin Scheele (A5-0202/2003)

(Qualified majority)

(Voting record: Annex 1, Item 4)

COMMON POSITION OF THE COUNCIL

Declared approved as amended (P5_TA(2003)0314)

The following spoke:

- On behalf of the Verts/ALE Group, Jillian Evans withdrew the requests for roll-call votes on amendments 44 and 45.
- As the President had proposed that amendments 44 to 48 be put to the vote en bloc, Bill Miller asked that a separate vote be held on amendment 44.

8. Traceability and labelling of GMOs ***II (vote)

Recommendation for second reading on the common position of the Council with a view to adopting a regulation of the European Parliament and of the Council concerning traceability and labelling of genetically modified organisms and traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC [15798/1/2002 — C5-0131/2003 — 2001/0180(COD)] — Committee on the Environment, Public Health and Consumer Policy. Rapporteur: Antonios Trakatellis (A5-0204/2003)

(Qualified majority)

(Voting record: Annex 1, Item 5)

COMMON POSITION OF THE COUNCIL

Declared approved as amended (P5_TA(2003)0315)

Wednesday 2 July 2003

9. Indication of the ingredients present in foodstuffs ***II (vote)

Recommendation for second reading on the common position of the Council with a view to adopting a directive of the European Parliament and of the Council amending Directive 2000/13/EC as regards indication of the ingredients present in foodstuffs [15514/2/2002 — C5-0080/2003 — 2001/0199(COD)] — Committee on the Environment, Public Health and Consumer Policy. Rapporteur: Christa Kläß (A5-0191/2003)

(Qualified majority)

(Voting record: Annex 1, Item 6)

COMMON POSITION OF THE COUNCIL

Declared approved as amended (P5_TA(2003)0316)

10. Substances having a hormonal or thyrostatic action and beta-agonists ***II (vote)

Recommendation for second reading on the common position of the Council with a view to adopting a directive of the European Parliament and of the Council amending Council Directive 96/22/EC concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of beta-agonists [14502/1/2002 — C5-0079/2003 — 2000/0132(COD)] — Committee on the Environment, Public Health and Consumer Policy. Rapporteur: Karl Erik Olsson (A5-0201/2003)

(Qualified majority)

(Voting record: Annex 1, Item 7)

COMMON POSITION OF THE COUNCIL

Declared approved as amended (P5_TA(2003)0317)

11. Packaging and packaging waste ***II (vote)

Recommendation for second reading on the common position of the Council with a view to adopting a directive of the European Parliament and of the Council amending Directive 94/62/EC on packaging and packaging waste [14843/1/2002 — C5-0082/2003 — 2001/0291(COD)] — Committee on the Environment, Public Health and Consumer Policy. Rapporteur: Dorette Corbey (A5-0200/2003)

(Qualified majority)

(Voting record: Annex 1, Item 8)

COMMON POSITION OF THE COUNCIL

Declared approved as amended (P5_TA(2003)0318)

The following spoke:

Bernd Posselt on the organisation of voting time.

12. Greenhouse gas emission allowance trading ***II (vote)

Recommendation for second reading on the common position of the Council with a view to adopting a directive of the European Parliament and of the Council establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC [15792/1/2002 — C5-0135/2003 — 2001/0245(COD)] — Committee on the Environment, Public Health and Consumer Policy. Rapporteur: Jorge Moreira Da Silva (A5-0207/2003)

(Qualified majority)

(Voting record: Annex 1, Item 9)

COMMON POSITION OF THE COUNCIL

Declared approved as amended (P5_TA(2003)0319)

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* * *

Owing to time constraints, the remaining votes for that day were postponed to the following day's voting time.

13. Explanations of vote

Written explanations of vote:

Explanations of vote submitted in writing under Rule 137(3) appear in the verbatim report of proceedings for this sitting.

Oral explanations of vote:

Recommendation for second reading Stefano Zappalà — A5-0245/2003: Eija-Riitta Anneli Korhola

Recommendation for second reading Karin Scheele — A5-0202/2003: Hiltrud Breyer

Recommendation for second reading Jorge Moreira Da Silva — A5-0207/2003: Hiltrud Breyer

14. Corrections to votes

Voting corrections were submitted by the following Members:

Recommendation for second reading Christopher Huhne — A5-0218/2003

— block 1
for: Ria G.H.C. Oomen-Ruijten, Piia-Noora Kauppi
abstention: Efstratios Korakas

Recommendation for second reading Stefano Zappalà — A5-0242/2003

— amendment 75
for: Marie-Françoise Garaud

— amendments 11 and 12 (first part)
for: Nelly Maes, Claude Turmes
against: Armonia Bordes, Marie-Hélène Gillig

Wednesday 2 July 2003

- amendments 11 and 12 (second part)
against: Marie Anne Isler Béguin, Claude Turmes, Glyn Ford
- amendment 14
for: Dana Rosemary Scallon
against: José Ignacio Salafranca Sánchez-Neyra
- amendment 23 (first part)
for: Glyn Ford
against: Roy Perry
- amendment 24
for: Evelyne Gebhardt
against: Richard Corbett
- amendment 38
against: Pervenche Berès
- amendment 60
against: Francesco Fiori, Struan Stevenson
- amendment 79
against: Françoise Grossetête
- amendment 88
for: Marie-Thérèse Hermange, Avril Doyle
- amendment 81 (first part) (second part) (third part)
against: Chantal Cauquil
- amendment 104
for: Claude Turmes
- amendment 92
for: Lone Dybkjær
- amendment 93
for: Lone Dybkjær
- amendment 70
for: Marie-Thérèse Hermange
- amendment 63
for: Elspeth Attwooll
against: Armonia Bordes
- amendment 5
abstention: Chantal Cauquil

Recommendation for second reading Stefano Zappalà — A5-0245/2003

- amendment 57
for: Marie-Françoise Garaud
against: Marianne L.P. Thyssen, Eija-Riitta Anneli Korhola
- amendment 15
for: Claude Turmes, Marie-Françoise Garaud

Wednesday 2 July 2003

- amendment 16 (first part)
for: Claude Turmes, Avril Doyle
- amendment 16 (second part)
against: Claude Turmes
- amendment 48
against: Othmar Karas
- amendment 71
for: Eryl Margaret McNally, Marie Anne Isler Béguin
- amendment 72
against: Rodi Kratsa-Tsagaropoulou
- amendment 61
for: Marie-Thérèse Hermange
- amendment 32
for: Chantal Cauquil
- amendment 74
for: Claude Turmes
- amendment 50
against: Othmar Karas
- amendment 65
for: Othmar Karas
- amendment 62
against: Othmar Karas
- amendment 47
against: Othmar Karas
- amendment 63
against: Othmar Karas
- amendment 66
for: Mary Honeyball
against: Efstratios Korakas

Recommendation for second reading Dorette Corbey — A5-0200/2003

- amendment 18
against: Othmar Karas
abstentions: Linda McAvan, Michael Cashman, Robert J.E. Evans
- amendment 26 (first part)
against: Astrid Thors
- amendment 26 (second part) and (third part)
for: Astrid Thors

END OF VOTING TIME

(The sitting was suspended at 14.20 and resumed at 15.00.)

Wednesday 2 July 2003

IN THE CHAIR: Guido PODESTÀ

Vice-President

15. Approval of Minutes of previous sitting

Guido Bodrato had informed the Presidency that he had been present but that his name was not on the attendance register.

The Minutes of the previous sitting were approved.

16. Chechnya (statements followed by debate)

Council and Commission statements: Chechnya.

Franco Frattini (President-in-Office of the Council) and Loyola de Palacio (Vice-President of the Commission) made the statements.

The following spoke: Arie M. Oostlander, on behalf of the PPE-DE Group, Reino Paasilinna, on behalf of the PSE Group, Paavo Väyrynen, on behalf of the ELDR Group, Helmuth Markov, on behalf of the GUE/NGL Group, Bart Staes, on behalf of the Verts/ALE Group, Olivier Dupuis, Non-attached Member, Bernd Posselt, Giovanni Claudio Fava and Astrid Thors.

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

- Arie M. Oostlander and Ilkka Suominen, on behalf of the PPE-DE Group, on Chechnya (B5-0326/2003),
- Paavo Väyrynen, on behalf of the ELDR Group, on Chechnya (B5-0328/2003),
- Charles Pasqua, on behalf of the UEN Group, on the situation in Chechnya (B5-0329/2003),
- Reino Paasilinna and Giovanni Claudio Fava, on behalf of the PSE Group, on Chechnya (B5-0339/2003),
- Francis Wurtz, on behalf of the GUE/NGL Group, on Chechnya (B5-0341/2003),
- Bart Staes, Elisabeth Schroedter, Daniel Marc Cohn-Bendit, Nelly Maes and Marie Anne Isler Béguin, on behalf of the Verts/ALE Group, on Chechnya (B5-0342/2003).

The debate closed.

Vote: *Minutes of 3.7.2003, Item 21.*

(The sitting was suspended at 15.45, pending the arrival of the Commissioner. It resumed at 15.55.)

17. Preparation for the World Trade Organization Ministerial Meeting (Cancun, 10-14 September 2003) (statement followed by debate)

Commission statement: Preparation for the World Trade Organization Ministerial Meeting (Cancun, 10-14 September 2003)

Pascal Lamy (Member of the Commission) made the statement.

Wednesday 2 July 2003

IN THE CHAIR: Renzo IMBENI

Vice-President

The following spoke: W.G. van Velzen, on behalf of the PPE-DE Group, Margrietus J. van den Berg, on behalf of the PSE Group, Nicholas Clegg, on behalf of the ELDR Group, Joaquim Miranda, on behalf of the GUE/NGL Group, Didier Rod, on behalf of the Verts/ALE Group, Seán Ó Neachtain, on behalf of the UEN Group, Jean-Louis Bernié, on behalf of the EDD Group, Benedetto Della Vedova, Non-attached Member, Ilkka Suominen, Eryl Margaret McNally, Philippe A.R. Herzog, Danielle Auroi, Ulla Margrethe Sandbæk, Dominique F.C. Souchet, Konrad K. Schwaiger, Erika Mann, Yasmine Boudjenah, Bastiaan Belder, Concepció Ferrer, Georges Garot, Giles Bryan Chichester, Harlem Désir, Paul Rübig, Arlindo Cunha, Albert Jan Maat and Pascal Lamy.

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

- G. van Velzen and Konrad K. Schwaiger, on behalf of the PPE-DE Group, on preparation for the World Trade Organisation Ministerial (Cancun, 10/14 September 2003) (B5-0322/2003),
- Seán Ó Neachtain, Sergio Berlato, Liam Hyland and Antonio Mussa, on behalf of the UEN Group, on preparations for the 5th World Trade Organisation Ministerial Conference (Cancun, Mexico, 10-14 September 2003) (B5-0323/2003),
- Monica Frassoni, Caroline Lucas, Paul A.A.J.G. Lannoye, Jillian Evans, Jan Dhaene, Danielle Auroi and Didier Rod, on behalf of the Verts/ALE Group, on preparations for the 5th World Trade Organisation Ministerial Conference (Cancun, Mexico, 10-14 September 2003) (B5-0324/2003),
- Nicholas Clegg, Elly Plooij-van Gorsel, Colette Flesch and Willy C.E.H. De Clercq, on behalf of the ELDR Group, on preparations for the 5th World Trade Organisation Ministerial Conference (Cancun, Mexico, 10-14 September 2003) (B5-0330/2003),
- Francis Wurtz, on behalf of the GUE/NGL Group, on preparation for the 5th WTO Ministerial Conference in Cancun (B5-0332/2003),
- Margrietus J. van den Berg, Eryl Margaret McNally and Erika Mann, on behalf of the PSE Group, on preparation for the World Trade Organisation Ministerial (Cancun, 10/14 September 2003) (B5-0334/2003).

The debate closed.

Vote: *Minutes of 3.7.2003, Item 22.*

18. International Criminal Court (statements followed by debate)

Council and Commission statements: International Criminal Court

Franco Frattini (President-in-Office of the Council) and Pascal Lamy (Member of the Commission) made statements.

The following spoke: Arie M. Oostlander, on behalf of the PPE-DE Group, Véronique De Keyser, on behalf of the PSE Group, Sarah Ludford, on behalf of the ELDR Group, Matti Wuori, on behalf of the Verts/ALE Group, Brian Crowley, on behalf of the UEN Group, Maj Britt Theorin and Pascal Lamy.

The debate closed.

(The sitting was suspended at 17.55 pending Question Time and resumed at 18.00.)

Wednesday 2 July 2003

IN THE CHAIR: Alonso José PUERTA

Vice-President

19. Supplementary and Amending Budget No 3 for the financial year 2003 (deadline for tabling amendments)

The deadline for tabling draft amendments and proposed modifications to Supplementary and Amending Budget No 3 for the financial year 2003 was fixed at Thursday, 3 July 2003 at 12.00.

20. Request for defence of parliamentary immunity

Marco Cappato had forwarded to the Presidency on 11 June 2003 a letter requesting Parliament to intervene with the French authorities in defence of his Parliament immunity in a matter pending before the French courts.

Pursuant to Rule 6(3), the request had been referred to the committee responsible, the JURI Committee.

21. Question Time (Council)

Carlos Carnero González spoke on the murder of a young Spanish aid worker, Isabel Sánchez Torralba, in Equatorial Guinea by soldiers of the regular army. He requested Council to raise a strong protest with that country's authorities. (The President supported his remarks.)

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* *

Parliament considered a number of questions to the Council (B5-0098/2003).

Question 1 by Alexandros Alavanos: Prohibition on European nationals travelling to Europe from Palestine.

Franco Frattini (President-in-Office of the Council) answered the question.

Alexandros Alavanos spoke.

Question 2 by Josu Ortuondo Larrea: Suicide attacks against European targets in Casablanca.

Question 3 by Camilo Nogueira Román: EU Member States and the terrorist attack in Morocco which claimed 41 lives.

Franco Frattini answered the questions and a supplementary by Josu Ortuondo Larrea. Josu Ortuondo Larrea, deputising for Camilo Nogueira Román, put a supplementary question.

Question 4 by Sarah Ludford: Establishment of profiles of suspected perpetrators of terrorist acts.

Franco Frattini answered the question and a supplementary by Sarah Ludford.

Question 5 by Patricia McKenna: Illegal occupation of Iraq.

Franco Frattini answered the question and a supplementary by Patricia McKenna.

Josu Ortuondo Larrea spoke. Konstantinos Alyssandrakis put a question which Franco Frattini answered.

Wednesday 2 July 2003

Question 6 by John Joseph McCartin: Human rights in Russia.

Franco Frattini answered the question.

John Joseph McCartin spoke.

Question 7 by Malcolm Harbour: Hallmarking of precious metals.

Franco Frattini answered the question and a supplementary by Malcolm Harbour.

Question 8 by Lennart Sacrédeus: Report on freedom of faith and religion in the world.

Franco Frattini answered the question and a supplementary by Lennart Sacrédeus.

Question 9 by Bernd Posselt: Ban on cloning.

Franco Frattini answered the question and supplementaries by Bernd Posselt and Peter Liese.

Lennart Sacrédeus spoke.

Question 10 by Linda McAvan: Human rights workers in Indonesia.

Franco Frattini answered the question and a supplementary by Linda McAvan.

Question 11 by María Izquierdo Rojo: Victims of the war in Iraq.

Franco Frattini answered the question.

María Izquierdo Rojo spoke on the way in which Franco Frattini had answered her question.

Paul Rübzig put a supplementary which Franco Frattini said he would answer in writing. Efstratios Korakas put a supplementary which Franco Frattini answered.

Question 12 by Seán Ó Neachtain: Objective 1 regions and the Structural and Cohesion Funds.

Franco Frattini answered the question and a supplementary by Seán Ó Neachtain.

Paul Rübzig put a supplementary which Franco Frattini said he would answer in writing.

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

Council Question Time closed.

(The sitting was suspended at 19.05 and resumed at 21.00.)

IN THE CHAIR: Giorgos DIMITRAKOPOULOS

Vice-President

22. Single European sky; framework regulation *II — Single European Sky: Air Navigation Services/Airspace/Interoperability of the European Air traffic management network ***II (debate)**

- Recommendation for second reading on the common position of the Council with a view to adopting Regulation of the European Parliament and of the Council laying down the framework for the creation of the single European sky [15851/3/2002 — C5-0138/2003 — 2001/0060(COD)] — Committee on Regional Policy, Transport and Tourism. Rapporteur: Giovanni Claudio Fava (A5-0219/2003)

Wednesday 2 July 2003

- Recommendation for second reading on the common position of the Council with a view to adopting a regulation of the European Parliament and of the Council on:
1. the provision of Air Navigation Services in the Single European Sky ('the service provision Regulation')
[15853/2/2002 — C5-0137/2003 — 2001/0235(COD)]
 2. the organisation and use of the airspace in the Single European Sky ('the airspace Regulation')
[15852/3/2002 — C5-0139/2003 — 2001/0236(COD)]
 3. the interoperability of the European Air traffic management network ('the interoperability Regulation')
[15854/3/2002 — C5-0140/2003 — 2001/0237(COD)] — Committee on Regional Policy, Transport and Tourism. Rapporteur: Maria Johanna (Marieke) Sanders-ten Holte (A5-0225/2003)

Giovanni Claudio Fava introduced the recommendation for second reading.

Maria Johanna (Marieke) Sanders-ten Holte introduced the recommendation for second reading.

Loyola de Palacio (Vice-President of the Commission) spoke.

The following spoke: Ingo Schmitt, on behalf of the PPE-DE Group, Ulrich Stockmann, on behalf of the PSE Group, Kyösti Tapio Virrankoski, on behalf of the ELDR Group, Sylviane H. Ainaridi, on behalf of the GUE/NGL Group, Konstantinos Hatzidakis, Gilles Savary, Joaquim Miranda, Georg Jarzembowski, Mark Francis Watts, Chantal Cauquil, Jacqueline Foster, Sérgio Marques and Loyola de Palacio.

The debate closed.

Vote: *Minutes of 3.7.2003, Items 12 and 13.*

23. Transit system for heavy goods vehicles through Austria in 2004 *II** (debate)

Recommendation for second reading on the common position of the Council with a view to adopting a regulation of the European Parliament and of the Council establishing a transitional transit system applicable to heavy goods vehicles travelling through Austria for 2004 [6235/1/2003 — C5-0226/2003 — 2001/0310(COD)] — Committee on Regional Policy, Transport and Tourism. Rapporteur: Luciano Caveri (A5-0213/2003)

Rijk van Dam (deputising for the rapporteur) introduced the recommendation for second reading.

Loyola de Palacio (Vice-President of the Commission) spoke.

The following spoke: Konstantinos Hatzidakis, on behalf of the PPE-DE Group, Giovanni Claudio Fava, on behalf of the PSE Group, Raina A. Mercedes Echerer, on behalf of the Verts/ALE Group, Daniela Raschhofer, Non-attached Member, Markus Ferber and Johannes (Hannes) Swoboda.

IN THE CHAIR: David W. MARTIN

Vice-President

The following spoke: Theodorus J.J. Bouwman, Giorgio Lisi, Hans-Peter Martin, Reinhard Rack, Georg Jarzembowski, Giacomo Santini, Marialiese Flemming, Loyola de Palacio and Johannes (Hannes) Swoboda.

The debate closed.

Vote: *Minutes of 3.7.2003, Item 14.*

Wednesday 2 July 2003

24. Compensation and assistance to air passengers ***II (debate)

Recommendation for second reading on the common position of the Council with a view to adopting a regulation of the European Parliament and of the Council establishing common rules on compensation and assistance to air passengers in the event of denied boarding and of cancellation or long delay of flights and repealing Regulation (EEC) No 295/91 [15855/1/2002 — C5-0136/2003 — 2001/0305(COD)] — Committee on Regional Policy, Transport and Tourism. Rapporteur: Giorgio Lisi (A5-0221/2003)

Giorgio Lisi introduced the recommendation for second reading.

Loyola de Palacio (Vice-President of the Commission) spoke. The following spoke: Konstantinos Hatzidakis, on behalf of the PPE-DE Group, Ulrich Stockmann, PSE Group, Herman Vermeer, ELDR Group, Nelly Maes, on behalf of the Verts/ALE Group, Graham H. Booth, on behalf of the EDD Group, Markus Ferber, Mark Francis Watts and Frédérique Ries.

The debate closed.

Vote: *Minutes of 3.7.2003, Item 15.*

25. Marco Polo Programme ***II (debate)

Recommendation for second reading on the Council common position for adopting a European Parliament and Council regulation on the granting of Community financial assistance to improve the environmental performance of the freight transport system ('Marco Polo Programme') [5327/1/2003 — C5-0225/2003 — 2002/0038(COD)] — Committee on Regional Policy, Transport and Tourism. Rapporteur: Philip Charles Bradbourn (A5-0220/2003)

Den Dover (deputising for the rapporteur) introduced the recommendation for second reading.

Loyola de Palacio (Vice-President of the Commission) spoke. The following spoke: Ulrich Stockmann, on behalf of the PSE Group, Samuli Pohjamo, on behalf of the ELDR Group, and Josu Ortuondo Larrea, on behalf of the Verts/ALE Group.

The debate closed.

Vote: *Minutes of 3.7.2003, Item 9.*

26. Protection of vulnerable road users ***I (debate)

Report on the proposal for a European Parliament and Council directive relating to the protection of pedestrians and other vulnerable road users in the event of a collision with a motor vehicle and amending Directive 70/156/EEC [COM(2003) 67 — C5-0054/2003 — 2003/0033(COD)] — Committee on Regional Policy, Transport and Tourism. Rapporteur: Herman Vermeer (A5-0223/2003)

Loyola de Palacio (Vice-President of the Commission) spoke.

Herman Vermeer introduced the report.

The following spoke: Malcolm Harbour (draftsman of the opinion of the JURI Committee), Dieter-Lebrecht Koch, on behalf of the PPE-DE Group, Ewa Hedkvist Petersen, on behalf of the PSE Group, Erik Meijer, on behalf of the GUE/NGL Group, and Rijk van Dam, on behalf of the EDD Group.

The debate closed.

Vote: *Minutes of 3.7.2003, Item 17.*

Wednesday 2 July 2003

27. Agenda for next sitting

The President referred Members to the document 'Agenda' 332.957/OJJE.

28. Closure of sitting

The sitting closed at 00.00.

Julian Priestley
Secretary-General

Ingo Friedrich
Vice-President

ATTENDANCE REGISTER

The following signed:

Aaltonen, Abitbol, Ahern, Ainardi, Alavanos, Almeida Garrett, Alyssandrakis, Andersen, Andersson, Andreasen, André-Léonard, Andrews, Andria, Angelilli, Aparicio Sánchez, Arvidsson, Atkins, Attwooll, Auroi, Averoff, Avilés Perea, Ayuso González, Bakopoulos, Baltas, Banotti, Barón Crespo, Bartolozzi, Bastos, Bautista Ojeda, Bayona de Perogordo, Beazley, Bébéar, Belder, Berend, Berenguer Fuster, Berès, van den Berg, Berger, Berlato, Bernié, Berthu, Bertinotti, Beysen, Bigliardo, Blak, Blokland, Bodrato, Böge, Bösch, von Boetticher, Bonde, Boogerd-Quaak, Booth, Bordes, Borghezio, van den Bos, Boselli, Boudjenah, Boumediene-Thiery, Bouwman, Bowe, Bradbourn, Breyer, Brie, Brienza, Brok, Brunetta, Buitenweg, Bullmann, van den Burg, Bushill-Matthews, Busk, Butel, Callanan, Camisón Asensio, Campos, Camre, Cappato, Carlotti, Carnero González, Carraro, Carrilho, Casaca, Cashman, Caudron, Caullery, Cauquil, Celli, Cercas, Cerdeira Morterero, Cesaro, Ceyhun, Chichester, Philip Claeys, Clegg, Cocilovo, Coelho, Cohn-Bendit, Collins, Colom i Naval, Corbett, Corbey, Cornillet, Corrie, Cossutta, Paolo Costa, Raffaele Costa, Coûteaux, Cox, Crowley, Cunha, Cushnahan, van Dam, Daul, De Clercq, Dehousse, De Keyser, Dell'Alba, Della Vedova, Dell'Utri, De Mita, Deprez, De Rossa, De Sarnez, Descamps, Désir, Deva, De Veyrac, Dhaene, Díez González, Di Lello Finuoli, Dillen, Dimitrakopoulos, Di Pietro, Doorn, Dover, Doyle, Duff, Duhamel, Duin, Dupuis, Dybkjær, Ebner, Echerer, Elles, Eriksson, Esclopé, Ettl, Jillian Evans, Jonathan Evans, Robert J.E. Evans, Färm, Farage, Fatuzzo, Fava, Ferber, Fernández Martín, Ferreira, Ferrer, Ferri, Fiebiger, Figueiredo, Fiori, Fitzsimons, Flautre, Flemming, Fleisch, Florenz, Foliás, Ford, Formentini, Foster, Fourtou, Frahm, Fraise, Frassoni, Friedrich, Fruteau, Gahler, Gahrton, Galeote Quecedo, Garaud, García-Margallo y Marfil, Gargani, Garot, Garriga Polledo, Gasòliba i Böhm, de Gaulle, Gawronski, Gebhardt, Gemelli, Ghilardotti, Gill, Gillig, Gil-Robles Gil-Delgado, Glante, Glase, Gobbo, Goebbels, Goepel, Görlach, Gollnisch, Gomolka, González Álvarez, Goodwill, Gorostiaga Atxalandabaso, Graefe zu Baringdorf, Graça Moura, Gröner, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Guy-Quint, Hänsch, Hager, Hannan, Hansenne, Harbour, Hatzidakis, Haug, Hazan, Heaton-Harris, Hedkvist Petersen, Helmer, Hermange, Hernández Mollar, Herranz García, Herzog, Hieronymi, Hoff, Honeyball, Hortefeux, Howitt, Hudghton, Hughes, Huhne, van Hulten, Hume, Hyland, Iivari, Ilgenfritz, Imbeni, Inglewood, Isler Béguin, Izquierdo Collado, Izquierdo Rojo, Jackson, Jarzembowski, Jean-Pierre, Jeggel, Jensen, Jöns, Jonckheer, Jové Peres, Junker, Karamanou, Karas, Karlsson, Katiforis, Kaufmann, Kauppi, Keppelhoff-Wiechert, Keßler, Khanbhai, Kindermann, Glenys Kinnoek, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korakas, Korhola, Koukiadis, Koulourianos, Krarup, Kratsa-Tsagaropoulou, Krehl, Kreissl-Dörfler, Kronberger, Kuckelkorn, Kuhne, Lage, Legendijk, Laguiller, Lalumière, Lamassoure, Lambert, Lang, Lange, Langen, Langenhagen, Lannoy, de La Perrière, Laschet, Lavarra, Lechner, Lehne, Leinen, Liese, Linkohr, Lipietz, Lisi, Lombardo, Lucas, Ludford, Lulling, Lund, Lynne, Maat, Maaten, McAvan, McCarthy, McCartin, MacCormick, McKenna, McMillan-Scott, McNally, Maes, Majj-Weggen, Malliori, Manders, Manisco, Erika Mann, Thomas Mann, Mantovani, Marchiani, Marinho, Marini, Marinos, Markov, Marques, Maset Campos, Martelli, Martens, David W. Martin, Hans-Peter Martin, Hugues Martin, Martinez, Martínez Martínez, Mastella, Mastorakis, Mathieu, Matikainen-Kallström, Mauro, Hans-Peter Mayer, Xaver Mayer, Mayol i Raynal, Medina Ortega, Meijer, Méndez de Vigo, Mendiluce Pereiro, Menéndez del Valle, Mennea, Menniti, Menrad, Miguélez Ramos, Miller, Miranda, Miranda de Lage, Modrow, Mombaur, Monsonís Domingo, Montfort, Moraes, Moreira Da Silva, Morgantini, Morillon, Emilia Franziska Müller, Müller, Mulder, Murphy, Muscardini, Musotto, Mussa, Musumeci, Myller, Napolitano, Naranjo Escobar, Nassauer, Newton Dunn, Nicholson, Nicholson of Winterbourne, Niebler, Nisticò, Nobilia, Nogueira Román, Nordmann, Obiols i Germà, Ojeda Sanz, Olsson, Ó Neachtain, Onesta, Oomen-Ruijten, Oostlander, Oreja Arburúa, Ortuondo Larrea, Paasilinna, Pacheco Pereira, Paciotti, Pack, Pannella, Papayannakis, Parish, Pasqua, Pastorelli, Patakis, Patrie, Paulsen, Pérez Álvarez, Roy Perry, Pesälä, Pex, Piecyk, Piétrasanta, Pirker, Piscarreta, Pittella, Plooi-j-van Gorsel, Podestà, Poettering, Pohjamo, Poignant, Poli Bortone, Pomés Ruiz, Poo, Posselt, Prets, Procacci, Pronk, Provan, Puerta, Purvis, Queiró, Quisthoudt-Rowohl, Rack, Radwan, Randzio-Plath, Rapkay, Raschhofer, Raymond, Read, Redondo Jiménez, Ribeiro e Castro, Ridruejo, Ries, Riis-Jørgensen, Ripoll y Martínez de Bedoya, Rocard, Rod, Rodríguez Ramos, de Roo, Roth-Behrendt, Rothe, Rothley, Roue, Rovsing, Rübige, Rühle, Ruffolo, Rutelli, Sacconi, Sacrédeus, Saint-Josse, Sakellariou, Salafranca Sánchez-Neyra, Sandbæk, Sanders-ten Holte, Santer, Santini, dos Santos, Sartori, Sauquillo Pérez del Arco, Savary, Sbarbati, Scallan, Scapagnini, Scarbonchi, Schaffner, Scheele, Schierhuber, Schleicher, Gerhard Schmid, Herman Schmid, Olle Schmidt, Schmitt, Schnellhardt, Schörling, Ilka Schröder, Jürgen Schröder, Schroedter, Schulz, Schwaiger, Segni, Seppänen, Simpson, Sjöstedt, Skinner, Smet, Soares, Sommer, Sornosa Martínez, Souchet, Souladakis, Speroni, Staes, Stauner, Stenmarck, Stenzel, Sterckx, Stevenson, Stihler, Stirbois, Stockmann, Stockton, Sturdy, Sudre, Sumberg, Suominen, Wiebel, Swoboda, Sylla, Sørensen, Tajani, Tannock, Terrón i Cusí, Theato, Theorin, Thomas-Mauro, Thorning-Schmidt, Thors, Thyssen, Titford, Titley, Torres Marques, Trakatellis, Trentin, Tsatsos, Turchi, Turco, Turmes, Uca, Vachetta, Väyrynen, Vairinhos, Valdivielso de Cué, Valenciano Martínez-Orozco, Vallvé, Van Brempt, Van Hecke, Van Lancker, Van Orden, Varaut, Varela Suanzes-Carpegna, Vatanen, Vattimo, Veltroni, van Velzen, Vermeer, de Veyrinas, Vidal-Quadras Roca, Villiers, Vinci, Virrankoski, Vlasto, Voggenhuber, Volcic, Wachtmeister, Walter, Watson, Watts, Weiler, Wenzel-Perillo, Whitehead, Wieland, Wiersma, Wijkman, von Wogau, Wuermeling, Wuori, Wurtz, Wyn, Wynn, Xarchakos, Zabell, Zacharakis, Zimmerling, Zissener, Zorba, Zrihen.

Wednesday 2 July 2003

Observers

Bagó Zoltán, Balla Mihály, Balsai István, Bastys Mindaugas, Bekasovs Martijans, Beneš Miroslav, Biela Adam, Bielan Adam, Bobelis Kazys Jaunutis, Bonnici Josef, Brejc Mihael, Christodoulidis Doros, Chronowski Andrzej, Chrzanowski Zbigniew, Ciemniak Grazyna, Cilevics Boriss, Cybulski Zygmunt, Czinege Imre, Demetriou Panayiotis, Didžiokas Gintaras, Drzezła Bernard, Ékes József, Fajmon Hynek, Fazakas Szabolcs, Fenech Antonio, Filipek Krzysztof, Gadzinowski Piotr, Galazewski Andrzej, Gawlowski Andrzej, Germic Ljubo, Giertych Maciej, Grabowska Genowefa, Gruber Attila, Grzebisz-Nowicka Zofia, Grzyb Andrzej, Gurmai Zita, Gyürk András, Hegyi Gyula, Holán Vilém, Ilves Toomas Hendrik, Iwinski Tadeusz, Kaminski Michal Tomasz, Kaposts Andis, Kelemen András, Kiršteins Aleksandrs, Klavinš Paulis, Klopotek Eugeniusz, Klukowski Waclaw, Kolár Robert, Konečná Katerina, Kósá Kovács Magda, Kowalska Bronislawa, Kreitzberg Peeter, Krišciunas Kestutis, Kroupa Daniel, Kuzmickas Kestutis, Kvietkauskas Vytautas, Lachnit Petr, Landsbergis Vytautas, Laštuvka Vladimír, Lepper Andrzej, Lewandowski Janusz Antoni, Libicki Marcin, Liepina Liene, Lisak Janusz, Litwiniec Boguslaw, Lydeka Arminas, Macierewicz Antoni, Maldeikis Eugenijus, Mallotová Helena, Manninger Jenó, Mašťálka Jirí, Matsakis Marios, Mavrou Eleni, Oleksy Józef, Ory Csaba, Ouzký Miroslav, Palecková Alena, Pasternak Agnieszka, Peczak Andrzej, Pieniazek Jerzy, Piks Rihards, Plokšto Artur, Podgórski Bogdan, Podobnik Janez, Pospíšil Jirí, Protasiewicz Jacek, Pusz Sylwia, Reiljan Janno, Roucek Libor, Rutkowski Krzysztof, Savi Toomas, Sefzig Ludek, Smorawinski Jerzy, Surján László, Svoboda Pavel, Szabó Zoltán, Szájer József, Szczygło Aleksander, Szent-Iványi István, Tabajdi Csaba, Tomaka Jan, Tomczak Witold, Vaculík Josef, Valys Antanas, Vareikis Egidijus, Vastagh Pál, Vella George, Vesaitė Birute, Wenderlich Jerzy, Widuch Marek, Wikinski Marek, Winiarczyk-Kossakowska Malgorzata, Wisniowska Genowefa, Wittbrodt Edmund, Wojciechowski Janusz, Zahradil Jan, Zenkiewicz Marian, Žiak Rudolf.

ANNEX I

RESULTS OF VOTES

Abbreviations and symbols

+	adopted
-	rejected
↓	lapsed
W	withdrawn
RCV (... , ... , ...)	roll-call vote (for, against, abstentions)
EV (... , ... , ...)	electronic vote (for, against, abstentions)
split	split vote
sep	separate vote
am	amendment
CA	compromise amendment
CP	corresponding part
D	deleting amendment
=	identical amendments
§	paragraph
art	article
rec	recital
MOT	motion for a resolution
JT MOT	joint motion for a resolution
SEC	secret ballot

1. Securities prospectuses ***II

Recommendation for second reading: HUHNE (A5-0218/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
text as a whole	Block 1	ELDR + PPE-DE + PSE + EDD	RCV	+	487, 12, 14
	Block 2	committee		↓	

Wednesday 2 July 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
art 1 and 2 (block vote)	69-71	TURCHI et al		-	

Block 1 = 21 amendments by 4 political groups (amendments 48 to 68)

Block 2 = 47 amendments by the ECON Committee (amendments 1 to 47)

Requests for roll-call votes

ELDR: Block 1

2. Procedures for supply, service and works contracts ***II

Recommendation for second reading: ZAPPALÀ (A5-0242/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
proposal for rejection	75	PPE-DE	RCV	-	208, 337, 12
amendments by committee responsible — separate votes	1	committee	RCV	+	399, 148, 4
	2	committee	sep	-	
	3	committee	sep	-	
	4	committee	sep	-	
	6	committee	sep	-	
	7	committee	sep	+	
	8	committee	sep	+	
	9	committee	sep	+	
	11 + 12	committee	split/RCV		
			1	-	289, 231, 12
			2	-	26, 510, 10
	13	committee	sep	-	
	14	committee	RCV	-	185, 347, 25
	15	committee	RCV	+	439, 100, 19
	16	committee	sep/EV	+	346, 193, 6
17	committee	RCV	-	188, 348, 15	
19	committee	sep	-		
20	committee	sep	+		
22	committee	RCV	-	285, 271, 1	

Wednesday 2 July 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
	23	<i>committee</i>	split/RCV		
			1	+	377, 162, 5
			2	-	217, 331, 5
	24	<i>committee</i>	RCV	-	296, 259, 4
	25	<i>committee</i>	sep/EV	+	364, 178, 3
	26	<i>committee</i>	sep	+	
	27	<i>committee</i>	RCV	+	316, 228, 13
	28	<i>committee</i>	sep/EV	-	265, 275, 2
	31	<i>committee</i>	sep	+	
	32	<i>committee</i>	sep	-	
	33	<i>committee</i>	sep	+	
	35	<i>committee</i>	sep/EV	-	271, 265, 8
	39	<i>committee</i>	sep	-	
	40	<i>committee</i>	sep	-	
art 27, § 2	41	<i>committee</i>	sep	-	
	§	<i>original text</i>	sep/EV	+	320, 207, 10
	42	<i>committee</i>	sep	-	
	43	<i>committee</i>	sep	-	
	44	<i>committee</i>	sep	+	
	45	<i>committee</i>	sep	-	
	46	<i>committee</i>	sep	-	
	47	<i>committee</i>	sep	+	
	48	<i>committee</i>	sep	-	
	49	<i>committee</i>	sep	-	
	50	<i>committee</i>	sep/EV	-	266, 278, 5
	51	<i>committee</i>	sep	+	
	52	<i>committee</i>	sep	+	

Wednesday 2 July 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
	53	<i>committee</i>	sep	-	
	54	<i>committee</i>	sep	+	
	55	<i>committee</i>	sep	-	
	56	<i>committee</i>	sep	-	
	57	<i>committee</i>	sep	-	
	58	<i>committee</i>	sep	-	
	59	<i>committee</i>	sep	-	
	60	<i>committee</i>	RCV	-	294, 255, 1
	62	<i>committee</i>	RCV	-	82, 457, 6
	67	<i>committee</i>	sep	-	
	68	<i>committee</i>	sep	+	
	69	<i>committee</i>	sep	+	
art 1	18 = 87 =	<i>committee</i> ELDR	EV	+	336, 187, 11
after art 6	21	<i>committee</i>		-	
	79	PPE-DE	RCV	-	213, 343, 6
after art 22	29	<i>committee</i>		-	
	80	PPE-DE		W	
art 23, § 3	88	PSE + ELDR + Verts + EDD	RCV	-	308, 224, 16
	30	<i>committee</i>		-	
art 23, § 5	89	PSE + ELDR + Verts + EDD	RCV	-	307, 238, 9
art 23, § 8	90	PSE + ELDR + Verts + EDD	EV	-	301, 230, 9
	34	<i>committee</i>		-	
art 24	98	PSE		W	
	99	PSE		W	
	100	PSE		W	

Wednesday 2 July 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
art 25	71	ZIMERAY et al		-	
	81	PPE-DE	split/ RCV		
			1	-	199, 347, 12
			2	-	242, 303, 14
			3	-	167, 376, 16
	36 + 37	committee	split		
			1	-	
			2	-	
			3	-	
			4	-	
art 26	38	committee	RCV	-	214, 343, 2
	72	ZIMERAY et al		W	
	101	PSE + GUE + Verts	RCV	-	261, 294, 2
art 29	91	ELDR		+	
after art 33	102	PSE		-	
	64	committee	RCV	-	81, 456, 18
	65	committee	RCV	-	81, 454, 21
	66	committee	RCV	-	264, 275, 21
after art 36	103	PSE + ELDR + Verts + EDD		-	
art 45	104	PSE + ELDR + Verts + EDD	RCV	-	252, 294, 13
art 48, § 2, point (b)	61 cp	committee	RCV	-	224, 318, 6
	92	PSE + ELDR + GUE + Verts + EDD	RCV	-	298, 249, 8
art 48, § 2, point (c)	61 cp = 93 =	committee PSE + ELDR + GUE + Verts + EDD	RCV	-	299, 254, 7
art 48, § 2, point (f)	94	PSE + ELDR + Verts + EDD	EV	-	304, 243, 9

Wednesday 2 July 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks	
art 53, § 1	74	ZIMERAY et al	split/ RCV			
			1	-	248, 302, 6	
			2	-	128, 430, 7	
	111 cp	PSE		-		
	70	UEN	RCV	+	339, 218, 3	
	95	ELDR + GUE + Verts + EDD	split/RCV			
			1	↓		
			2	+	316, 237, 4 <i>as addition</i>	
	108	PSE		↓		
63 cp = 82 =	committee PPE-DE		↓			
art 53, § 2	111 cp	PSE		-		
	96	ELDR + Verts + EDD		-	294, 234, 4	
	109	PSE		-		
	63 cp	committee	RCV	-	295, 247, 2	
art 54, § 1	83	PPE-DE	RCV	-	291, 249, 19	
	86	ZIMERAY et al		W		
art 55, § 2, point 2	73 = 105 =	ZIMERAY et al PSE + Verts		-		
annex 3	84	PPE-DE		+		
after annex 11	106	PSE + Verts	RCV	-	310, 239, 1	
recital 5	97	PSE + GUE + Verts		-		
recital 9	76	PPE-DE	RCV	-	220, 324, 9	
after recital 9	77	PPE-DE		+		

Wednesday 2 July 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
recital 13	85	ZIMERAY et al		W	
	78	PPE-DE	RCV	-	277, 254, 20
	5	committee	RCV	-	124, 406, 16
recital 41	110	PSE	EV	-	304, 240, 6
recital 44	107	PSE		-	

Amendments 11 and 12, 36 and 37 respectively were merged

Requests for roll-call votes

PPE-DE: ams 1, 5, 11, 12, 14, 15, 17, 22, 23, 24, 27, 38, 60, 61, 62, 63, 64, 65, 66, 70, 74, 75, 76, 78, 79, 81, 82, 83, 88, 89, 92, 93, 95, 101, 104, 106

ELDR: ams 75, 22, 24, 95

Verts/ALE: ams 70, 82, 88, 95

Requests for split votes

PSE

am 11/12

1st part: up to '... preparing their tenders'

2nd part: remainder

am 23

1st part: up to '... specified in Article 7.'

2nd part: remainder

am 74

1st part: up to '... equal treatment policy.'

2nd part: remainder

Verts/ALE

am 81

1st part: 'In the specifications ... to third parties'

2nd part: 'This indication shall ... which carry out subcontracting.'

3rd part: 'Intellectual services ... contracted out.'

am 36+37

1st part: 'In the specifications ... and any designated subcontractors.'

2nd part: 'This indication shall ... carry out subcontracting.'

3rd part: 'Intellectual services ... contracted out.'

4th part: 'The contracting authority ... in Article 45.'

am 95

1st part: up to '... period of completion.'

2nd part: remainder

Wednesday 2 July 2003

Requests for separate vote

PPE-DE: ams 11+12, 13, 25, 28, 56, 57, 58

PSE: ams 1, 7, 8, 9, 15, 20, 25, 26, 33, 39, 44, 47, 51, 52, 54, 56, 57, 60, 68, 69 2, 3, 4, 6, 13, 14, 16, 17, 19, 27, 28, 31, 32, 35, 40, 41, 42, 43, 45, 46, 48, 49, 50, 53, 58, 55, 59, 62, 67, 22, 24, art 27 (§ 2), art 53

ELDR: ams 4, 6, 12, 13, 14, 17, 19, 20, 28, 32, 40, 41, 42, 48, 51, 52, 55-57

Verts/ALE: ams 1, 2, 3, 4, 12, 14, 15, 23, 30, 32, 34, 40-50, 54, 63

Other information

The PPE-DE Group had withdrawn its amendment 80.

The PSE Group had withdrawn its amendments 98, 99 and 100.

As amendment 10 had not been adopted in Committee, it was not put to the vote.

Oral amendment

Oral amendment to amendments 88 and 89: replace 'European eco-label(s)' by 'eco-label(s)'. This oral amendment also applies to amendments 71 and 72 to report A5-0245/2003.

3. Procurement procedures for water, energy and transport, and postal services ***II

Recommendation for second reading: ZAPPALÀ (A5-0245/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
proposal for rejection	57	PPE-DE	RCV	-	208, 334, 9
amendments by committee responsible — separate votes	1	<i>committee</i>	sep	+	
	2	<i>committee</i>	sep/EV	-	238, 290, 9
	3	<i>committee</i>	sep	-	
	4	<i>committee</i>	RCV	-	169, 368, 4
	5	<i>committee</i>	RCV	-	231, 309, 4
	7	<i>committee</i>	sep	+	
	8	<i>committee</i>	sep	-	
	9	<i>committee</i>	sep	-	
	10	<i>committee</i>	sep	-	
	11	<i>committee</i>	RCV	-	207, 331, 14
	12	<i>committee</i>	RCV	+	432, 98, 15
	13	<i>committee</i>	sep	+	

Wednesday 2 July 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
	14	<i>committee</i>	split		
			1	+	
			2	-	
	15	<i>committee</i>	RCV	+	395, 147, 5
	16	<i>committee</i>	split/RCV		
			1	+	459, 58, 9
			2	-	227, 306, 11
	17	<i>committee</i>	sep	-	
	18	<i>committee</i>	sep	+	
	19	<i>committee</i>	split/RCV		
			1	-	203, 341, 4
			2	↓	
	20	<i>committee</i>	RCV	-	248, 288, 5
	21	<i>committee</i>	RCV	-	204, 332, 7
	27	<i>committee</i>	sep/EV	-	304, 207, 3
	28	<i>committee</i>	sep	+	
	29	<i>committee</i>	sep	+	
	31	<i>committee</i>	sep	-	
	33	<i>committee</i>	sep	-	
	34	<i>committee</i>	sep	-	
	36	<i>committee</i>	RCV	-	274, 270, 3
37	<i>committee</i>	sep	-		
38	<i>committee</i>	sep	-		
39	<i>committee</i>	sep	+		
40	<i>committee</i>	sep	+		
41	<i>committee</i>	sep	+		

Wednesday 2 July 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
	42	<i>committee</i>	split		
			1	-	
			2	↓	
	43	<i>committee</i>	sep	-	
	44	<i>committee</i>	sep	-	
	45	<i>committee</i>	sep	-	
	46	<i>committee</i>	sep	-	
	48	<i>committee</i>	RCV	-	256, 275, 11
	49	<i>committee</i>	RCV	-	251, 291, 0
	53	<i>committee</i>	sep	+	
	54	<i>committee</i>	sep	+	
	55	<i>committee</i>	sep	+	
	56	<i>committee</i>	sep	+	
art 3	67	PSE		-	
	68	PSE		-	
after art 10	59	PPE-DE	RCV	-	213, 329, 2
art 23	22	<i>committee</i>	RCV	-	176, 356, 3
	69	PSE + Verts	RCV	-	257, 278, 4
art 30, § 3	70 cp	PSE		-	
art 30, § 4	23	<i>committee</i>	RCV	-	190, 335, 11
	70 cp	PSE		-	
art 30, § 5	24	<i>committee</i>	RCV	-	194, 344, 9
	70 cp	PSE		-	

Wednesday 2 July 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
art 30, § 6	25	committee	RCV	-	187, 344, 8
	70 cp	PSE		-	
after art 33	26	committee		-	
	60	PPE-DE		W	
art 34, § 3	71	PSE + Verts + ELDR + EDD	RCV	-	295, 221, 11
art 34, § 5	72	PSE + Verts + ELDR + EDD	RCV	-	313, 220, 10
art 36	73	PSE		-	
art 37	30	committee		-	
	61	PPE-DE	RCV	-	161, 374, 10
art 38	32	committee	RCV	-	176, 354, 8
	74	PSE + Verts	RCV	-	244, 288, 3
art 40	75	PSE + Verts		-	
	35	committee		+	
art 55, § 1	50	committee	RCV	+	321, 225, 3
	65	PSE	RCV	↓	
	62	PPE-DE	RCV	↓	
art 55, § 2	51	committee	EV	-	297, 219, 6
	47	committee	RCV	-	298, 224, 15
art 56	63	PPE-DE	RCV	-	236, 297, 10
	52	committee		-	
recital 22	64	ZIMERAY et al		W	
	58	PPE-DE	RCV	-	225, 291, 15
	6	committee	RCV	-	16, 502, 18
recital 44	66	PSE + Verts	RCV	-	245, 278, 2

Requests for roll-call votes

PPE-DE: ams 4, 5, 6, 11, 12, 15, 16, 19, 20, 21, 22, 23, 24, 25, 32, 36, 47, 48, 49, 50, 57, 58, 59, 61, 63, 66, 69, 71, 72, 74
 ELDR: ams 57, 21
 Verts/ALE: ams 50, 71

Wednesday 2 July 2003

Requests for split votes

PPE-DE

am 19

1st part: up to '... intellectual services'

2nd part: remainder

am 42

1st part: up to '... public works contracts'

2nd part: remainder

PSE

am 14

1st part: first and last subparagraphs

2nd part: remainder

am 16

1st part: up to '... in Article 16'

2nd part: remainder

Requests for separate vote

PPE-DE: ams 9, 33, 42, 43, 44, 45, 46, 53, 56

PSE: 1, 7, 12, 15, 18, 28, 29, 33, 36, 39, 40, 41, 43, 46, 48, 49 (as an addition), 53, 55, 54, 56, 2, 3, 4, 5, 8, 9, 10, 11, 13, 17, 19, 20, 27, 31, 34, 38, 42, 44, 45, 21

ELDR: 17, 18, 19, 21, 34, 36, 37, 39, 40, 44, 45, 49, 52, 4, 5, 6

Verts/ALE: ams 3, 4, 5, 12, 14, 16, 17, 19, 31, 34, 48

Other information

The PPE-DE Group had withdrawn its amendment 60.

4. Genetically modified food and feed ***II

Recommendation for second reading: SCHEELE (A5-0202/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
amendments by committee responsible — block vote	2-6 10 12-23 25-43	committee		-	
amendments by committee responsible — separate votes	1	committee	sep	+	
	7	committee	sep	+	
	8	committee	sep	+	
	9	committee	sep	+	
	40	committee	sep	-	

Wednesday 2 July 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
remainder of text	44	PSE + PPE + ELDR + Verts + UEN		+	
	45-48	PSE + PPE + ELDR + Verts + UEN		+	
	11+24	committee		↓	

Requests for separate vote

PSE: ams 1, 7-9

ELDR: ams 1, 7, 9, 40, 44

Verts/ALE: ams 1, 7-9

UEN: am 44

5. Traceability and labelling of GMOs

Recommendation for second reading: TRAKATELLIS (A5-0204/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks	
amendments by committee responsible — separate votes	1	committee		-		
	3	committee	sep	+		
	4	committee	sep	+		
	6	committee	sep	-		
	7	committee	sep	-		
	8	committee	split			
			1	+		
			2	-		
	9	committee	sep	-		
	11	committee	sep	-		
	12	committee	split			
			1	-		
			2	↓		
	13	committee	split			
			1	+		
2			-			

Wednesday 2 July 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
	15	committee	split		
			1	-	
			2	-	
	17	committee	split		
			1	-	
			2	+	
	18	committee	sep	+	
	19	committee	sep	-	
20	committee	sep	-		
21	committee	sep	-		
art 1	29	Verts/ALE		-	
	5	committee		-	
art 4	26	PPE-DE		-	
	10	committee		-	
art 5	27	PPE-DE		-	
	14	committee		-	
after art 26	16	committee		-	
	22	ELDR		-	
recital 10	24	PPE-DE		-	
	2	committee		-	
after recital 10	25	PPE-DE		-	
	23 = 28 =	ELDR Verts/ALE	RCV	-	285, 172, 16

Requests for roll-call votes

Verts/ALE: ams 28/23

Requests for split votes

PPE-DE

am 8

1st part: whole text apart from the words 'ten years'
2nd part: those words

Wednesday 2 July 2003

am 13

1st part: whole text apart from the words 'ten years'
2nd part: those words

am 17

1st part: up to '... in Article 10(2)'
2nd part: remainder

PSE

am 12

1st part: up to '... appear on a label'
2nd part: remainder

am 17

1st part: up to '... in Article 10(2)'
2nd part: remainder

Verts/ALE

am 15

1st part: up to '... shall be deleted.'
2nd part: remainder

Requests for separate vote

PPE-DE: ams 3, 4, 18

PSE: ams 6, 7, 9, 11, 15, 16, 19, 20, 21

ELDR: am 18

6. Indication of the ingredients present in foodstuffs *II***Recommendation for second reading: KLASS (A5-0191/2003)*

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
amendments by committee responsible — block vote	1-2	committee		-	
art 6, § 11	4	PPE + PSE + ELDR + EDD + UEN		+	
	3	committee		↓	

7. Substances having a hormonal or thyrostatic action and of beta-agonists *II***Recommendation for second reading: OLSSON (A5-0201/2003)*

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
amendments by committee responsible — block vote	1-3 5-8 10-13 15-16	committee		-	

Wednesday 2 July 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
text as a whole	Block 1	ELDR + PPE + PSE + Verts		+	
	Block 2	<i>committee</i>		↓	

Block 1 = 3 amendments of 4 political groups (amendments 17 to 19)

Block 2 = 3 amendments by the ENVI Committee (amendments 4, 9 and 14)

8. Packaging and packaging waste ***II

Recommendation for second reading: CORBEY (A5-0200/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks	
<i>amendments by committee responsible — block vote</i>	1 3 15	<i>committee</i>		+		
<i>amendments by committee responsible — separate votes</i>	9	<i>committee</i>	sep	-		
art 3	24	PSE + PPE + GUE + EDD		+		
	5	<i>committee</i>		↓		
art 4	7	<i>committee</i>		-		
	25	PSE + PPE + Verts + GUE		+		
art 6, § 1	18	Verts/ALE	RCV	-	193, 241, 20	
	8	<i>committee</i>	RCV	-	217, 214, 26	
	26	PSE + GUE + EDD	split/RCV			
			1	-	270, 156, 24	
			2	-	268, 150, 28	
	3	-	154, 271, 29			
art 6, § 3	10	<i>committee</i>	RCV	-	268, 179, 7	
	21/rev.	EDD	RCV	-	243, 202, 6	
art 6, § 5	19	Verts/ALE		-		
	27	PSE + GUE + EDD		-		
	11	<i>committee</i>	EV	-	256, 166, 2	

Wednesday 2 July 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
art 6, § 7	12	committee		-	
	20	Verts/ALE		-	
	28	PSE + PPE + GUE + EDD		+	
art 6, after § 7	29	PSE + PPE + Verts + GUE + EDD		+	
	13	committee		↓	
art 6, after § 8	30	PSE + PPE + Verts + GUE + EDD		+	
	6	committee		↓	
	14	committee		↓	
art 20	23	PSE + PPE + GUE + EDD	EV	+	425, 3, 3
	4	committee		↓	
art 22	31/rev	PSE + PPE + GUE + EDD		+	
	16	committee		↓	
annex 1	32	PSE + PPE + Verts + GUE + EDD	split		
			1	+	
			2	+	
	17	committee		↓	
recital 6	22	PSE + PPE + Verts + GUE		+	
	2	committee		↓	

Requests for roll-call votes

Verts/ALE: ams 18, 8, 26 (first part), 10, 21
Mme Jackson et al: ams 18, 8, 26

Requests for split votes

Verts/ALE

am 26

1st part: text as a whole except the deletion of the words 'between 55% as a minimum and 80% as a maximum' and the deletion of the words '(v) 15% by weight for wood' RCV
2nd part: deletion of the words 'between 55% as a minimum and 80% as a maximum'
3rd part: deletion of the words '(v) 15% by weight for wood'

Wednesday 2 July 2003

EDD

am 32

1st part: text as a whole except the words 'Wrapping and gift wrapping paper sold as a separate product'

2nd part: those words

Requests for separate vote

PPE-DE: ams 6, 9

9. Greenhouse gas emission allowance trading *II**

Recommendation for second reading: MOREIRA DA SILVA (A5-0207/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
amendments by committee responsible — block vote	Block 1	committee + PPE + PSE + ELDR + GUE + Verts + EDD + UEN		+	
	Block 2			↓	
	2-4 12 14-15 18-22 24-27	committee	block	↓	
	5	committee	sep	↓	
	6	committee	sep	↓	
other ams by the committee responsible	Block 3	committee	EV	-	4, 379, 7
art 12	44	LULLING et al		W	
annex 3	45	LANGEN et al		W	
annex 4	46	NASSAUER et al		W	

Block 1 = 1 amendment by the ENVI Committee and 16 amendments by 7 political groups (amendments 17 and 28 to 43)

Block 2 = 17 amendments by the ENVI Committee (amendments 2 to 6, 12, 14, 15, 18 to 22 and 24 to 27)

Block 3 = 9 amendments by the ENVI Committee (amendments 1, 7 to 11, 13, 16 and 23)

Requests for separate vote

PSE: ams 5, 6 (block 2)

Other information

Amendments 44, 45 and 46 had been withdrawn

ANNEX II

RESULT OF ROLL-CALL VOTES

**Huhne recommendation A5-0218/2003
Block 1****For: 487**

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

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Clegg, Costa, Davies, De Clercq, Duff, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Watson

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bertinotti, Blak, Boudjenah, Brie, Caudron, Fiebiger, Figueiredo, Frahm, Fraise, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Papayannakis, Puerta, Schmid, Schröder, Seppänen, Sjöstedt, Uca, Wurtz

NI: Berthu, Beysen, Cappato, Dell'Alba, Della Vedova, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, de La Perriere, Pannella, Raschhofer, Souchet, Turco, Varaut

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Boursanges, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Corrie, Costa, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Folias, Foster, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Keppelhoff-Wiechert, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, McCartin, Mann, Mantovani, Marinos, Martin, Matikainen-Kallström, Mauro, Mayer, Mayer, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oostlander, Oreja Arburúa, Pacheco Pereira, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Riduejo, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafraña Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhuno, Colom i Naval, Corbett, Corbey, Dehousse, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paciotti, Patrie, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Wednesday 2 July 2003

UEN: Angelilli, Camre, Marchiani, Mussa, Musumeci, Nobilia, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Evans, Flautre, Frassoni, Hudghton, Isler Béguin, Jonckheer, Legendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Wuori, Wyn

Against: 12

EDD: Booth, Farage, Titford

GUE/NGL: Bordes, Cauquil

PPE-DE: Kauppi, Vidal-Quadras Roca

UEN: Andrews, Collins, Crowley, Hyland, Ó Neachtain

Abstention: 14

GUE/NGL: Alyssandrakis, Krarup, Patakis, Vachetta

NI: Borghezio, Claeys, Dillen, Gobbo, Gollnisch, Lang, Martinez, Speroni, Stirbois

UEN: Bigliardo

**Zappalà recommendation A5-0242/2003
Amendment 75**

For: 208

EDD: Booth, Farage, Titford

NI: Berthu, Claeys, Dillen, Garaud, Gollnisch, Lang, de La Perriere, Martinez, Souchet, Stirbois

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa, Cunha, Cushnahan, Daul, Dell'Utri, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggler, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klawns, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, McCartin, Majj-Weggen, Mann, Mantovani, Marinos, Marques, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Montfort, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Piscarreta, Poettering, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Dehousse, Hoff

UEN: Angelilli, Berlato, Camre, Mussa, Musumeci, Nobilia, Poli Bortone, Segni, Turchi

Wednesday 2 July 2003

Against: 337

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

ELDR: Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasõliba i Bõhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Olsson, Paulsen, Pesälä, Plooi-jvan Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski

GUE/NGL: Alavanos, Bakopoulos, Bertinotti, Blak, Bordes, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Puerta, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci

NI: Beysen, Borghezio, Cappato, Dell'Alba, Della Vedova, Dupuis, Gobbo, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Speroni, Turco, Varaut

PPE-DE: Camisón Asensio, Deprez, Doorn, Grosch, Hansenne, Hatzidakis, Karas, Kauppi, Maat, Martens, Matikainen-Kallström, Moreira Da Silva, Oomen-Ruijten, Pex, Pirker, Pronk, Rack, Rübìg, Sacrédeus, Smet, Stenzel, Thyssen, van Velzen, Wijkman

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Grõner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jõns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dõrfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Bigliardo, Collins, Crowley, Hyland, Marchiani, Ó Neachtain, Pasqua, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Frassoni, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schõrling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 12

EDD: Mathieu, Raymond

ELDR: André-Léonard, Nordmann

GUE/NGL: Ainardi, Alyssandrakis, Boudjenah, Korakas, Patakis, Schmid, Wurtz

PSE: Martin

Wednesday 2 July 2003

**Zappalà recommendation A5-0242/2003
Amendment 1****For: 399**

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Duff, Dybkjær, Fleisch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Olsson, Paulsen, Pesälä, Plooi-jan Gorsel, Pohjamo, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Virrankoski

GUE/NGL: Papayannakis

NI: Berthu, Beysen, Dell'Alba, Della Vedova, Dupuis, Garaud, Hager, Ilgenfritz, Kronberger, de La Perriere, Pannella, Raschhofer, Souchet, Turco, Varaut

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Brienza, Brok, Brunetta, Cocilovo, Coelho, Cornillet, Costa, Cunha, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Folias, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Gomolka, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggle, Karas, Kauppi, Keppelhoff-Wiechert, Klamt, Klab, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Pirker, Piscarreta, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Rübige, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cereira Mortero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Kefler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Berlato, Bigliardo, Marchiani, Mussa, Musumeci, Nobilia, Pasqua, Poli Bortone, Segni, Thomas-Mauro

Wednesday 2 July 2003

Against: 148

EDD: Abitbol, Andersen, Belder, Bernié, Blokland, Bonde, Booth, Butel, Coûteaux, van Dam, Esclopé, Farage, Mathieu, Saint-Josse, Sandbæk, Titford

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Patakis, Puerta, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Borghezio, Claeys, Dillen, Gobbo, Gollnisch, Gorostiaga Atxalandabaso, Lang, Martinez, Speroni, Stirbois

PPE-DE: Beazley, Bradbourn, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Corrie, Deva, Dover, Elles, Evans, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Jackson, Khanbhai, Kirkhope, Nicholson, Parish, Perry, Provan, Purvis, Stevenson, Stockton, Sturdy, Sumberg, Tannock, Van Orden, Villiers

UEN: Camre, Collins, Crowley, Hyland, Ó Neachtain, Queiró, Ribeiro e Castro

Verts/ALE: Aaltonen, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Frassoni, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 4

EDD: Raymond

NI: Cappato

PSE: Dehousse, Martin

**Zappalà recommendation A5-0242/2003
Amendments 11 and 12, 1st part****For: 289**

EDD: Belder, Blokland, van Dam, Esclopé

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasóliba i Böhm, Huhne, Jensen, Ludford, Lynne, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Ries, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Vallvé, Vermeer, Watson

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Puerta, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Berthu, Claeys, Dillen, Gollnisch, Gorostiaga Atxalandabaso, Lang, de La Perriere, Martinez, Souchet, Stirbois, Varaut

PPE-DE: Costa, Deprez, Flemming, Glase, Hansenne, Lechner, Méndez de Vigo, Mombaur, Müller, Niebler, Posselt, Radwan, Schleicher, Stauner, Wuermeling

Wednesday 2 July 2003

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Duin, Ettl, Evans, Färm, Fava, Ferreira, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Hänisch, Haug, Hedkvist Petersen, Honeyball, Howitt, van Hulsten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Pérez Royo, Piecyk, Pittella, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swibel, Swoboda, Terrón i Cusi, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Collins, Crowley, Hyland, Marchiani, Ó Neachtain, Pasqua, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Frassoni, Gahrton, Hudghton, Isler Béguin, Legendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Voggenhuber, Wuori, Wyn

Against: 231

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

ELDR: Nicholson of Winterbourne, Nordmann, Pohjamo, Väyrynen, Van Hecke, Virrankoski

GUE/NGL: Cauquil, Laguiller, Schmid

NI: Beysen, Hager, Ilgenfritz, Kronberger, Raschhofer

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Boursanges, Bradbourn, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Coelho, Cornillet, Corrie, Cunha, Cushnahan, Daul, Dell'Utri, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Majj-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Mayer, Mennea, Mennitti, Menrad, Montfort, Moreira Da Silva, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Poettering, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Ridruejo, Ripoll y Martínez de Bedoya, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Villiers, Vlasto, Wachtmeister, Wieland, Wijkman, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Berès, Carlotti, Dehousse, Duhamel, Fruteau, Garot, Guy-Quint, Hazan, Lalumière, Patrie, Poignant, Roure, Savary

UEN: Andrews, Angelilli, Berlato, Bigliardo, Camre, Mussa, Musumeci, Nobilia, Poli Bortone, Queiró, Segni

Abstention: 12**EDD:** Bernié, Butel, Mathieu, Raymond, Saint-Josse**GUE/NGL:** Alyssandrakis, Korakas, Patakis**NI:** Borghezio, Cappato, Gobbo, Speroni**Zappalà recommendation A5-0242/2003
Amendment 11 and 12, 2nd part****For: 26****ELDR:** Procacci**NI:** Berthu, Garaud, de La Perriere, Souchet, Varaut**PPE-DE:** Andria, Berend, Deprez, Glase, Hieronymi, Jeggle, Lechner, Müller, Niebler, Posselt, Radwan, Schleicher, Schwaiger, Stauner, Wuermeling**PSE:** Ceyhun, Ford, Paasilinna**UEN:** Marchiani, Ribeiro e Castro**Against: 510****EDD:** Abitbol, Andersen, Belder, Blokland, Bonde, Booth, Coûteaux, van Dam, Farage, Sandbæk, Titford**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Olsson, Paulsen, Pesälä, Plooi-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Beysen, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Gollnisch, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Lang, Martinez, Pannella, Raschhofer, Stirbois, Turco**PPE-DE:** Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Bodrato, Bourlanges, Bradbourn, Brienza, Brok, Bushill-Matthews, Callanan, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa, Cunha, Cushnahan, Daul, Dell'Utri, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Jackson, Jarzembowski, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, McCartin, Majj-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Pirker, Piscarreta, Poettering, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schmitt, Schnellhardt, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Villiers, Vlasto, Wachtmeister, Wieland, Wijkman, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

Wednesday 2 July 2003

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulsten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swibel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Angelilli, Berlato, Bigliardo, Camre, Collins, Crowley, Hyland, Mussa, Musumeci, Nobilia, Ó Neachtain, Poli Bortone, Segni, Thomas-Mauro

Verts/ALE: Aaltonen, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Frassoni, Gahrton, Hudghton, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasantá, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 10

EDD: Bernié, Butel, Esclopé, Mathieu, Raymond, Saint-Josse

NI: Borghezio, Gobbo, Speroni

PPE-DE: Hansenne

Zappalà recommendation A5-0242/2003 Amendment 14

For: 185

EDD: Andersen, Bonde, Sandbæk

ELDR: Nordmann

NI: Berthu, Beysen, Borghezio, Garaud, Gobbo, de La Perriere, Souchet, Speroni, Varaut

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Brienza, Brok, Camisón Asensio, Cocilovo, Coelho, Costa, Cunha, Cushnahan, Dell'Utri, Deprez, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Graça Moura, Grönfeldt Bergman, Grosch, Hansenne, Hatzidakis, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggel, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Pirker, Piscarreta, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafrañca Sánchez-Neyra, Santer, Santini, Sartori, Scapagnini, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Tajani, Theato, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, van Velzen, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

Wednesday 2 July 2003

PSE: Dehousse, Katiforis

UEN: Andrews, Angelilli, Berlato, Collins, Crowley, Hyland, Marchiani, Mussa, Musumeci, Nobilia, Ó Neachtain, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Against: 347

EDD: Belder, Blokland, Booth, van Dam, Farage, Titford

ELDR: Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Blak, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Manisco, Markov, Maset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Hager, Pannella, Turco

PPE-DE: Beazley, Bourlanges, Bradbourn, Bushill-Matthews, Callanan, Chichester, Cornillet, Corrie, Daul, De Sarnez, Descamps, Deva, Dover, Elles, Evans, Foster, Fourtou, García-Orcoyen Tormo, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Heaton-Harris, Helmer, Hermange, Inglewood, Jackson, Karas, Kauppi, Khanbhai, Kirkhope, Martin, Matikainen-Kallström, Montfort, Nicholson, Parish, Perry, Provan, Purvis, Scallon, Schaffner, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Tannock, Thyssen, Van Orden, Vatanen, de Veyrinas, Villiers, Vlasto

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Bigliardo, Camre

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 25

EDD: Abitbol, Bernié, Butel, Coûteaux, Esclopé, Mathieu, Raymond, Saint-Josse

ELDR: André-Léonard

GUE/NGL: Bordes, Cauquil, Laguiller, Schmid

Wednesday 2 July 2003

NI: Claeys, Dillen, Gollnisch, Ilgenfritz, Kronberger, Lang, Martinez, Raschhofer, Stirbois

PPE-DE: Suominen

PSE: Hoff, Martin

**Zappalà recommendation A5-0242/2003
Amendment 15**

For: 439

EDD: Andersen, Bonde, Sandbæk

ELDR: Di Pietro, Lynne

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Blak, Boudjenah, Brie, Caudron, Cossutta, Eriksson, Fiebigler, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Berthu, Beysen, Borghezio, Gobbo, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, de La Perriere, Raschhofer, Souchet, Speroni, Varaut

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Brienza, Brok, Camisón Asensio, Cocilovo, Coelho, Costa, Cunha, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggler, Karas, Keppelhoff-Wiechert, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Pirker, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Sudre, Tajani, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Kefler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swibel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Wednesday 2 July 2003

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

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Legendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Voggenhuber, Wuori, Wyn

Against: 100

EDD: Belder, Blokland, Booth, Coûteaux, van Dam, Farage, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

GUE/NGL: Di Lello Finuoli, Schmid

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

PPE-DE: Beazley, Bradbourn, Bushill-Matthews, Callanan, Chichester, Cornillet, Corrie, Deva, Dover, Elles, Evans, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Kauppi, Khanbhai, Kirkhope, Matikainen-Kallström, Nicholson, Oreja Arburúa, Parish, Perry, Piscarreta, Provan, Purvis, Stevenson, Stockton, Sturdy, Sumberg, Suominen, Tannock, Van Orden, Vatanen, Villiers

PSE: Tsatsos

UEN: Camre

Abstention: 19

EDD: Abitbol, Bernié, Butel, Esclopé, Mathieu, Raymond, Saint-Josse

ELDR: Nordmann

GUE/NGL: Bordes, Cauquil, Laguiller

NI: Claeys, Dillen, Garaud, Gollnisch, Lang, Martinez, Stirbois

PSE: Martin

**Zappalà recommendation A5-0242/2003
Amendment 17**

For: 188

EDD: Andersen, Belder, Blokland, Bonde, Booth, van Dam, Farage, Sandbæk, Titford

ELDR: Nordmann

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

Wednesday 2 July 2003

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Brienza, Brok, Camisón Asensio, Cocilovo, Coelho, Costa, Cunha, Cushnahan, Dell'Utri, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Foliás, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Gomolka, Graça Moura, Grönfeldt Bergman, Hatzidakis, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggle, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oostlander, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Roving, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Suominen, Tajani, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, van Velzen, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Dehousse

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

Against: 348

ELDR: Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Fleisch, Gasóliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Blak, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Fraise, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Turco

PPE-DE: Beazley, Bébéar, Bourlanges, Bradbourn, Bushill-Matthews, Callanan, Chichester, Cornillet, Corrie, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dover, Elles, Evans, Flemming, Foster, Fourtou, Goodwill, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Heaton-Harris, Helmer, Hermange, Inglewood, Jackson, Karas, Kauppi, Khanbhai, Kirkhope, Korhola, Martin, Matikainen-Kallström, Montfort, Nicholson, Parish, Perry, Pirker, Provan, Rack, Rübig, Schaffner, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Tannock, Van Orden, de Veyrinas, Villiers, Vlasto

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulst, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napolitano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Simpson, Skinner, Soares, Sornosa Martínez, Soulidakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Wednesday 2 July 2003

UEN: Camre

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 15

EDD: Abitbol, Bernié, Butel, Coûteaux, Esclopé, Mathieu, Raymond, Saint-Josse

ELDR: André-Léonard

GUE/NGL: Alyssandrakis, Bordes, Cauquil, Korakas, Laguiller

PSE: Martin

**Zappalà recommendation A5-0242/2003
Amendment 22**

For: 285

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

ELDR: Nordmann

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Blak, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Manisco, Markov, Maset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

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

PPE-DE: Andria, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Brok, Brunetta, Camisón Asensio, Cocilovo, Coelho, Costa, Cunha, Cushnahan, Dell'Utri, Deprez, Dimitrakopoulos, Doorn, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Folias, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Graça Moura, Grosch, Gutiérrez-Cortines, Hatzidakis, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggle, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, McCartin, Mann, Mantovani, Marinos, Marques, Martens, Mauro, Mayer, Mayer, Mennea, Mennitti, Menrad, Mombaur, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Tajani, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, van Velzen, Vidal-Quadras Roca, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Bullmann, Dehousse, Gebhardt, Glante, Goebbels, Gröner, Hänsch, Haug, Kuhne, Lund, Mendiluce Pereiro, Pérez Royo, Randzio-Plath, Sakellariou, Schmid, Stockmann, Terrón i Cusí, Walter, Weiler, Zrihen

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

Wednesday 2 July 2003

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 271

EDD: Abitbol, Bernié, Booth, Butel, Coûteaux, Esclopé, Farage, Mathieu, Raymond, Saint-Josse, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

GUE/NGL: Bordes, Cauquil, Laguiller

NI: Cappato, Dell'Alba, Della Vedova, Dupuis, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Turco

PPE-DE: Arvidsson, Beazley, Bébéar, Bourlanges, Bradbourn, Bushill-Matthews, Callanan, Chichester, Cornillet, Corrie, Daul, De Sarnez, Descamps, Deva, De Veyrac, Dover, Evans, Flemming, Foster, Fourtou, Goodwill, Grönfeldt Bergman, Grossetête, Hannan, Hansenne, Harbour, Heaton-Harris, Helmer, Hermange, Inglewood, Jackson, Karas, Kauppi, Khanbhai, Kirkhope, Korhola, Martin, Matikainen-Kallström, Méndez de Vigo, Montfort, Nicholson, Parish, Perry, Provan, Purvis, Rack, Rübig, Schaffner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tannock, Van Orden, Vatanen, de Veyrinas, Villiers, Vlasto, Wachtmeister

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Ghilardotti, Gill, Gillig, Görlach, Guy-Quint, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulst, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Mann, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volčić, Watts, Whitehead, Wiersma, Wynn, Zorba

UEN: Camre

Abstention: 1

PSE: Martin

**Zappalà recommendation A5-0242/2003
Amendment 23, 1st part**

For: 377

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

ELDR: Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Olsson, Paulsen, Plooi-j-van Gorsel, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Vallvé, Van Hecke, Vermeer, Watson

Wednesday 2 July 2003

NI: Berthu, Beysen, Borghezio, Cappato, Dell'Alba, Della Vedova, Dupuis, Gobbo, Hager, Ilgenfritz, Kronberger, de La Perriere, Pannella, Raschhofer, Souchet, Speroni, Turco, Varaut

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébear, Bodrato, Brienza, Brunetta, Camisón Asensio, Cocilovo, Coelho, Cornillet, Costa, Cunha, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Folia, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Gomolka, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Jarzembowski, Karas, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, McCartin, Maj-Weggen, Mann, Mantovani, Marinou, Marques, Martens, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Musotto, Naranjo Escobar, Nassauer, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Poettering, Pronk, Quisthoudt-Rowohl, Rack, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Sudre, Tajani, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulst, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Junker, Karamanou, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napolitano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba

UEN: Angelilli, Berlato, Bigliardo, Marchiani, Mussa, Musumeci, Nobilia, Pasqua, Poli Bortone, Segni, Thomas-Mauro

Against: 162

EDD: Abitbol, Bernié, Booth, Butel, Esclopé, Farage, Mathieu, Raymond, Saint-Josse, Titford

ELDR: André-Léonard, Pesälä, Pohjamo, Väyrynen, Virrankoski

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Blak, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Claeys, Dillen, Garaud, Gollnisch, Gorostiaga Atxalandabaso, Lang, Martinez, Stirbois

PPE-DE: Beazley, Berend, Böge, von Boetticher, Bradbourn, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Elles, Evans, Foster, Glase, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Hieronymi, Inglewood, Jackson, Jeggle, Kauppi, Khanbhai, Kirkhope, Lechner, Matikainen-Kallström, Müller, Nicholson, Niebler, Parish, Posselt, Provan, Purvis, Radwan, Schleicher, Stauner, Stevenson, Stockton, Sturdy, Sumberg, Suominen, Tannock, Van Orden, Vatanen, Wuermeling

Wednesday 2 July 2003

PSE: Karlsson, Kuhne

UEN: Andrews, Camre, Collins, Crowley, Hyland, Ó Neachtain, Queiró, Ribeiro e Castro

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori

Abstention: 5

GUE/NGL: Bordes, Cauquil, Laguiller

PSE: Martin, Mendiluce Pereiro

**Zappalà recommendation A5-0242/2003
Amendment 23, 2nd part**

For: 217

EDD: Belder, Blokland, van Dam

ELDR: Andreassen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Olsson, Paulsen, Plooi-j-van Gorsel, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Vallvé, Van Hecke, Vermeer

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

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Bourlanges, Brienza, Brok, Brunetta, Camisón Asensio, Cocilovo, Coelho, Cornillet, Costa, Cunha, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcyoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Gomolka, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Jarzembowski, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, McCartin, Mann, Mantovani, Marinos, Marques, Martens, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Musotto, Naranjo Escobar, Nassauer, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Poettering, Pronk, Quisthoudt-Rowohl, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schmitt, Schnellhardt, Smet, Sommer, Stenmarck, Sudre, Tajani, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

UEN: Angelilli, Berlato, Bigliardo, Mussa, Musumeci, Nobilia, Pasqua, Poli Bortone, Segni, Thomas-Mauro

Against: 331

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

ELDR: Di Pietro, Pesälä, Pohjamo, Väyrynen, Virrankoski

Wednesday 2 July 2003

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Blak, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Manisco, Markov, Maset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Claeys, Dillen, Gollnisch, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Lang, Martinez, Raschhofer, Stirbois

PPE-DE: Beazley, Berend, Bodrato, Böge, von Boetticher, Bradbourn, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Elles, Evans, Flemming, Foster, Glase, Goodwill, Gutiérrez-Cortines, Hannan, Harbour, Heaton-Harris, Helmer, Hieronymi, Inglewood, Jackson, Jeggle, Karas, Kauppi, Khanbhai, Kirkhope, Maij-Weggen, Matikainen-Kallström, Müller, Nicholson, Niebler, Parish, Perry, Posselt, Provan, Purvis, Rack, Radwan, Rübig, Schleicher, Schwaiger, Stauner, Stenzel, Stevenson, Stockton, Sturdy, Sumberg, Suominen, Tannock, Van Orden, Vatanen, Villiers, Wuermeling

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Ferreira, Ford, Fruteau, Garot, Ghilardotti, Gill, Gillig, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Camre, Collins, Crowley, Hyland, Marchiani, Muscardini, Ó Neachtain, Queiró, Ribeiro e Castro

Verts/ALE: Aaltonen, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 5

GUE/NGL: Bordes, Cauquil, Laguiller

NI: Garaud

PSE: Martin

**Zappalà recommendation A5-0242/2003
Amendment 24**

For: 296

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

ELDR: André-Léonard, van den Bos, Nordmann

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Blak, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Manisco, Markov, Maset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

Wednesday 2 July 2003

NI: Berthu, Beysen, Claeys, Dillen, Garaud, Gollnisch, Gorostiaga Atxalandabaso, Lang, de La Perriere, Martinez, Souchet, Stirbois, Varaut

PPE-DE: Andria, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Brienza, Brok, Brunetta, Camisón Asensio, Cocilovo, Coelho, Costa, Cunha, Cushnahan, Dell'Utri, Deprez, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Folias, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Gomolka, Graça Moura, Grosch, Hansenne, Hatzidakis, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggle, Keppelhoff-Wiechert, Klamt, Klaß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Poettering, Pronk, Quisthoudt-Rowohl, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Tajani, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, van Velzen, Vidal-Quadras Roca, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wiermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Bullmann, Corbett, Dehousse, Duin, Glante, Goebbels, Gröner, Hänsch, Haug, Izquierdo Collado, Jöns, Junker, Krehl, Kuhne, Lange, Leinen, Lund, Mendiluce Pereiro, Miranda de Lage, Pérez Royo, Piecyk, Randzio-Plath, Rothe, Rothley, Sakellariou, Schmid, Stockmann, Thorning-Schmidt, Walter, Weiler

UEN: Andrews, Angelilli, Berlato, Bigliardo, Collins, Crowley, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Segni, Thomas-Mauro

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 259

EDD: Abitbol, Bernié, Booth, Butel, Coûteaux, Esclopé, Farage, Mathieu, Raymond, Saint-Josse, Titford

ELDR: Andreasen, Attwooll, Boogerd-Quaak, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski

GUE/NGL: Bordes, Cauquil, Laguiller

NI: Cappato, Dell'Alba, Della Vedova, Dupuis, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Turco

PPE-DE: Arvidsson, Beazley, Bébéar, Boulanges, Bradbourn, Bushill-Matthews, Callanan, Chichester, Cornillet, Corrie, Daul, De Sarnez, Descamps, Deva, De Veyrac, Dover, Elles, Evans, Flemming, Foster, Fourtou, Goodwill, Grönfeldt Bergman, Grossetête, Hannan, Harbour, Heaton-Harris, Helmer, Hermange, Inglewood, Jackson, Karas, Kauppi, Khanbhai, Kirkhope, Korhola, Martin, Matikainen-Kallström, Montfort, Nicholson, Parish, Perry, Posselt, Provan, Purvis, Rack, Rübzig, Schaffner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tannock, Van Orden, Vatanen, de Veyrinas, Villiers, Vlasto, Wachtmeister

Wednesday 2 July 2003

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbey, De Keyser, De Rossa, Désir, Díez González, Duhamel, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Ghilardotti, Gill, Gillig, Görlach, Guy-Quint, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Rojo, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Kreissl-Dörfler, Kuckelkorn, Lage, Lalumière, Lavarra, Linkohr, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Moraes, Müller, Murphy, Myller, Napolitano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swibel, Swoboda, Terrón i Cusí, Theorin, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Watts, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre, Queiró, Ribeiro e Castro

Abstention: 4

NI: Borghezio, Gobbo, Speroni

PPE-DE: Goepel

**Zappalà recommendation A5-0242/2003
Amendment 27**

For: 316

EDD: Abitbol, Belder, Blokland, van Dam

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Nordmann, Olsson, Paulsen, Plooij-van Gorsel, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Vallvé, Van Hecke, Vermeer, Watson

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Blak, Boudjenah, Brie, Caudron, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraise, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Cappato, Dell'Alba, Della Vedova, Dupuis, Garaud, Gorostiaga Atxalandabaso, de La Perriere, Pannella, Turco, Varaut

PPE-DE: Avilés Perea, Ayuso González, Bartolozzi, Bayona de Perogordo, Camisón Asensio, Ferri, Galeote Quecedo, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Herranz García, Méndez de Vigo, Naranjo Escobar, Ojeda Sanz, Oreja Arburúa, Pérez Álvarez, Ridruejo, Ripoll y Martínez de Bedoya, Salafraña Sánchez-Neyra, Valdivielso de Cué, Varela Suanzes-Carpegna, Wijkman, Zabell, Zappalà

Wednesday 2 July 2003

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swibel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Marchiani, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 228

EDD: Andersen, Bernié, Bonde, Butel, Coûteaux, Esclopé, Mathieu, Raymond, Saint-Josse, Sandbæk

ELDR: Costa, Pesälä, Pohjamo, Sbarbati, Väyrynen, Virrankoski

NI: Berthu, Beysen, Claeys, Dillen, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, Martinez, Raschhofer, Souchet, Stirbois

PPE-DE: Andria, Arvidsson, Averoff, Banotti, Bastos, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa, Cunha, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, Gargani, Garriga Polledo, Gawronski, Gemelli, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Inglewood, Jackson, Jarzembowski, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lombardo, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Mayer, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Nassauer, Nicholson, Niebler, Oomen-Ruijten, Oostlander, Pacheco Pereira, Pack, Parish, Pastorelli, Perry, Pex, Piscarreta, Poettering, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Rosing, Rübig, Sacrédeus, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Van Orden, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wieland, von Wogau, Wuermeling, Xarchakos, Zacharakis, Zimmerling, Zissener

PSE: Goebbels

UEN: Andrews, Angelilli, Berlato, Bigliardo, Camre, Collins, Crowley, Hyland, Muscardini, Mussa, Musumeci, Nobilia, O Neachtain, Poli Bortone, Segni

Abstention: 13

EDD: Booth, Farage, Titford

GUE/NGL: Alyssandrakis, Bordes, Cauquil, Korakas, Laguiller, Patakis

NI: Borghezio, Gobbo

PSE: Dehousse, Martin

**Zappalà recommendation A5-0242/2003
Amendment 60****For: 294**

EDD: Andersen, Bernié, Bonde, Coûteaux, Esclopé, Mathieu, Raymond, Saint-Josse, Sandbæk

ELDR: Attwooll, Boogerd-Quaak, van den Bos, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Martelli, Monsonís Domingo, Newton Dunn, Olsson, Paulsen, Procacci, Rutelli, Sbarbati, Schmidt, Sterckx, Thors, Vallvé, Van Hecke, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Maset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Borghezio, Cappato, Dell'Alba, Della Vedova, Dupuis, Gobbo, Gorostiaga Atxalandabaso, Pannella, Speroni, Turco

PPE-DE: Andria, Berend, Böge, von Boetticher, Costa, Doyle, Gawronski, Goepel, Hieronymi, Jeggel, Lechner, Müller, Niebler, Pack, Posselt, Radwan, Schleicher, Stauner, Stevenson, Wuermeling

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebels, Görlach, Gröner, Guy-Quint, Hänsch, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulst, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Kefler, Kindermann, Koukiadis, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lavarra, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Sacconi, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Auroi, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, McCormick, McKenna, Maes, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 255

EDD: Belder, Blokland, Booth, van Dam, Farage, Titford

ELDR: André-Léonard, Busk, Jensen, Ludford, Lynne, Maaten, Manders, Mulder, Nicholson of Winterbourne, Nordmann, Pesälä, Plooij-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Sørensen, Väyrynen, Vermeer, Virrankoski

Wednesday 2 July 2003

NI: Berthu, Beysen, Claeys, Dillen, Garaud, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Martinez, Raschhofer, Souchet, Stirbois, Varaut

PPE-DE: Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Bodrato, Bourlanges, Bradbourn, Brienza, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cunha, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Flemming, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Inglewood, Jackson, Jarzembowski, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Haug, Krehl, Lange, Leinen

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

Verts/ALE: Bautista Ojeda, Dhaene

Abstention: 1

PSE: Martin

**Zappalà recommendation A5-0242/2003
Amendment 62**

For: 82

EDD: Abitbol, Bernié, Butel, Coûteaux, Esclopé, Mathieu, Raymond, Saint-Josse

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Clegg, Costa, Davies, De Clercq, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Paulsen, Plooij-van Gorsel, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Vallvé, Van Hecke, Vermeer, Watson

GUE/NGL: Bordes, Cauquil, Laguiller, Schmid

NI: Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Garaud, Gobbo, Gollnisch, Lang, de La Perriere, Martinez, Pannella, Speroni, Stirbois, Turco

PPE-DE: Deprez, Fatuzzo

PSE: Dehousse

UEN: Andrews, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Mussa, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Nogueira Román

Against: 457

EDD: Belder, Blokland, van Dam, Farage, Titford

ELDR: van den Bos, Di Pietro, Nordmann, Pesälä, Pohjamo, Väyrynen, Virrankoski

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bertinotti, Blak, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Puerta, Scarbonchi, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Wurtz

NI: Berthu, Beysen, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Raschhofer, Souchet

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cunha, Cushnahan, Daul, Dell'Utri, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Foster, Fournou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggler, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Rübiger, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Valdieu de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Mortero, Ceyhun, Colom i Naval, Corbett, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulst, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napolitano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Wiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Bremept, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Berlato, Bigliardo, Camre, Muscardini, Musumeci, Nobilia, Poli Bortone, Segni

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, Maes, Mayol i Raynal, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Wednesday 2 July 2003

Abstention: 6

EDD: Andersen, Bonde, Sandbæk

GUE/NGL: Korakas

NI: Borghezio

PSE: Martin

**Zappalà recommendation A5-0242/2003
Amendment 79**

For: 213

EDD: Abitbol, Belder, Bernié, Blokland, Booth, Butel, Coûteaux, van Dam, Esclopé, Farage, Mathieu, Raymond, Saint-Josse, Titford

ELDR: André-Léonard, Nordmann, Vallvé

NI: Berthu, Beysen, Claeys, Dillen, Garaud, Gollnisch, Lang, de La Perriere, Martinez, Souchet, Stirbois, Varaut

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bodrato, Bourlanges, Bradbourn, Brienza, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Coelho, Corrie, Costa, Cunha, Cushnahan, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Elles, Evans, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Foliás, Foster, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Inglewood, Jackson, Jarzembowski, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lehne, Liese, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Mauro, Méndez de Vigo, Mennea, Mombaur, Moreira Da Silva, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schnellhardt, Smet, Sommer, Stenmarck, Stevenson, Stockton, Sturdy, Sumberg, Suominen, Tajani, Tannock, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, van Velzen, Vidal-Quadras Roca, Villiers, Wachtmeister, Wenzel-Perillo, Wieland, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Dehousse

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

Against: 343

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasöliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nicholson of Winterbourne, Olsson, Paulsen, Pesälä, Plooijs-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marselet Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Puerta, Scarbonchi, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

Wednesday 2 July 2003

NI: Borghezio, Cappato, Dell'Alba, Della Vedova, Dupuis, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Turco

PPE-DE: Bébéar, Berend, Böge, von Boetticher, Brok, Cocilovo, Cornillet, Daul, Ebner, Fatuzzo, Flemming, Fourtou, Glase, Goepel, Hieronymi, Jeggle, Karas, Kauppi, Lechner, Lisi, Matikainen-Kallström, Mayer, Mayer, Mennitti, Menrad, Montfort, Müller, Niebler, Pack, Posselt, Rack, Radwan, Rübige, Schaffner, Schleicher, Schmitt, Schwaiger, Stauner, Stenzel, Sudre, Theato, Vatanen, de Veyrinas, Vlasto, Wijkman, Wuermeling

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 6

GUE/NGL: Alyssandrakis, Korakas, Patakis

NI: Gorostiaga Atxalandabaso, Speroni

PSE: Martin

Zappalà recommendation A5-0242/2003 Amendment 88

For: 308

EDD: Abitbol, Andersen, Belder, Blokland, Bonde, Coûteaux, van Dam, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, Duff, Dybkjær, Fleisch, Gasòliba i Böhm, Jensen, Lynne, Martelli, Monsonís Domingo, Newton Dunn, Nicholson of Winterbourne, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Rutelli, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Figueiredo, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Maset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schröder, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Pannella, Raschhofer, Turco

Wednesday 2 July 2003

PPE-DE: Arvidsson, Banotti, Ebner, Gil-Robles Gil-Delgado, Grönfeldt Bergman, Hansenne, Korhola, Matikainen-Kallström, Mauro, Mayer, Sacrédeus, Schmitt, Smet, Stenmarck, Suominen, Vatanen, Wachtmeister, Wijkman, Wuermeling

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Fitzsimons, Hyland, Ó Neachtain

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Legendijk, Lambert, Lannoye, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 224

ELDR: Maaten, Manders, Mulder, Plooi-j-van Gorsel, Procacci, Sanders-ten Holte, Vermeer

NI: Berthu, Beysen, Claeys, Dillen, Garaud, Gollnisch, Hager, Lang, de La Perriere, Martinez, Souchet, Stirbois, Varaut

PPE-DE: Andria, Averoff, Avilés Perea, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa, Cunha, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Mayer, Méndez de Vigo, Mennea, Mennitti, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schnellhardt, Schwaiger, Sommer, Stauner, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Tajani, Tannock, Theato, Thyssen, Trakatellis, Valdiviello de Cué, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Villiers, Vlasto, Wenzel-Perillo, Wieland, von Wogau, Xarchakos, Zäbell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Goebbels, Lund

UEN: Andrews, Angelilli, Berlato, Bigliardo, Camre, Collins, Crowley, Marchiani, Muscardini, Mussa, Musumeci, Nobilia, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Wednesday 2 July 2003

Abstention: 16**EDD:** Booth, Butel, Esclopé, Farage, Mathieu, Raymond, Saint-Josse, Titford**ELDR:** De Clercq, Nordmann**GUE/NGL:** Fiebiger, Frahm**NI:** Borghezio, Speroni**PSE:** De Keyser, Martin**Zappalà recommendation A5-0242/2003
Amendment 89****For: 307****EDD:** Abitbol, Andersen, Belder, Blokland, Bonde, Coûteaux, van Dam, Sandbæk**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, Di Pietro, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Martelli, Monsonís Domingo, Nicholson of Winterbourne, Paulsen, Pesälä, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Virrankoski, Watson**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Borghezio, Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Pannella, Raschhofer, Speroni, Turco**PPE-DE:** Arvidsson, Deprez, Grosch, Kauppi, Matikainen-Kallström, Sacrédeus, Stenmarck, Suominen, Vatanen, Wachtmeister, Wijkman**PSE:** Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulst, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lambert, Lannoye, Lipietz, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasantá, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 238****EDD:** Booth, Farage, Titford**ELDR:** Maaten, Manders, Mulder, Newton Dunn, Plooi-j-van Gorsel, Sanders-ten Holte, Vermeer

Wednesday 2 July 2003

NI: Berthu, Beysen, Claeys, Dillen, Garaud, Gollnisch, Hager, Lang, de La Perriere, Martinez, Souchet, Stirbois, Varaut

PPE-DE: Andria, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa, Cunha, Cushnahan, Daul, Dell'Utri, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folia, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jarzembowski, Jeggel, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann, Mantovani, Marinos, Marques, Martens, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Røvsing, Rübige, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scalloni, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Tajani, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wenzel-Perillo, Wieland, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

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

Abstention: 9

EDD: Bernié, Butel, Esclopé, Mathieu, Raymond, Saint-Josse

ELDR: De Clercq, Nordmann

GUE/NGL: Blak

**Zappalà recommendation A5-0242/2003
Amendment 81, 1st part**

For: 199

EDD: Cousteaux

ELDR: André-Léonard, Nordmann, Ries

NI: Berthu, Beysen, Borghezio, Garaud, de La Perriere, Souchet, Speroni, Varaut

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Brienza, Brok, Brunetta, Camisón Asensio, Cocilovo, Coelho, Cornillet, Cunha, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folia, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggel, Kauppi, Keppelhoff-Wiechert, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Ridruejo, Røvsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scalloni, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stockton, Sudre, Tajani, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

Wednesday 2 July 2003

PSE: Dehousse**UEN:** Andrews, Angelilli, Berlato, Bigliardo, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro**Verts/ALE:** Auroi**Against: 347****EDD:** Abitbol, Andersen, Belder, Blokland, Bonde, Booth, van Dam, Farage, Sandbæk, Titford**ELDR:** Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasõliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Turco**PPE-DE:** Beazley, Bourlanges, Bradbourn, Bushill-Matthews, Callanan, Chichester, Corrie, Costa, Deva, Dover, Elles, Evans, Flemming, Foster, Goodwill, Gutiérrez-Cortines, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Karas, Khanbhai, Kirkhope, Matikainen-Kallström, Nicholson, Parish, Perry, Provan, Purvis, Rack, Ripoll y Martínez de Bedoya, Rübiger, Stenzel, Stevenson, Sturdy, Suominen, Tannock, Van Orden, Villiers**PSE:** Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulst, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**UEN:** Camre**Verts/ALE:** Aaltonen, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Wednesday 2 July 2003

Abstention: 12

EDD: Bernié, Butel, Esclopé, Mathieu, Raymond, Saint-Josse

NI: Claeys, Dillen, Gollnisch, Lang, Martinez, Stirbois

**Zappalà recommendation A5-0242/2003
Amendment 81, 2nd part**

For: 242

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

GUE/NGL: Cauquil

NI: Berthu, Beysen, Borghезio, Garaud, de La Perriere, Souchet, Speroni

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Brienza, Brok, Brunetta, Camisón Asensio, Cocilovo, Coelho, Cornillet, Costa, Cunha, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Folias, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggel, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann, Mantovani, Marinos, Marques, Martens, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Sudre, Tajani, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Dehousse, Mendiluce Pereiro

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

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Buitenweg, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 303

EDD: Abitbol, Booth, Farage, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Duff, Dybkjær, Fleisch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

Wednesday 2 July 2003

NI: Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Turco

PPE-DE: Beazley, Bradbourn, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Elles, Evans, Flemming, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Karas, Kauppi, Khanbhai, Kirkhope, Matikainen-Kallström, Mennitti, Nicholson, Parish, Perry, Provan, Purvis, Rack, Rübzig, Stenzel, Stevenson, Stockton, Sturdy, Sumberg, Suominen, Tannock, Van Orden, Vatanen, Villiers

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulsten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napolitano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swibel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre

Verts/ALE: Celli

Abstention: 14

EDD: Bernié, Butel, Coûteaux, Esclopé, Mathieu, Raymond, Saint-Josse

NI: Claeys, Dillen, Gollnisch, Lang, Martinez, Stirbois

PSE: Martin

Zappalà recommendation A5-0242/2003 Amendment 81, 3rd part

For: 167

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

NI: Berthu, Beysen, Borghezio, de La Perriere, Souchet, Speroni

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bodrato, Brienza, Brunetta, Camisón Asensio, Cocilovo, Coelho, Costa, Cunha, Cushnahan, Dell'Utri, Deprez, De Sarnez, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Gomolka, Graça Moura, Grönfeldt Bergman, Grosch, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hernández Mollar, Herranz García, Jarzembowski, Keppelhoff-Wiechert, Klafß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann, Mantovani, Marinos, Marques, Martens, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Musotto, Naranjo Escobar, Nassauer, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Pronk, Quisthoudt-Rowohl, Ridruejo, Ripoll y Martínez de Bedoya, Røvsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schmitt, Schnellhardt, Smet, Sommer, Stenmarck, Tajani, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, van Velzen, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

Wednesday 2 July 2003

PSE: Dehousse

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

Against: 376

EDD: Abitbol, Booth, Farage, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Fleisch, Gasoliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Turco

PPE-DE: Beazley, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bradbourn, Brok, Bushill-Matthews, Callanan, Chichester, Cornillet, Corrie, Daul, Descamps, Deva, De Veyrac, Dover, Elles, Evans, Flemming, Foster, Fourtou, Goepel, Goodwill, Grossetête, Hannan, Harbour, Heaton-Harris, Helmer, Hermange, Hieronymi, Inglewood, Jackson, Jeggle, Karas, Kauppi, Khanbhai, Kirkhope, Klamt, Lechner, Martin, Matikainen-Kallström, Müller, Nicholson, Niebler, Pack, Parish, Perry, Posselt, Provan, Purvis, Rack, Radwan, Rübig, Schaffner, Schleicher, Schwaiger, Stauner, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tannock, Theato, Van Orden, Vatanen, de Veyrinas, Villiers, Vlasto, Wuermeling

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre

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

Wednesday 2 July 2003

Abstention: 16**EDD:** Bernié, Butel, Coûteaux, Esclopé, Mathieu, Raymond, Saint-Josse**GUE/NGL:** Cauquil**NI:** Claeys, Dillen, Garaud, Gollnisch, Lang, Martinez, Stirbois**PSE:** Martin**Zappalà recommendation A5-0242/2003
Amendment 38****For: 214****EDD:** Booth, Farage**ELDR:** Maaten, Manders, Mulder, Newton Dunn, Plooi-j-van Gorsel, Sanders-ten Holte, Vermeer**GUE/NGL:** Vinci**NI:** Berthu, Beysen, Borghezio, Claeys, Dillen, Garaud, Gollnisch, Lang, de La Perriere, Martinez, Souchet, Speroni, Stirbois, Varaut**PPE-DE:** Andria, Arvidsson, Averoff, Banotti, Bartolozzi, Bastos, Beazley, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bradbourn, Brok, Brunetta, Bushill-Matthews, Callanan, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa, Cunha, Cushnahan, Dell'Utri, Deprez, Descamps, Deva, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, Gargani, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Grönfeldt Bergman, Grosch, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Hieronymi, Inglewood, Jackson, Jarzemowski, Jeggel, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Majj-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Mauro, Mayer, Mayer, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Nassauer, Nicholson, Niebler, Oostlander, Pacheco Pereira, Pack, Parish, Pastorelli, Perry, Pex, Piscarreta, Podestà, Poettering, Pronk, Provan, Quisthoudt-Rowohl, Radwan, Røvsing, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Tajani, Tannock, Theato, Thyssen, Trakatellis, Van Orden, van Velzen, de Veyrinas, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, von Wogau, Wuermeling, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener**PSE:** Berès**UEN:** Andrews, Angelilli, Berlato, Bigliardo, Camre, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Nobilia, Ó Neachtain, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro**Verts/ALE:** Cohn-Bendit, Schroedter**Against: 343****EDD:** Abitbol, Andersen, Belder, Bernié, Blokland, Bonde, Butel, Coûteaux, van Dam, Esclopé, Mathieu, Raymond, Saint-Josse, Sandbæk, Titford**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynné, Martelli, Monsonís Domingo, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Virrankoski, Watson

Wednesday 2 July 2003

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Maset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Wurtz

NI: Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Turco

PPE-DE: Avilés Perea, Ayuso González, Bayona de Perogordo, Bodrato, Camisón Asensio, Daul, De Sarnez, De Veyrac, Flemming, García-Orcoyen Tormo, Garriga Polledo, Graça Moura, Grossetête, Herranz García, Karas, Kauppi, Matikainen-Kallström, Méndez de Vigo, Naranjo Escobar, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pérez Álvarez, Posselt, Purvis, Rack, Ridruejo, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Schleicher, Stenzel, Sudre, Sumberg, Suominen, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, Vidal-Quadras Roca, Wijkman, Zabell

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulst, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swibel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Pasqua

Verts/ALE: Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 2

GUE/NGL: Vachetta

PSE: Martin

**Zappalà recommendation A5-0242/2003
Amendment 101**

For: 261

EDD: Abitbol, Andersen, Bernié, Bonde, Butel, Coûteaux, Esclopé, Mathieu, Raymond, Saint-Josse, Sandbæk

ELDR: Di Pietro, Lynne

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Manisco, Markov, Maset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

Wednesday 2 July 2003

NI: Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Turco

PPE-DE: Dimitrakopoulos, Sacrédeus, Smet, Wijkman

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulst, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swibel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Legendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori

Against: 294

EDD: Belder, Blokland, Booth, van Dam, Farage, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

NI: Berthu, Beysen, Borghezio, Claeys, Dillen, Garaud, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Martinez, Raschhofer, Souchet, Speroni, Stirbois, Varaut

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Coelho, Cornillet, Corrie, Costa, Cunha, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggel, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Røvsing, Rübig, Salafraña Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Valdvielsó de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

Wednesday 2 July 2003

PSE: Moraes

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

Verts/ALE: Wyn

Abstention: 2

GUE/NGL: Schmid

PSE: Martin

**Zappalà recommendation A5-0242/2003
Amendment 64**

For: 81

EDD: Andersen, Bonde, Sandbæk

NI: Borghezio, Garaud, de La Perriere, Speroni, Varaut

PPE-DE: Berend, Böge, von Boetticher, Brok, Florenz, Goepel, Grosch, Hieronymi, Jeggle, Lechner, Mayer, Müller, Niebler, Pack, Posselt, Radwan, Schleicher, Schwaiger, Stauner, Theato, Wuermeling

PSE: Mendiluce Pereiro

UEN: Andrews, Collins, Crowley, Hyland, Marchiani, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Legendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 456

EDD: Belder, Blokland, Booth, van Dam, Farage, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Manders, Martelli, Monsonís Domingo, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Manisco, Markov, Maset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Berthu, Beysen, Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Souchet, Turco

Wednesday 2 July 2003

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Bodrato, Bourlanges, Bradbourn, Brienza, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa, Cunha, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Folias, Foster, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Inglewood, Jackson, Jarzembowski, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinou, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Ojeda Sanz, Oomen-Ruijten, Oostlander, Pacheco Pereira, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Poettering, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Ridruejo, Ripoll y Martínez de Bedoya, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schmitt, Schnellhardt, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulst, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martín, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swibel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Berlato, Bigliardo, Camre, Fitzsimons, Muscardini, Mussa, Musumeci, Nobilia, Poli Bortone, Segni

Abstention: 18

EDD: Abitbol, Bernié, Butel, Coûteaux, Esclopé, Mathieu, Raymond, Saint-Josse

GUE/NGL: Bordes, Cauquil, Laguiller

NI: Claeys, Dillen, Gollnisch, Lang, Martinez, Stirbois

PSE: Martin

Zappalà recommendation A5-0242/2003 Amendment 65

For: 81

EDD: Andersen, Bonde, Sandbæk

NI: Garaud, de La Perriere, Varaut

PPE-DE: Berend, Böge, von Boetticher, Brok, Ferber, Florenz, Friedrich, Goepel, Hieronymi, Jeggel, Lechner, Mayer, Müller, Nassauer, Niebler, Pack, Posselt, Radwan, Schleicher, Schwaiger, Stauner, Theato, Wuermeling

UEN: Andrews, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro

Wednesday 2 July 2003

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Legendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 454

EDD: Belder, Blokland, Booth, van Dam, Farage, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Fleisch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Berthu, Beysen, Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Souchet, Turco

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Bodrato, Boulanges, Bradbourn, Brienza, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Cornillet, Corrie, Costa, Cunha, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Folias, Foster, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Inglewood, Jackson, Jarzembowski, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann, Mantovani, Marinos, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Musotto, Naranjo Escobar, Nicholson, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schmitt, Schnellhardt, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhuno, Corbett, Corbey, Dehousse, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napolitano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Bremept, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Wednesday 2 July 2003

UEN: Angelilli, Berlato, Bigliardo, Camre, Muscardini, Mussa, Musumeci, Nobilia, Poli Bortone, Segni

Abstention: 21

EDD: Abitbol, Bernié, Butel, Coûteaux, Esclopé, Mathieu, Raymond, Saint-Josse

GUE/NGL: Bordes, Cauquil, Laguiller

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, Martinez, Speroni, Stirbois

PSE: Martin, Mendiluce Pereiro

**Zappalà recommendation A5-0242/2003
Amendment 66**

For: 264

EDD: Andersen, Bonde, Sandbæk

NI: Berthu, Beysen, Garaud, de La Perriere, Souchet, Varaut

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa, Cunha, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Gröinfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggel, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rosing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Tajani, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Mendiluce Pereiro

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

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Gahrton, Hudghton, Isler Béguin, Jonckheer, Legendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 275

EDD: Belder, Blokland, Booth, van Dam, Farage, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasoliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

Wednesday 2 July 2003

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Boudjenah, Brie, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Turco

PPE-DE: Flemming, Hernández Mollar, Karas, Kauppi, Lulling, Matikainen-Kallström, Rack, Rübig, Sartori, Stenzel, Sumberg, Suominen, Vatanen

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulst, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swibel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre, Segni

Abstention: 21

EDD: Abitbol, Bernié, Butel, Coûteaux, Esclopé, Mathieu, Raymond, Saint-Josse

GUE/NGL: Bordes, Cauquil, Laguiller

NI: Borghezio, Claeys, Dillen, Gobbo, Gollnisch, Lang, Martinez, Speroni, Stirbois

PSE: Martin

Zappalà recommendation A5-0242/2003 Amendment 104

For: 252

EDD: Abitbol, Andersen, Bernié, Bonde, Butel, Coûteaux, Esclopé, Mathieu, Raymond, Saint-Josse, Sandbæk

ELDR: Di Pietro

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso

PPE-DE: Dell'Utri, Musotto, Wijkman

Wednesday 2 July 2003

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulst, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin, Martínez Martínez, Mastorakis, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Voggenhuber, Wuori, Wyn

Against: 294

EDD: Belder, Blokland, Booth, van Dam, Farage, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Duff, Dybkjær, Fleisch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

NI: Berthu, Beysen, Claeys, Dillen, Garaud, Gollnisch, Hager, Lang, de La Perriere, Martinez, Souchet, Stirbois, Varaut

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggel, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann, Mantovani, Marinos, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Røvsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, von Wogau, Wiermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Gillig, Medina Ortega, Titley

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

Wednesday 2 July 2003

Abstention: 13

NI: Borghezio, Cappato, Dell'Alba, Della Vedova, Dupuis, Gobbo, Ilgenfritz, Kronberger, Pannella, Raschhofer, Speroni, Turco

PSE: Martin

**Zappalà recommendation A5-0242/2003
Amendment 61(b)**

For: 224

EDD: Abitbol, Andersen, Bernié, Bonde, Butel, Coûteaux, Esclopé, Mathieu, Raymond, Saint-Josse, Sandbæk

ELDR: Di Pietro

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Borghezio, Gobbo, Gorostiaga Atxalandabaso, Speroni

PPE-DE: Dell'Utri, Musotto, Wieland

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napolitano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Fitzsimons

Verts/ALE: Bautista Ojeda, Boumediene-Thiery, Dhaene, Lannoye, Ortuondo Larrea, Piétrasanta, Schörling, Schroedter

Against: 318

EDD: Belder, Blokland, van Dam

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Duff, Dybkjær, Fleisch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

NI: Berthu, Beysen, Claey, Della Vedova, Dillen, Dupuis, Garaud, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Martinez, Pannella, Raschhofer, Souchet, Stirbois, Turco, Varaut

Wednesday 2 July 2003

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann, Mantovani, Marinos, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schmitt, Schnellhardt, Schwaiger, Smet, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Titley

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

Verts/ALE: Aaltonen, Auroi, Bouwman, Breyer, Buitenweg, Celli, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Rod, de Roo, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 6

EDD: Farage, Titford

GUE/NGL: Frahm

PSE: Martin, Mendiluce Pereiro

Verts/ALE: Rühle

Zappalà recommendation A5-0242/2003 Amendment 92

For: 298

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

ELDR: Attwooll, Boogerd-Quaak, van den Bos, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Fleisch, Gasòliba i Böhm, Huhne, Ludford, Lynne, Martelli, Monsonís Domingo, Olsson, Paulsen, Pesälä, Pohjamo, Procacci, Ries, Rutelli, Sbarbati, Schmidt, Sterckx, Thors, Väyrynen, Vallvé, Van Hecke, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Maset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Cappato, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Raschhofer

PPE-DE: Flemming, Karas, Kauppi, Matikainen-Kallström, Rack, Rübig, Smet, Stenzel, Suominen, Vatanen

Wednesday 2 July 2003

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulst, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McCarthy, McNally, Malliori, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roue, Sacconi, Sakellariou, Sandberg-Fries, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swibel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Wuori, Wyn

Against: 249

ELDR: Andreasen, André-Léonard, Busk, Jensen, Maaten, Manders, Mulder, Newton Dunn, Nordmann, Plooi-j-van Gorsel, Riis-Jørgensen, Sanders-ten Holte, Sørensen, Vermeer

GUE/NGL: Jové Peres

NI: Berthu, Beysen, Claeys, Dillen, Garaud, Gollnisch, Lang, de La Perriere, Martinez, Souchet, Stirbois, Varaut

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa, Cunha, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggel, Keppelhoff-Wiechert, Khanbhai, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menniti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rosing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Tajani, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Titley

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

Verts/ALE: Mayol i Raynal, Voggenhuber

Wednesday 2 July 2003

Abstention: 8**EDD:** Booth, Farage, Titford**ELDR:** Dybkjær**NI:** Borghezio, Gobbo, Speroni**PSE:** Martin**Zappalà recommendation A5-0242/2003
Amendments 61(c) and 93****For: 299****EDD:** Abitbol, Belder, Bernié, Blokland, Butel, Coûteaux, van Dam, Esclopé, Mathieu, Raymond, Saint-Josse**ELDR:** Attwooll, Boogerd-Quaak, van den Bos, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Flesch, Gasòliba i Böhm, Ludford, Lynne, Martelli, Monsonís Domingo, Olsson, Paulsen, Pesälä, Pohjamo, Procacci, Ries, Rutelli, Sbarbati, Schmidt, Sterckx, Thors, Väyrynen, Vallvé, Van Hecke, Virrankoski, Watson**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vinci, Wurtz**NI:** Borghezio, Cappato, Dell'Alba, Della Vedova, Dupuis, Gobbo, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Pannella, Raschhofer, Speroni, Turco**PPE-DE:** Hansenne, Kauppi, Smet, Wijkman**PSE:** Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Frassoni, Gahrton, Hudghton, Iler Béguin, Jonckheer, Legendijk, Lambert, Lannoye, Lipietz, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 254****EDD:** Andersen, Sandbæk**ELDR:** Andreasen, Busk, Huhne, Jensen, Maaten, Manders, Mulder, Newton Dunn, Nordmann, Plooi-j-van Gorsel, Riis-Jørgensen, Sanders-ten Holte, Sørensen, Vermeer

Wednesday 2 July 2003

NI: Berthu, Beysen, Claeys, Dillen, Garaud, Gollnisch, Hager, Lang, de La Perriere, Martinez, Souchet, Stirbois, Varaut

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa, Cunha, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggler, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann, Mantovani, Marinos, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

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

Abstention: 7

EDD: Booth, Farage, Titford

ELDR: André-Léonard

GUE/NGL: Vachetta

PPE-DE: Stockton

PSE: Martin

**Zappalà recommendation A5-0242/2003
Amendment 74, 1st part**

For: 248

EDD: Abitbol, Bernié, Butel, Coûteaux, Esclopé, Mathieu, Raymond, Saint-Josse

ELDR: Costa, Di Pietro, Sbarbati

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Manisco, Markov, Maset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjøstedt, Sylla, Uca, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso

PPE-DE: Deprez, Florenz, Schleicher, Vatanen

Wednesday 2 July 2003

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swibel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Fitzsimons

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wynn

Against: 302

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

GUE/NGL: Bordes, Cauquil, Laguiller

NI: Berthu, Beysen, Borghezio, Cappato, Claeyns, Dell'Alba, Della Vedova, Dillen, Dupuis, Garaud, Gobbo, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Martinez, Pannella, Raschhofer, Souchet, Stirbois, Turco, Varaut

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa, Cunha, Cushnahan, Daul, Dell'Utri, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Folias, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Rübzig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

Wednesday 2 July 2003

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

Abstention: 6

EDD: Booth, Farage, Titford

GUE/NGL: Vachetta

NI: Speroni

PSE: Martin

**Zappalà recommendation A5-0242/2003
Amendment 74, 2nd part**

For: 128

EDD: Abitbol, Andersen, Bonde, Sandbæk

ELDR: Costa, Sbarbati

GUE/NGL: Ainarði, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso, Speroni

PPE-DE: Vatanen

PSE: van den Burg, Campos, Carlotti, Casaca, Dehousse, Désir, Duhamel, Fava, Ferreira, Fruteau, Garot, Ghilardotti, Gillig, Guy-Quint, Hazan, Hoff, Lalumière, Lavarra, Martin, Mendiluce Pereiro, Miranda de Lage, Napolitano, Paciotti, Patrie, Roure, Sacconi, Savary, Thorning-Schmidt, Trentin, Tsatsos, Valenciano Martínez-Orozco, Volcic

UEN: Fitzsimons

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Legendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 430

EDD: Belder, Bernié, Blokland, Butel, Couéteaux, van Dam, Esclopé, Mathieu, Raymond, Saint-Josse

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

NI: Berthu, Beysen, Borghezio, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Garaud, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Martinez, Pannella, Raschhofer, Souchet, Stirbois, Turco, Varaut

Wednesday 2 July 2003

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cunha, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Foster, Fournou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggler, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klab, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, Carnero González, Carrilho, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Díez González, Duin, Ettl, Evans, Färm, Ford, Gebhardt, Gill, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Hedkvist Petersen, Honeyball, Howitt, van Hulst, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Moraes, Müller, Murphy, Myller, Napoletano, Obiols i Germà, Paasilinna, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Titley, Torres Marques, Vairinhos, Van Brempt, Van Lancker, Vattimo, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

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

Abstention: 7

EDD: Booth, Farage, Titford

GUE/NGL: Vachetta

NI: Gobbo

PPE-DE: Costa

PSE: Martin

**Zappalà recommendation A5-0242/2003
Amendment 70**

For: 339

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

ELDR: Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Martelli, Monsonís Domingo, Olsson, Paulsen, Pesälä, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Virrankoski, Watson

Wednesday 2 July 2003

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraise, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Borghezio, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Garaud, Gobbo, Gollnisch, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Lang, de La Perriere, Martinez, Pannella, Raschhofer, Speroni, Stirbois, Turco, Varaut

PPE-DE: Brienza, Cocilovo, Kauppi, Lisi, Mantovani, Martens, Matikainen-Kallström, Montfort, Pronk, Sartori, Vatanen

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cedeira Morterero, Ceyhan, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulst, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napolitano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusi, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Camre, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro

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

Against: 218

ELDR: André-Léonard, Maaten, Manders, Mulder, Newton Dunn, Nordmann, Plooi-j-van Gorsel, Sanders-ten Holte, Vermeer

NI: Berthu, Beysen, Hager, Souchet

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bournel, Bradbourn, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Coelho, Cornillet, Corrie, Costa, Cunha, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Foster, Fourtoul, Friedrich, Gähler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harboure, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggler, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lulling, Maat, McCartin, Maij-Weggen, Mann, Marinos, Marques, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafrañca Sánchez-Neyra, Santer, Santini, Scallan, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

Wednesday 2 July 2003

UEN: Angelilli, Berlato, Bigliardo, Muscardini, Mussa, Musumeci, Nobilia, Poli Bortone, Segni

Abstention: 3

EDD: Booth, Farage, Titford

**Zappalà recommendation A5-0242/2003
Amendment 95**

For: 316

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

ELDR: André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasöliba i Böhm, Huhne, Ludford, Lynne, Martelli, Monsonís Domingo, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Procacci, Ries, Rutelli, Sbarbati, Schmidt, Sterckx, Thors, Väyrynen, Vallvé, Van Hecke, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Manisco, Markov, Maset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Pannella, Raschhofer, Stirbois, Turco

PPE-DE: Banotti, Brienza, Cocilovo, Ebner, Grosch, Hatzidakis, Korhola, Liese, Lisi, Mantovani, Martens, Matikainen-Kallström, Sacrédeus, Sartori, Smet, Suominen, Wijkman

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Ceideira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulsten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Tittley, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Ó Neachtain

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Legendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 237

EDD: Booth, Farage, Titford

ELDR: Andreasen, Jensen, Maaten, Manders, Mulder, Newton Dunn, Plooi-j-van Gorsel, Riis-Jørgensen, Sørensen, Vermeer

Wednesday 2 July 2003

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

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Coelho, Cornillet, Corrie, Costa, Cunha, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Folias, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Heaton-Harris, Helmer, Hermange, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggler, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaf, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Lulling, Maat, McCartin, Mann, Marinos, Marques, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Røvsing, Rübiger, Salafranca Sánchez-Neyra, Santer, Santini, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Tajani, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Savary

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

Abstention: 4

GUE/NGL: Bordes, Cauquil, Laguiller

PSE: Martin

**Zappalà recommendation A5-0242/2003
Amendment 63**

For: 295

EDD: Butel, Esclopé, Raymond, Saint-Josse

ELDR: Boogerd-Quaak, van den Bos, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Ludford, Lynne, Maaten, Manders, Martelli, Mulder, Newton Dunn, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Manisco, Markov, Maset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schröder, Seppänen, Sjöstedt, Uca, Vachetta, Vinci, Wurtz

NI: Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Garaud, Gollnisch, Gorostiaga Atxalandabaso, Lang, de La Perriere, Martinez, Pannella, Stirbois, Turco, Varaut

PPE-DE: García-Orcoyen Tormo, Heaton-Harris, Piscarreta

Wednesday 2 July 2003

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba

UEN: Andrews, Crowley, Hyland, Marchiani, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Legendijk, Lambert, Lannoy, Lipietz, Lucas, MacCormick, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 247

EDD: Andersen, Belder, Blokland, Bonde, Booth, van Dam, Farage, Sandbæk, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Busk, Gasòliba i Böhm, Jensen, Nordmann, Procacci, Riis-Jørgensen, Sørensen

GUE/NGL: Cauquil, Laguiller

NI: Beysen, Borghezio, Cappato, Gobbo, Hager, Ilgenfritz, Kronberger, Raschhofer, Souchet, Speroni

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Boulranges, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa, Cunha, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foliás, Foster, Fourtoun, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maj-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Hoff, Swiebel, Zrihen

Wednesday 2 July 2003

UEN: Angelilli, Berlato, Bigliardo, Camre, Collins, Fitzsimons, Muscardini, Mussa, Musumeci, Nobilia, Poli Bortone, Segni

Abstention: 2

EDD: Coûteaux, Mathieu

**Zappalà recommendation A5-0242/2003
Amendment 83**

For: 291

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

ELDR: van den Bos, Di Pietro, Vallvé

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Manisco, Markov, Maset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Berthu, Beysen, Garaud, de La Perriere, Souchet, Varaut

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Brienza, Brok, Brunetta, Camisón Asensio, Cocilovo, Coelho, Cornillet, Costa, Cunha, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Folias, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggle, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maj-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stockton, Sudre, Tajani, Theato, Thyssen, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Colom i Naval, Dehousse, Schmid

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

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 249

EDD: Belder, Blokland, van Dam

Wednesday 2 July 2003

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, Busk, Costa, Davies, De Clercq, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Väyrynen, Van Hecke, Virrankoski, Watson

NI: Borghezio, Cappato, Dell'Alba, Della Vedova, Dupuis, Gobbo, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Speroni, Turco

PPE-DE: Beazley, Bradbourn, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Elles, Evans, Flemming, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Karas, Kauppi, Khanbhai, Kirkhope, Matikainen-Kallström, Nicholson, Parish, Perry, Provan, Purvis, Rack, Rübig, Stenzel, Stevenson, Sturdy, Sumberg, Suominen, Tannock, Trakatellis, Van Orden, Villiers

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Kefßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Bremept, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre

Abstention: 19

EDD: Abitbol, Bernié, Butel, Coûteaux, Esclopé, Mathieu, Raymond, Saint-Josse

GUE/NGL: Bordes, Cauquil, Laguiller

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

PSE: Mendiluce Pereiro

Zappalà recommendation A5-0242/2003 Amendment 106

For: 310

EDD: Abitbol, Bernié, Butel, Coûteaux, Esclopé, Mathieu, Raymond, Saint-Josse

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Martelli, Monsonís Domingo, Olsson, Paulsen, Pesälä, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Speroni, Turco

Wednesday 2 July 2003

PPE-DE: Karas, Kauppi, Maat, Maij-Weggen, Matikainen-Kallström, Rack, Rübig, Scallon, Stenzel, Suominen, Vatanen, Wijkman

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusi, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Fitzsimons

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 239

EDD: Andersen, Belder, Blokland, Bonde, Booth, van Dam, Farage, Sandbæk, Titford

ELDR: Maaten, Manders, Mulder, Newton Dunn, Plooij-van Gorsel, Vermeer

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

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa, Cunha, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Foster, Fournou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomólka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Kläß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Lechner, Lehne, Liese, Lisi, Lulling, Mann, Mantovani, Marinos, Marques, Martens, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Tajani, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling

Wednesday 2 July 2003

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

Abstention: 1

NI: Gobbo

**Zappalà recommendation A5-0242/2003
Amendment 76**

For: 220

EDD: Belder, Blokland, Booth, van Dam, Farage, Titford

ELDR: André-Léonard, Duff, Nordmann

NI: Berthu, Beysen, Claeys, Dillen, Garaud, Gollnisch, Lang, de La Perriere, Martinez, Souchet, Stirbois, Varaut

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa, Cunha, Cushnahan, Dell'Utri, Deprez, De Sarnez, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Folias, Foster, Gähler, Galeote Quecedo, García-Margallo y Marfil, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Matikainen-Kallström, Mayer, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Moreira Da Silva, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Ridruejo, Ripoll y Martínez de Bedoya, Røvsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallan, Scapagnini, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stenmarck, Stevenson, Stockton, Sturdy, Sumberg, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vidal-Quadras Roca, Villiers, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling

PSE: Dehousse

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

Against: 324

EDD: Andersen, Bonde, Sandbæk

ELDR: Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Fraise, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci

Wednesday 2 July 2003

NI: Borghezio, Cappato, Della Vedova, Dupuis, Gobbo, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Speroni, Turco

PPE-DE: Bodrato, Böge, von Boetticher, Bourlanges, Daul, Descamps, Flemming, Fourtou, García-Orcoyen Tormo, Goepel, Grossetête, Jeggle, Karas, Lechner, Martin, Mauro, Montfort, Müller, Niebler, Posselt, Rack, Radwan, Rübig, Schaffner, Stauner, Stenzel, Sudre, de Veyrinas, Vlasto

PSE: Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulst, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McNally, Malliori, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swibel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 9

EDD: Abitbol, Bernié, Butel, Coûteaux, Esclopé, Mathieu, Raymond, Saint-Josse

PSE: Martin

**Zappalà recommendation A5-0242/2003
Amendment 78**

For: 277

EDD: Andersen, Bonde, Sandbæk

ELDR: André-Léonard, van den Bos, Nordmann

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Manisco, Markov, Maset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjøstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Berthu, Beysen, Garaud, de La Perriere, Souchet, Varaut

Wednesday 2 July 2003

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Brienza, Brunetta, Camisón Asensio, Cocilovo, Coelho, Cornillet, Costa, Cunha, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Foliás, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggle, Kauppi, Keppelhoff-Wiechert, Klamt, Klab, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Lechner, Lehne, Liese, Lulling, Maat, McCartin, Majj-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Pronk, Quisthoudt-Rowohl, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Røvsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallion, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Sudre, Tajani, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling

PSE: Dehousse, Rothley

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

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 254

EDD: Belder, Blokland, Booth, van Dam, Farage, Titford

ELDR: Andreasen, Attwooll, Boogerd-Quaak, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasöliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski

NI: Borghezio, Cappato, Dell'Alba, Della Vedova, Dupuis, Gobbo, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Speroni, Turco

PPE-DE: Beazley, Bradbourn, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Evans, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Karas, Khanbhai, Kirkhope, Langen, Lisi, Matikainen-Kallström, Nicholson, Parish, Perry, Provan, Purvis, Rack, Rübig, Stenzel, Stevenson, Stockton, Sturdy, Sumberg, Suominen, Tannock, Van Orden, Vatanen, Villiers

PSE: Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Kefler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Wednesday 2 July 2003

UEN: Camre

Abstention: 20

EDD: Abitbol, Bernié, Butel, Coûteaux, Esclopé, Mathieu, Raymond, Saint-Josse

GUE/NGL: Bordes, Cauquil, Laguiller

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

PSE: Martin, Mendiluce Pereiro

**Zappalà recommendation A5-0242/2003
Amendment 5**

For: 124

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraise, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Manisco, Markov, Maset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Borghezio, Claeys, Dillen, Garaud, Gobbo, Gollnisch, Gorostiaga Atxalandabaso, Lang, de La Perriere, Martinez, Speroni, Stirbois, Varaut

PPE-DE: Berend, Böge, von Boetticher, Brok, Deprez, Goepel, Hieronymi, Jeggle, Lechner, Mayer, Müller, Niebler, Pack, Radwan, Schwaiger, Stauner, Theato, Wuermeling

PSE: Dehousse, Martínez Martínez, Mendiluce Pereiro, Zrihen

UEN: Andrews, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Ó Neachtain, Pasqua, Queiró, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Frassoni, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lipietz, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 406

EDD: Andersen, Belder, Blokland, van Dam

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasoliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

NI: Berthu, Beysen, Cappato, Della Vedova, Dupuis, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Souchet, Turco

Wednesday 2 July 2003

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Bodrato, Bourlanges, Bradbourn, Brienza, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cunha, Cushnahan, Daul, Dell'Utri, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foliás, Foster, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gargani, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Herranz García, Inglewood, Jackson, Jarzembowski, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Méndez de Vigo, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Musotto, Naranjo Escobar, Nassauer, Nicholson, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Ridruejo, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafrañca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schmitt, Schnellhardt, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tajani, Tannock, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Hoff, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba

UEN: Angelilli, Berlato, Bigliardo, Muscardini, Mussa, Musumeci, Nobilia, Poli Bortone, Segni

Abstention: 16

EDD: Abitbol, Bernié, Booth, Butel, Coûteaux, Esclopé, Farage, Mathieu, Raymond, Saint-Josse, Titford

GUE/NGL: Bordes, Cauquil, Laguiller

PPE-DE: Costa

PSE: Martin

Zappalà recommendation A5-0245/2003 Amendment 57

For: 208

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

ELDR: Nordmann

NI: Berthu, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Martinez, Souchet, Stirbois

Wednesday 2 July 2003

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa, Cunha, Cushnahan, Daul, Dell'Utri, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Inglewood, Jackson, Jarzembowski, Jeggle, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Lechner, Lehne, Liese, Lisi, Lulling, McCartin, Mann, Marinos, Marques, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Piscarreta, Podestà, Posselt, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Ridruejo, Rovsing, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Marinho

UEN: Angelilli, Berlato, Bigliardo, Camre, Fitzsimons, Mussa, Musumeci, Nobilia, Pasqua, Poli Bortone, Ribeiro e Castro, Segni

Against: 334

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

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

GUE/NGL: Alavanos, Bakopoulos, Bertinotti, Blak, Bordes, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Puerta, Scarbonchi, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci

NI: Beysen, Borghezio, Cappato, Dell'Alba, Della Vedova, Dupuis, Gobbo, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Speroni, Turco, Varaut

PPE-DE: Doorn, Grosch, Hansenne, Karas, Kauppi, Maat, Majj-Weggen, Mantovani, Martens, Matikainen-Kallström, Oomen-Ruijten, Oostlander, Pex, Pronk, Rack, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Smet, Stenzel, Suominen, van Velzen, Wijkman

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Kefler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wynn, Zorba, Zrihen

Wednesday 2 July 2003

UEN: Andrews, Collins, Crowley, Hyland, Marchiani, Ó Neachtain, Queiró, Thomas-Mauro

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Legendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 9

GUE/NGL: Ainardi, Alyssandrakis, Boudjenah, Korakas, Patakis, Schmid, Wurtz

NI: Garaud

PSE: Martin

**Zappalà recommendation A5-0245/2003
Amendment 4**

For: 169

EDD: Belder, Blokland, van Dam

ELDR: Di Pietro

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

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bourlanges, Brienza, Brok, Brunetta, Camisón Asensio, Cocilovo, Coelho, Costa, Cushnahan, Dell'Utri, Deprez, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Graça Moura, Grönfeldt Bergman, Grosch, Gutiérrez-Cortines, Hatzidakis, Hernández Mollar, Herranz García, Jarzembowski, Kauppi, Keppelhoff-Wiechert, Klamt, Klaß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marques, Martens, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Moreira Da Silva, Musotto, Naranjo Escobar, Nassauer, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Pronk, Quisthoudt-Rowohl, Ripoll y Martínez de Bedoya, Rovsing, Sacrédeus, Salafrañca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schleicher, Schmitt, Schnellhardt, Smet, Sommer, Stenmarck, Theato, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, van Velzen, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Dehousse, Medina Ortega

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

Against: 368

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

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Costa, Davies, De Clercq, Duff, Fleisch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

Wednesday 2 July 2003

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso, Hager

PPE-DE: Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bradbourn, Bushill-Matthews, Callanan, Chichester, Cornillet, Corrie, Cunha, Daul, De Sarnez, Descamps, Deva, Dover, Elles, Evans, Foster, Fourtoul, Goodwill, Grossetête, Hannan, Hansenne, Harbour, Heaton-Harris, Helmer, Hermange, Hieronymi, Inglewood, Jackson, Jeggel, Karas, Khanbhai, Kirkhope, Martin, Matikainen-Kallström, Montfort, Morillon, Müller, Nicholson, Niebler, Pack, Parish, Perry, Podestà, Posselt, Provan, Purvis, Rack, Radwan, Ridruejo, Rübig, Schaffner, Schwaiger, Stauner, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tannock, Thyssen, Van Orden, Vatanen, de Veyrinas, Villiers, Vlasto, Wuermeling

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napolitano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Legendijk, Lambert, Lipietz, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 4

NI: Ilgenfritz, Kronberger, Raschhofer

PSE: Martin

Zappalà recommendation A5-0245/2003 Amendment 5

For: 231

EDD: Belder, Blokland, van Dam

ELDR: André-Léonard, Nordmann

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

Wednesday 2 July 2003

PPE-DE: Andria, Arvidsson, Averoff, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Folias, Foster, Fourtou, Gahler, Galeote Quecedo, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggel, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marques, Martens, Martin, Mauro, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Roving, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Dehousse, Tsatsos

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

Against: 309

EDD: Abitbol, Andersen, Bernié, Bonde, Booth, Butel, Coûteaux, Esclopé, Mathieu, Raymond, Saint-Josse, Sandbæk, Titford

ELDR: Andreassen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Fleisch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraise, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Hager, Pannella, Turco

PPE-DE: Karas, Kauppi, Matikainen-Kallström, Rack, Rübig, Stenzel, Suominen, Vatanen

PSE: Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulst, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napolitano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Wednesday 2 July 2003

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 4

NI: Ilgenfritz, Kronberger, Raschhofer

PSE: Martin

**Zappalà recommendation A5-0245/2003
Amendment 11**

For: 207

ELDR: Nordmann

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

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Brienza, Brok, Brunetta, Camisón Asensio, Cocilovo, Coelho, Cornillet, Costa, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foliás, Fourtou, Gähler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggler, Karas, Kauppi, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauer, Stenmarck, Stenzel, Sudre, Suominen, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Dehousse

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

Against: 331

EDD: Abitbol, Andersen, Belder, Blokland, Bonde, Booth, van Dam, Sandbæk, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Manisco, Markov, Maset Campos, Meijer, Miranda, Modrow, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Wurtz

Wednesday 2 July 2003

NI: Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Pannella, Turco

PPE-DE: Beazley, Bradbourn, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Elles, Evans, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Khanbhai, Kirkhope, Nicholson, Parish, Perry, Provan, Purvis, Stevenson, Stockton, Sturdy, Sumberg, Tannock, Van Orden, Villiers

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulsten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakís, Sousa Pinto, Stihler, Stockmann, Swibel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Legendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 14

EDD: Bernié, Coûteaux, Esclopé, Mathieu, Raymond, Saint-Josse

GUE/NGL: Bordes, Cauquil, Laguiller

NI: Hager, Ilgenfritz, Kronberger, Raschhofer

PSE: Martin

Zappalà recommendation A5-0245/2003 Amendment 12

For: 432

ELDR: André-Léonard, Di Pietro, Nordmann

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Boudjenah, Brie, Caudron, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

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

Wednesday 2 July 2003

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Brienza, Brok, Brunetta, Camisón Asensio, Cocilovo, Coelho, Cornillet, Costa, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferri, Fiori, Flemming, Foliás, Fourtou, Gahler, Galeote Quecedo, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Graça Moura, Grönfeldt Bergman, Grosch, Grosselet, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggle, Karas, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marques, Martens, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Sudre, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napolitano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Bremept, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

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

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wynn

Against: 98

EDD: Andersen, Belder, Blokland, Bonde, Booth, van Dam, Sandbæk, Titford

ELDR: Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

GUE/NGL: Cossutta, Morgantini, Papayannakis

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

PPE-DE: Beazley, Bradbourn, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Elles, Evans, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Kauppi, Khanbhai, Kirkhope, Matikainen-Kallström, Nicholson, Parish, Perry, Provan, Purvis, Stevenson, Stockton, Sturdy, Sumberg, Suominen, Tannock, Van Orden, Vatanen, Villiers

Wednesday 2 July 2003

UEN: Camre**Abstention: 15****EDD:** Abitbol, Bernié, Butel, Coûteaux, Esclopé, Mathieu, Raymond, Saint-Josse**GUE/NGL:** Bordes, Cauquil, Laguiller**NI:** Ilgenfritz, Kronberger, Raschhofer**PSE:** Martin**Zappalà recommendation A5-0245/2003
Amendment 15****For: 395****EDD:** Abitbol, Andersen, Belder, Bernié, Blokland, Bonde, Butel, van Dam, Esclopé, Mathieu, Raymond, Saint-Josse, Sandbæk**ELDR:** Di Pietro**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Manisco, Markov, Maset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjøstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Berthu, Beysen, Borghesio, Gobbo, Gorostiaga Atxalandabaso, Souchet, Speroni**PPE-DE:** Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bodrato, Brienza, Brunetta, Camisón Asensio, Cocilovo, Coelho, Costa, Cunha, Cushnahan, Deprez, Dimitrakopoulos, Doorn, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Foliás, Gähler, Galeote Quecedo, García-Margallo y Marfil, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Gomolka, Graça Moura, Grönfeldt Bergman, Grosch, Gutiérrez-Cortines, Hansenne, Hatzidakis, Herranz García, Jarzembowski, Kauppi, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marques, Martens, Matikainen-Kallström, Mauro, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Moreira Da Silva, Müller, Musotto, Naranjo Escobar, Nassauer, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schmitt, Schnellhardt, Smet, Stenmarck, Stenzel, Suominen, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener**PSE:** Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Simpson, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Wednesday 2 July 2003

UEN: Angelilli, Berlato, Mussa, Musumeci, Nobilia, Poli Bortone, Segni

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Legendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörfling, Schroedter, Staes, Voggenhuber, Wuori, Wyn

Against: 147

EDD: Booth, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Duff, Dybkjær, Fleisch, Gasòliba i Böhm, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

GUE/NGL: Bordes, Cauquil, Laguiller

NI: Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Garaud, Gollnisch, Hager, Lang, de La Perriere, Martinez, Pannella, Stirbois, Turco, Varaut

PPE-DE: Beazley, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bradbourn, Brok, Bushill-Matthews, Callanan, Chichester, Cornillet, Corrie, Daul, De Sarnez, Descamps, Deva, De Veyrac, Dover, Evans, Foster, Fourtoul, García-Orcoyen Tormo, Goepel, Goodwill, Grossetête, Hannan, Harbour, Heaton-Harris, Helmer, Hermange, Hieronymi, Inglewood, Jackson, Jeggel, Karas, Khanbhai, Kirkhope, Martin, Mayer, Montfort, Morillon, Nicholson, Niebler, Pack, Parish, Perry, Provan, Purvis, Rack, Radwan, Rübige, Schaffner, Schleicher, Schwaiger, Sommer, Stauner, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Tannock, Theato, Van Orden, de Veyrinas, Villiers, Vlasto, Wuermeling

PSE: Carrilho, Ceyhun, Soares

UEN: Camre, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro

Abstention: 5

EDD: Coûteaux

NI: Ilgenfritz, Kronberger, Raschhofer

PSE: Martin

**Zappalà recommendation A5-0245/2003
Amendment 16, 1st part**

For: 459

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Duff, Dybkjær, Fleisch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Plooi-j-van Gorsel, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Vallvé, Van Hecke, Vermeer, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraise, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Uca, Vachetta, Vinci, Wurtz

Wednesday 2 July 2003

NI: Berthu, Beysen, Borghezio, Cappato, Dell'Alba, Della Vedova, Dupuis, Garaud, Gobbo, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, de La Perriere, Pannella, Raschhofer, Souchet, Speroni, Turco, Varaut

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Brienza, Brunetta, Camisón Asensio, Cocilovo, Coelho, Cornillet, Costa, Cunha, Cushnahan, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Folias, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Herranz García, Hieronymi, Jarzembowski, Jeggler, Karas, Kauppi, Keppelhoff-Wiechert, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marques, Martens, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Rübiger, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Stauner, Stenmarck, Sudre, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Ettl, Evans, Färm, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napolitano, Napolitano, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Berlato, Marchiani, Mussa, Musumeci, Nobilia, Poli Bortone, Segni, Thomas-Mauro

Verts/ALE: Aaltonen, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Lagendijk, Lambert, Lannoye, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, de Roo, Rühle, Schörling, Schroedter, Staes, Voggenhuber, Wuori, Wyn

Against: 58

EDD: Booth, Titford

ELDR: Pesälä, Pohjamo, Väyrynen, Virrankoski

NI: Claeys, Dillen, Lang, Martinez, Stirbois

PPE-DE: Beazley, Bradbourn, Brok, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Elles, Evans, Flemming, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Khanbhai, Kirkhope, Matikainen-Kallström, Nicholson, Parish, Perry, Provan, Purvis, Stenzel, Stevenson, Stockton, Sturdy, Sumberg, Suominen, Tannock, Van Orden, Villiers

PSE: Tsatsos

UEN: Andrews, Camre, Collins, Crowley, Fitzsimons, Hyland, Ó Neachtain, Queiró, Ribeiro e Castro

Wednesday 2 July 2003

Abstention: 9

EDD: Abitbol, Bernié, Butel, Coûteaux, Esclopé, Mathieu, Raymond, Saint-Josse

Verts/ALE: Rod

**Zappalà recommendation A5-0245/2003
Amendment 16, 2nd part**

For: 227

EDD: Belder, Blokland, van Dam

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Duff, Dybkjær, Fleisch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Plooij-van Gorsel, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Vallvé, Van Hecke, Vermeer, Watson

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

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Brienza, Brok, Brunetta, Camisón Asensio, Coelho, Cornillet, Cunha, Cushman, Daul, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggel, Keppelhoff-Wiechert, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, Maij-Weggen, Mann, Mantovani, Marques, Martens, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Røvsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Sudre, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, von Wogau, Wiermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Dehousse

UEN: Angelilli, Berlato, Mussa, Musumeci, Nobilia, Poli Bortone, Segni, Thomas-Mauro

Against: 306

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

ELDR: Di Pietro, Pesälä, Pohjamo, Väyrynen

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Maset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Claeys, Dillen, Gollnisch, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Lang, Martinez, Raschhofer, Stirbois

Wednesday 2 July 2003

PPE-DE: Beazley, Bradbourn, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Elles, Evans, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Karas, Kauppi, Khanbhai, Kirkhope, Matikainen-Kallström, Nicholson, Parish, Perry, Provan, Purvis, Rack, Rübig, Stenzel, Stevenson, Stockton, Sturdy, Sumberg, Suominen, Tannock, Van Orden, Vatanen, Villiers

PSE: Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulst, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swibel, Swoboda, Terrón i Cusi, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Camre, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Ó Neachtain, Ribeiro e Castro

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 11

EDD: Bernié, Butel, Coûteaux, Esclopé, Mathieu, Raymond, Saint-Josse

GUE/NGL: Bordes, Cauquil

PPE-DE: Costa

PSE: Martin

**Zappalà recommendation A5-0245/2003
Amendment 19, 1st part**

For: 203

EDD: Andersen, Bonde, Sandbæk

ELDR: Nordmann

GUE/NGL: González Álvarez, Wurtz

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

Wednesday 2 July 2003

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Brienza, Brok, Brunetta, Camisón Asensio, Cocilovo, Coelho, Cornillet, Costa, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Fourtou, Gähler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggel, Keppelhoff-Wiechert, Klamt, Klab, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marques, Martens, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Røvsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Stauner, Stenmarck, Sudre, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Dehousse

UEN: Andrews, Angelilli, Berlatto, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Mussa, Musumeci, Nobilia, Ó Neachtain, Poli Bortone, Queiró, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Nogueira Román

Against: 341

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

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Maset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sylla, Uca, Vachetta, Vinci

NI: Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Turco

PPE-DE: Beazley, Bradbourn, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Elles, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Karas, Kauppi, Khanbhai, Kirkhope, Matikainen-Kallström, Nicholson, Parish, Perry, Provan, Purvis, Rack, Rübzig, Stenzel, Stevenson, Stockton, Sturdy, Sumberg, Suominen, Tannock, Van Orden, Vatanen, Villiers

Wednesday 2 July 2003

PSE: Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulst, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 4

EDD: Booth, Coûteaux, Titford

PSE: Martin

**Zappalà recommendation A5-0245/2003
Amendment 20**

For: 248

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

ELDR: Di Pietro

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bertinotti, Blak, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Krarup, Manisco, Markov, Marsset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Uca, Vachetta, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso, de La Perriere, Varaut

PPE-DE: Costa, Fatuzzo, García-Margallo y Marfil, Hernández Mollar, Sartori

Wednesday 2 July 2003

PSE: Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Campos, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Kefßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Simpson, Skinner, Soares, Souladakis, Sousa Pinto, Stihler, Stockmann, Swibel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Torres Marques, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Marchiani, Queiró, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Legendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Turmes, Voggenhuber, Wuori, Wyn

Against: 288

EDD: Booth, Raymond, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Duff, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

GUE/NGL: Bordes, Cauquil, Frahm

NI: Berthu, Beysen, Borghezio, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Garaud, Gobbo, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, Martinez, Pannella, Raschhofer, Souchet, Speroni, Stirbois, Turco

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folia, Foster, Fourtou, Gahler, Galeote Quecedo, García-Orcoyen Tormo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggel, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klab, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Méndez de Vigo, Mennea, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Røvsing, Rübzig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Scallon, Scapagnini, Schaffner, Schleicher, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tannock, Theato, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

Wednesday 2 July 2003

PSE: Corbett, Guy-Quint, Lalumière, Marinho, Martin, Sornosa Martínez

UEN: Andrews, Angelilli, Berlato, Camre, Collins, Crowley, Fitzsimons, Hyland, Mussa, Musumeci, Nobilia, Ó Neachtain, Poli Bortone, Segni

Abstention: 5

GUE/NGL: Alyssandrakis, Korakas, Patakis

PPE-DE: Schmitt

PSE: Martin

**Zappalà recommendation A5-0245/2003
Amendment 21**

For: 204

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

NI: Berthu, Beysen, Borghezio, Garaud, Gobbo, de La Perriere, Souchet, Speroni, Varaut

PPE-DE: Andria, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Böge, von Boetticher, Brok, Brunetta, Camisón Asensio, Cocilovo, Coelho, Costa, Cunha, Cushnahan, Deprez, Dimitrakopoulos, Doorn, Doyle, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Gomolka, Graça Moura, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggle, Kauppi, Keppelhoff-Wiechert, Klamt, Klaf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Montfort, Moreira Da Silva, Müller, Musotto, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Pronk, Quisthoudt-Rowohl, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Roving, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, van Velzen, Vidal-Quadras Roca, Wenzel-Perillo, Wieland, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Bullmann, Ceyhun, Dehousse, Duin, Gebhardt, Gill, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Haug, Hedkvist Petersen, van Hulten, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Kefler, Kindermann, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lange, Leinen, Lund, Marinho, Miranda de Lage, Moraes, Randzio-Plath, Rothe, Sakellariou, Stockmann, Swiebel, Walter, Weiler

UEN: Andrews, Angelilli, Berlato, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Mussa, Musumeci, Nobilia, Ó Neachtain, Poli Bortone, Segni, Thomas-Mauro

Verts/ALE: Bouwman

Against: 332

EDD: Abitbol, Bernié, Booth, Butel, Coûteaux, Esclopé, Mathieu, Saint-Josse, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasoliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

Wednesday 2 July 2003

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Cappato, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Turco

PPE-DE: Arvidsson, Beazley, Bébéar, Bourlanges, Bradbourn, Brienza, Bushill-Matthews, Callanan, Chichester, Cornillet, Corrie, Daul, De Sarnez, Descamps, Deva, De Veyrac, Dover, Ebner, Elles, Foster, Fourtou, Goodwill, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Harbour, Heaton-Harris, Helmer, Hermange, Inglewood, Jackson, Karas, Khanbhai, Kirkhope, Martin, Matikainen-Kallström, Morillon, Naranjo Escobar, Nicholson, Parish, Perry, Posselt, Provan, Purvis, Rack, Rübig, Sacrédeus, Schaffner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tannock, Van Orden, Vatanen, de Veyrinas, Villiers, Vlasto, Wachtmeister, Wijkman

PSE: Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Colom i Naval, Corbett, Corbey, De Keyser, Désir, Díez González, Duhamel, Ettl, Evans, Färm, Fava, Ford, Fruteau, Garot, Ghilardotti, Gillig, Hänsch, Hazan, Honeyball, Howitt, Hume, Iivari, Karamanou, Karlsson, Katiforis, Koukiadis, Lage, Lalumière, Lavarra, Linkohr, McAvan, McCarthy, McNally, Malliori, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Sacconi, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Watts, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre, Queiró, Ribeiro e Castro

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

Abstention: 7

NI: Claeys, Dillen, Gollnisch, Lang, Martinez, Stirbois

PSE: Martin

**Zappalà recommendation A5-0245/2003
Amendment 36**

For: 274

EDD: Abitbol, Andersen, Bernié, Bonde, Butel, Esclopé, Mathieu, Saint-Josse, Sandbæk

ELDR: Di Pietro, Vallvé

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sylla, Uca, Vachetta, Vinci, Wurtz

Wednesday 2 July 2003

NI: Borghezio, Claeys, Dillen, Garaud, Gobbo, Gollnisch, Gorostiaga Atxalandabaso, Lang, de La Perriere, Martinez, Speroni, Stirbois

PPE-DE: Cornillet, Descamps, Ferrer, Hernández Mollar, Wuermeling

PSE: Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swibel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Legendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wynn

Against: 270

EDD: Belder, Blokland, Booth, van Dam, Farage, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Duff, Dybkjær, Fleisch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Hünns, Nordmann, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Van Hecke, Vermeer, Virrankoski, Watson

NI: Berthu, Beysen, Cappato, Dell'Alba, Dupuis, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Souchet, Turco

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Corrie, Costa, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferri, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grosselet, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann, Mantovani, Marinos, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

Wednesday 2 July 2003

PSE: Napolitano, Schulz

UEN: Angelilli, Berlato, Camre, Mussa, Musumeci, Nobilia, Poli Bortone, Segni

Abstention: 3

EDD: Coûteaux

NI: Della Vedova

PSE: Martin

**Zappalà recommendation A5-0245/2003
Amendment 48**

For: 256

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

ELDR: Di Pietro

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Manisco, Markov, Maset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjøstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Borghezio, Gobbo, Gorostiaga Atxalandabaso, de La Perriere, Speroni

PPE-DE: Hernández Mollar, Schwaiger, Stauner, Vidal-Quadras Roca

PSE: Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napolitano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Collins, Marchiani, Queiró, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Legendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 275

EDD: Booth, Coûteaux, Farage, Titford

Wednesday 2 July 2003

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

NI: Berthu, Beysen, Cappato, Claeys, Dell'Alba, Dillen, Dupuis, Garaud, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, Martinez, Pannella, Raschhofer, Souchet, Stirbois, Turco

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Folias, Foster, Fourtou, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kauppi, Keppelhoff-Wiechert, Khanbhai, Klač, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinós, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Rübzig, Sacrédeus, Salafrañca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wurmeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

UEN: Andrews, Angelilli, Berlato, Camre, Crowley, Fitzsimons, Hyland, Mussa, Musumeci, Nobilia, Ó Neachtain, Poli Bortone, Segni

Abstention: 11

EDD: Abitbol, Bernié, Butel, Esclopé, Mathieu, Saint-Josse

GUE/NGL: Bordes, Cauquil, Laguiller

NI: Della Vedova

PSE: Martin

Zappalà recommendation A5-0245/2003 Amendment 49

For: 251

EDD: Abitbol, Andersen, Bernié, Bonde, Butel, Coûteaux, Esclopé, Mathieu, Saint-Josse, Sandbæk

ELDR: Di Pietro

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Borghezio, Gobbo, Gorostiaga Atxalandabaso

Wednesday 2 July 2003

PSE: Andersson, Aparicio Sánchez, Baltas, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Hume, Ivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Titley, Torres Marques, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Fitzsimons

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wynn

Against: 291

EDD: Belder, Blokland, Booth, van Dam, Farage, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Duff, Dybkjær, Fleisch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

NI: Berthu, Beysen, Cappato, Claeys, Dell'Alba, Dillen, Dupuis, Garaud, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Martinez, Pannella, Raschhofer, Souchet, Stirbois, Turco

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Böge, von Boetticher, Bradbourn, Brienza, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa, Cunha, Cushman, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jęgle, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Røvsing, Rübzig, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wiermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

Wednesday 2 July 2003

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

**Zappalà recommendation A5-0245/2003
Amendment 59**

For: 213

EDD: Belder, Blokland, van Dam

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

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Böge, von Boetticher, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Camisón Asensio, Chichester, Cocilovo, Coelho, Corrie, Costa, Cunha, Cushnahan, Deva, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Folias, Foster, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Matikainen-Kallström, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Moreira Da Silva, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Píscarreta, Podestà, Poettering, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Røvsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Sumberg, Suominen, Tannock, Theato, Thyssen, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, Vidal-Quadras Roca, Villiers, Wachtmeister, Wenzel-Perillo, Wieland, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Dehousse, Marinho

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

Against: 329

EDD: Abitbol, Andersen, Bernié, Bonde, Butel, Coûteaux, Esclopé, Mathieu, Saint-Josse, Sandbæk, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraise, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schröder, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Cappato, Dell'Alba, Dupuis, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Turco

PPE-DE: Bébéar, Bourlanges, Callanan, Cornillet, Daul, Deprez, De Sarnez, Descamps, De Veyrac, Florenz, Fourtou, Grosch, Grossetête, Karas, Martin, Montfort, Morillon, Posselt, Rack, Rübiger, Schaffner, Stenzel, Sudre, de Veyrinas, Vlasto

Wednesday 2 July 2003

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Hume, Ivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Legendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 2

NI: Della Vedova

PSE: Martin

**Zappalà recommendation A5-0245/2003
Amendment 22**

For: 176

EDD: Booth, Farage, Titford

ELDR: Nordmann, Pesälä, Pohjamo, Väyrynen, Vermeer, Virrankoski

NI: Berthu, Beysen, Souchet

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Brienza, Brunetta, Camisón Asensio, Cocilovo, Coelho, Cornillet, Costa, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Folias, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Graça Moura, Grönfeldt Bergman, Grossetête, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jeggel, Kauppi, Keppelhoff-Wiechert, Klamt, Klaf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Lisi, Lulling, Maat, McCartin, Mann, Mantovani, Marinos, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Sudre, Suominen, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

UEN: Angelilli, Berlato, Mussa, Musumeci, Nobilia, Poli Bortone, Segni

Wednesday 2 July 2003

Against: 356

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

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonis Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Plooij-van Gorsel, Procacci, Riis-Jørgensen, Rutelli, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Vallvé, Van Hecke, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Cappato, Claeys, Dell'Alba, Dillen, Dupuis, Garaud, Gobbo, Gollnisch, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Martinez, Pannella, Raschhofer, Speroni, Stirbois, Turco

PPE-DE: Bradbourn, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, De Veyrac, Dover, Elles, Evans, Foster, Goodwill, Grosch, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Karas, Khanbhai, Kirkhope, Montfort, Nicholson, Parish, Perry, Provan, Purvis, Rack, Røvsing, Rübige, Stenzel, Stevenson, Stockton, Sturdy, Sumberg, Villiers

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napolitano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Camre, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Legendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 3

NI: Borghezio, Della Vedova

PSE: Martin

Wednesday 2 July 2003

**Zappalà recommendation A5-0245/2003
Amendment 69****For: 257****EDD:** Abitbol, Andersen, Bernié, Bonde, Butel, Coûteaux, Esclopé, Mathieu, Saint-Josse, Sandbæk**ELDR:** Di Pietro**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Wurtz**NI:** Gobbo, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Raschhofer, Speroni**PPE-DE:** Deprez, Flemming, Grosch, Karas, Maat, Oreja Arburúa, Rack, Rübig, Stenzel**PSE:** Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulsten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Legendijk, Lambert, Lannoye, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 278****EDD:** Belder, Blokland, Booth, van Dam, Farage, Titford**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Davies, De Clercq, Dybkjær, Flesch, Gasòliba i Böhm, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski**GUE/NGL:** Bordes, Cauquil, Laguiller**NI:** Berthu, Beysen, Cappato, Claeys, Dell'Alba, Dillen, Dupuis, Garaud, Gollnisch, Lang, de La Perriere, Martinez, Pannella, Souchet, Stirbois, Turco

Wednesday 2 July 2003

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa, Cunha, Cushnahan, Daul, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Folias, Foster, Fourtou, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Røvsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Bowe, Moraes

UEN: Andrews, Angelilli, Berlato, Camre, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Mussa, Musumeci, Nobilia, O Neachtain, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Verts/ALE: Auroi, Cohn-Bendit

Abstention: 4

NI: Borghezio, Della Vedova

PSE: Martin, Poignant

**Zappalà recommendation A5-0245/2003
Amendment 23**

For: 190

EDD: Belder, Blokland, Booth, van Dam, Farage, Titford

ELDR: André-Léonard, Nordmann

NI: Berthu, Beysen, Gobbo, Souchet, Speroni

PPE-DE: Andria, Arvidsson, Averoff, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Brienza, Brok, Brunetta, Camisón Asensio, Cocilovo, Coelho, Cornillet, Costa, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Herranz García, Hieronymi, Jarzembowski, Jeggle, Keppelhoff-Wiechert, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Røvsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Sudre, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

Wednesday 2 July 2003

PSE: Ferreira, Haug, Jöns, Marinho

UEN: Andrews, Angelilli, Berlato, Collins, Crowley, Hyland, Muscardini, Mussa, Musumeci, Nobilia, Ó Neachtain, Poli Bortone

Against: 335

EDD: Abitbol, Andersen, Bernié, Bonde, Butel, Coûteaux, Esclopé, Mathieu, Saint-Josse, Sandbæk

ELDR: Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Ludford, Maaten, Manders, Martelli, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Cappato, Dell'Alba, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, de La Perriere, Pannella, Raschhofer, Turco

PPE-DE: Beazley, Bradbourn, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Elles, Evans, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Karas, Kauppi, Khanbhai, Kirkhope, Matikainen-Kallström, Nicholson, Parish, Perry, Provan, Purvis, Rack, Rübige, Stenzel, Stevenson, Stockton, Sturdy, Sumberg, Suominen, Tannock, Van Orden, Vatanen, Villiers

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Ettl, Evans, Färm, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebels, Görlach, Gröner, Guy-Quint, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulst, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napolitano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poo, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Gahrton, Hudghton, Isler Béguin, Legendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Staes, Turmes, Voggenhuber, Wuori

Abstention: 11

NI: Borghezio, Claeys, Della Vedova, Dillen, Garaud, Gollnisch, Lang, Martinez, Stirbois

PSE: Duin

UEN: Marchiani

Wednesday 2 July 2003

**Zappalà recommendation A5-0245/2003
Amendment 24****For: 194****EDD:** Belder, Blokland, Booth, van Dam, Farage, Titford**ELDR:** Di Pietro, Nordmann**NI:** Berthu, Beysen, Borghezio, Garaud, Souchet

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Brienza, Brok, Brunetta, Camisón Asensio, Cocilovo, Coelho, Cornillet, Costa, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Folias, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggler, Kauppi, Keppelhoff-Wiechert, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Sudre, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Aparicio Sánchez, Görlach, Soares**UEN:** Andrews, Angelilli, Berlato, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Mussa, Musumeci, Nobilia, Ó Neachtain, Poli Bortone, Segni**Against: 344****EDD:** Abitbol, Andersen, Bernié, Bonde, Butel, Coûteaux, Esclopé, Mathieu, Saint-Josse, Sandbæk

ELDR: Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Duff, Dybkjer, Fleisch, Gasòliba i Böhm, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Maset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Cappato, Dell'Alba, Gobbo, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, de La Perriere, Pannella, Raschhofer, Speroni

PPE-DE: Beazley, Bradbourn, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Elles, Evans, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Karas, Khanbhai, Kirkhope, Matikainen-Kallström, Nicholson, Parish, Perry, Provan, Purvis, Rübiger, Stenzel, Stevenson, Stockton, Sturdy, Sumberg, Suominen, Tannock, Van Orden, Vatanen, Villiers

Wednesday 2 July 2003

PSE: Andersson, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Sornosa Martínez, Souldakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre, Marchiani, Queiró, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 9

ELDR: André-Léonard

NI: Claeys, Della Vedova, Dillen, Gollnisch, Lang, Martinez, Stirbois

PSE: Dehousse

**Zappalà recommendation A5-0245/2003
Amendment 25**

For: 187

EDD: Belder, Blokland, Booth, van Dam, Farage, Titford

ELDR: Nordmann

NI: Berthu, Beysen, Borghezio, Garaud, Gobbo, Souchet, Speroni

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Brienza, Brok, Brunetta, Camisón Asensio, Cocilovo, Coelho, Cornillet, Costa, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggler, Keppelhoff-Wiechert, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann, Mantovani, Marinos, Marques, Martens, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Stauner, Stenmarck, Sudre, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

Wednesday 2 July 2003

PSE: Kuckelkorn

UEN: Andrews, Angelilli, Berlato, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Mussa, Musumeci, Nobilia, Ó Neachtain, Poli Bortone, Segni

Against: 344

EDD: Abitbol, Andersen, Bernié, Bonde, Butel, Coûteaux, Esclopé, Mathieu, Saint-Josse, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krarup, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Cappato, Dell'Alba, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, de La Perriere, Pannella, Raschhofer, Turco

PPE-DE: Beazley, Bradbourn, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Ebner, Elles, Evans, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Karas, Kauppi, Khanbhai, Kirkhope, Matikainen-Kallström, Nicholson, Parish, Perry, Provan, Purvis, Rack, Rübige, Stenzel, Stevenson, Stockton, Sturdy, Sumberg, Suominen, Tannock, Van Orden, Vatanen, Villiers

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre, Marchiani, Queiró, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Gahrton, Hudghton, Iler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schöring, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 8

NI: Claeys, Della Vedova, Dillen, Gollnisch, Lang, Martinez, Stirbois

PSE: Dehousse

Wednesday 2 July 2003

**Zappalà recommendation A5-0245/2003
Amendment 71****For: 295****EDD:** Andersen, Belder, Blokland, van Dam**ELDR:** Andreasen, Attwooll, Boogerd-Quaak, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Martelli, Monsonís Domingo, Olsson, Paulsen, Pesälä, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Virrankoski, Watson**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci**NI:** Cappato, Dell'Alba, Dillen, Gorostiaga Atxalandabaso, Pannella, Turco**PPE-DE:** Arvidsson, Banotti, Cushnahan, Doyle, Garriga Polledo, Gawronski, Grönfeldt Bergman, Hansenne, Korhola, Liese, McCartin, Matikainen-Kallström, Oomen-Ruijten, Sacrédeus, Scallon, Smet, Stenmarck, Suominen, Vatanen, Wachtmeister, Wijkman**PSE:** Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McCarthy, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zorba, Zrihen**Verts/ALE:** Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Jonckheer, Lambert, Lannoye, Lipietz, Lucas, MacCormick, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Wuori, Wyn**Against: 221****EDD:** Booth, Farage, Titford**ELDR:** Maaten, Manders, Mulder, Newton Dunn, Plooi-j-van Gorsel, Sanders-ten Holte, Vermeer**NI:** Beysen, Claeys, Garaud, Gobbo, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Martinez, Raschhofer, Souchet, Speroni, Stirbois

Wednesday 2 July 2003

PPE-DE: Andria, Averoff, Avilés Perea, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa, Cunha, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Foster, Fournou, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Herranz García, Inglewood, Jarzembowski, Jeggle, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Kläß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Lisi, Lulling, Maat, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Røvsing, Rübige, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Sommer, Stauner, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wenzel-Perillo, Wieland, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: McNally

UEN: Andrews, Angelilli, Berlato, Camre, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Nobilia, Ó Neachtain, Poli Bortone, Queiró, Segni, Thomas-Mauro

Abstention: 11

EDD: Abitbol, Bernié, Butel, Coûteaux, Esclopé, Mathieu

ELDR: André-Léonard, Nordmann

NI: Borghezio

PPE-DE: Hieronymi

PSE: Martin

**Zappalà recommendation A5-0245/2003
Amendment 72**

For: 313

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

ELDR: Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Lynne, Martelli, Monsonís Domingo, Olsson, Paulsen, Pesälä, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraise, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Borghezio, Cappato, Dell'Alba, Gobbo, Gorostiaga Atxalandabaso, Pannella, Speroni, Turco

PPE-DE: Arvidsson, Avilés Perea, Banotti, Cushnahan, Doyle, Grönfeldt Bergman, Grosch, Hansenne, Kauppi, Korhola, Laschet, Liese, McCartin, Matikainen-Kallström, Moreira Da Silva, Sacrédeus, Scallon, Smet, Stenmarck, Suominen, Vatanen, Wachtmeister, Wijkman

Wednesday 2 July 2003

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Legendijk, Lambert, Lannoye, Lipietz, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 220

EDD: Booth, Farage, Titford

ELDR: Gasòliba i Böhm, Maaten, Manders, Mulder, Newton Dunn, Plooi-j-van Gorsel, Sanders-ten Holte, Vermeer

NI: Berthu, Beysen, Claeys, Dillen, Garaud, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Martinez, Raschhofer, Souchet, Stirbois

PPE-DE: Andria, Averoff, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébear, Berend, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa, Cunha, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Florenz, Foster, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggel, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Lamassoure, Langen, Lechner, Lehne, Lisi, Lulling, Maat, Mann, Mantovani, Marinos, Marques, Martens, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Montfort, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Sommer, Stauner, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wenzel-Perillo, Wieland, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

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

Wednesday 2 July 2003

Abstention: 10**EDD:** Abitbol, Bernié, Butel, Coûteaux, Esclopé, Mathieu, Saint-Josse**ELDR:** André-Léonard, Nordmann**PSE:** Martin**Zappalà recommendation A5-0245/2003
Amendment 61****For: 161****EDD:** Belder, Blokland, van Dam**NI:** Berthu, Beysen, Claeys, Dell'Alba, Dillen, Garaud, Gollnisch, Lang, de La Perriere, Martinez, Souchet, Stirbois**PPE-DE:** Andria, Arvidsson, Averoff, Banotti, Bartolozzi, Bastos, Berend, Böge, von Boetticher, Brienza, Brok, Brunetta, Cocilovo, Coelho, Costa, Cunha, Cushnahan, Deprez, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Folias, Gahler, Galeote Quecedo, García-Margallo y Marfil, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Graça Moura, Grönfeldt Bergman, Grosch, Hansenne, Hatzidakis, Hieronymi, Jarzembowski, Jeggle, Keppelhoff-Wiechert, Klamt, Klač, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, McCartin, Mann, Mantovani, Marinos, Marques, Martens, Mauro, Mayer, Mayer, Mennea, Menrad, Mombaur, Moreira Da Silva, Müller, Musotto, Nassauer, Niebler, Ojeda Sanz, Oostlander, Pacheco Pereira, Pack, Pastorelli, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Røvsing, Sacrédeus, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Suominen, Theato, Thyssen, Trakatellis, Vatanen, van Velzen, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener**PSE:** Berès, Sacconi**UEN:** Andrews, Angelilli, Berlato, Collins, Crowley, Fitzsimons, Hyland, Marchiani, Muscardini, Mussa, Musumeci, Ó Neachtain, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro**Verts/ALE:** Breyer**Against: 374****EDD:** Abitbol, Andersen, Bonde, Booth, Farage, Sandbæk, Titford**ELDR:** Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraise, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Borghezio, Cappato, Della Vedova, Gobbo, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Speroni, Turco

Wednesday 2 July 2003

PPE-DE: Avilés Perea, Ayuso González, Bayona de Perogordo, Beazley, Bébéar, Bodrato, Bourlanges, Bradbourn, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cornillet, Corrie, Daul, De Sarnez, Descamps, Deva, De Veyrac, Dover, Elles, Evans, Florenz, Foster, Fourtou, García-Orcoyen Tormo, Garriga Polledo, Goodwill, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Inglewood, Jackson, Karas, Kauppi, Khanbhai, Kirkhope, Lamassoure, Maat, Majj-Weggen, Martin, Matikainen-Kallström, Méndez de Vigo, Montfort, Morillon, Naranjo Escobar, Nicholson, Oomen-Ruijten, Oreja Arburúa, Parish, Pérez Álvarez, Perry, Provan, Purvis, Rack, Ridruejo, Ripoll y Martínez de Bedoya, Rübig, Salafranca Sánchez-Neyra, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Tannock, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, de Veyrinas, Villiers, Vlasto, Zabell

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulst, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linköhr, Lund, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothley, Roure, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Terrón i Cusí, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Lancker, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 10

EDD: Bernié, Butel, Coûteaux, Esclopé, Mathieu, Saint-Josse

ELDR: André-Léonard, Nordmann

PSE: Dehousse, Martin

**Zappalà recommendation A5-0245/2003
Amendment 32**

For: 176

GUE/NGL: Bordes

NI: Berthu, Beysen, Borghezio, Claeys, Dillen, Garaud, Gobbo, Gollnisch, Lang, Martinez, Souchet, Speroni, Stirbois

Wednesday 2 July 2003

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Bodrato, Bourlanges, Brienza, Brok, Brunetta, Cocilovo, Coelho, Cornillet, Costa, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Fourtou, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Jarzembowski, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Musotto, Naranjo Escobar, Nassauer, Ojeda Sanz, Oostlander, Pacheco Pereira, Pastorelli, Pérez Alvarez, Pex, Piscarreta, Podestà, Poettering, Pronk, Quisthoudt-Rowohl, Ridruejo, Ripoll y Martínez de Bedoya, Rosing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schmitt, Schnellhardt, Smet, Sommer, Stenmarck, Sudre, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Kuhne, Terrón i Cusi

UEN: Andrews, Angelilli, Berlato, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Mussa, Musumeci, Ó Neachtain, Poli Bortone, Segni

Against: 354

EDD: Abitbol, Belder, Blokland, Booth, Coûteaux, van Dam, Esclopé, Farage, Mathieu, Saint-Josse, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Fleisch, Gasoliba i Böhm, Ludford, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bertinotti, Blak, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Manisco, Markov, Maset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Cappato, Dell'Alba, Della Vedova, Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, de La Perriere, Pannella, Raschhofer, Turco

PPE-DE: Beazley, Berend, Böge, von Boetticher, Bradbourn, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Corrie, Deva, Dover, Elles, Evans, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Hieronymi, Inglewood, Jackson, Jeggler, Karas, Kauppi, Khanbhai, Kirkhope, Liese, Matikainen-Kallström, Müller, Nicholson, Niebler, Pack, Parish, Perry, Posselt, Provan, Purvis, Rack, Radwan, Rübig, Schleicher, Schwaiger, Stauner, Stenzel, Stevenson, Stockton, Sturdy, Sumberg, Suominen, Tannock, Van Orden, Villiers, Wuermeling

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhan, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Wednesday 2 July 2003

UEN: Camre, Queiró, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 8

EDD: Andersen, Bonde, Sandbæk

ELDR: Nordmann

GUE/NGL: Alyssandrakis, Korakas, Patakis

PSE: Dehousse

**Zappalà recommendation A5-0245/2003
Amendment 74**

For: 244

EDD: Abitbol, Andersen, Bernié, Bonde, Butel, Coûteaux, Esclopé, Mathieu, Saint-Josse, Sandbæk

ELDR: Di Pietro

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Sjøstedt, Sylla, Uca, Vachetta, Wurtz

NI: Gorostiaga Atxalandabaso

PPE-DE: Cushnahan, Oomen-Ruijten, Poettering, Sacrédeus, Wijkman

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulst, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Bautista Ojeda, Bouwman, Buitenweg, Celli, Dhaene, Echerer, Evans, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Voggenhuber, Wuori, Wyn

Wednesday 2 July 2003

Against: 288**EDD:** Belder, Blokland, Booth, van Dam, Farage, Titford**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson**NI:** Berthu, Beysen, Borghezio, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Garaud, Gobbo, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Martinez, Pannella, Raschhofer, Souchet, Speroni, Stirbois, Turco**PPE-DE:** Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa, Cunha, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Matikainen-Kallström, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Røvsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sturdy, Sudre, Sumberg, Suominen, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener**UEN:** Andrews, Angelilli, Berlato, Camre, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Mussa, Musumeci, Ó Neachtain, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro**Abstention: 3****PPE-DE:** Martin**PSE:** Carrilho, Martin**Zappalà recommendation A5-0245/2003
Amendment 50****For: 321****EDD:** Abitbol, Andersen, Belder, Bernié, Blokland, Bonde, Butel, Coûteaux, van Dam, Esclopé, Mathieu, Saint-Josse, Sandbæk**ELDR:** Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Plooi-j-van Gorsel, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Vallvé, Van Hecke, Vermeer, Watson

Wednesday 2 July 2003

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Borghezio, Cappato, Dell'Alba, Della Vedova, Garaud, Pannella, Speroni, Turco

PPE-DE: Banotti, Brienza, Cocilovo, Cushnahan, Doyle, Ferrer, Gemelli, Hansenne, Kauppi, Korhola, Lisi, McCartin, Mantovani, Martens, Mauro, Moreira Da Silva, Sacrédeus, Santini, Sartori, Scallon, Smet, Wijkman

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Legendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 225

EDD: Booth, Farage, Titford

ELDR: Nordmann, Pesälä, Pohjamo, Väyrynen, Virrankoski

GUE/NGL: Bordes, Cauquil, Laguiller, Scarbonchi

NI: Berthu, Beysen, Claeys, Dillen, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Martinez, Raschhofer, Souchet, Stirbois

Wednesday 2 July 2003

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Coelho, Cornillet, Corrie, Costa, Cunha, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferri, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lulling, Maat, Maij-Weggen, Mann, Marinos, Marques, Martin, Matikainen-Kallström, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Montfort, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Alvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Roving, Rübig, Salafranca Sánchez-Neyra, Santer, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Sumberg, Suominen, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

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

Abstention: 3

ELDR: André-Léonard

NI: Gobbo

PSE: Martin

**Zappalà recommendation A5-0245/2003
Amendment 47**

For: 298

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, Busk, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Fleisch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Plooi-j-van Gorsel, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Vallvé, Van Hecke, Vermeer, Watson

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bertinotti, Blak, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Garaud, Gollnisch, Lang, de La Perriere, Martinez, Pannella, Stirbois, Turco

PPE-DE: Sacrédeus, Wijkman

Wednesday 2 July 2003

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Andrews, Collins, Crowley, Fitzsimons, Hyland, Ó Neachtain, Queiró, Ribeiro e Castro

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lambert, Lannoye, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 224

EDD: Booth, Farage, Titford

ELDR: Pesälä, Pohjamo, Väyrynen, Virrankoski

NI: Berthu, Beysen, Borghezio, Gobbo, Hager, Ilgenfritz, Kronberger, Raschhofer, Souchet, Speroni

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Cunha, Cushman, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcyoyen Tormo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggler, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Sudre, Sunberg, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Poignant, Savary

UEN: Angelilli, Berlato, Camre, Muscardini, Mussa, Musumeci, Nobilia, Poli Bortone, Segni, Thomas-Mauro

Wednesday 2 July 2003

Abstention: 15**EDD:** Abitbol, Bernié, Butel, Coûteaux, Esclopé, Mathieu, Saint-Josse**GUE/NGL:** Alyssandrakis, Bordes, Cauquil, Korakas, Laguiller, Patakis**PPE-DE:** Costa**PSE:** Duin**Zappalà recommendation A5-0245/2003
Amendment 63****For: 236****EDD:** Booth, Farage, Titford**ELDR:** André-Léonard, Nordmann**NI:** Berthu, Beysen, Borghezio, Claeys, Dillen, Garaud, Gobbo, Gollnisch, Lang, de La Perriere, Martinez, Souchet, Speroni, Stirbois**PPE-DE:** Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Brienza, Brok, Brunetta, Camisón Asensio, Cocilovo, Coelho, Cornillet, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Gomolka, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hatzidakis, Hermange, Herranz García, Hieronymi, Jarzembowski, Jęgle, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Røvsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Sudre, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener**UEN:** Andrews, Angelilli, Berlato, Collins, Crowley, Fitzsimons, Hyland, Mussa, Musumeci, Nobilia, Ó Neachtain, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro**Verts/ALE:** Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Legendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 297****EDD:** Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk**ELDR:** Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Fleisch, Gasöliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

Wednesday 2 July 2003

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Cappato, Dell'Alba, Della Vedova, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Turco

PPE-DE: Beazley, Bradbourn, Bushill-Matthews, Callanan, Chichester, Corrie, Deva, Dover, Elles, Evans, Foster, Goodwill, Hannan, Hansenne, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Karas, Kauppi, Khanbhai, Kirkhope, Matikainen-Kallström, Nicholson, Parish, Perry, Provan, Purvis, Rack, Rübige, Stenzel, Stevenson, Sumberg, Suominen, Tannock, Van Orden, Villiers

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulst, Hume, Ivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swibel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre, Muscardini

Abstention: 10

EDD: Abitbol, Bernié, Butel, Coûteaux, Esclopé, Mathieu, Saint-Josse

PPE-DE: Costa

PSE: Dehousse, Martin

**Zappalà recommendation A5-0245/2003
Amendment 58**

For: 225

ELDR: André-Léonard, Nordmann

GUE/NGL: Fraisse, Herzog, Modrow

NI: Berthu, Beysen, Garaud, de La Perriere, Souchet

Wednesday 2 July 2003

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bébear, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Brienza, Brok, Brunetta, Camisón Asensio, Cocilovo, Coelho, Cornillet, Cunha, Cushnahan, Daul, Deprez, De Veyrac, Dimitrakopoulos, Doorn, Doyle, Ebner, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Herranz García, Hieronymi, Jarzembowski, Jeggel, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Riduejo, Ripoll y Martínez de Bedoya, Rovsing, Sacrédeus, Salafraña Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Sommer, Stenmarck, Stockton, Sudre, Suominen, Theato, Trakatellis, Valdivielso de Cué, Varela Suanzes-Carpegna, van Velzen, de Veyrinas, Vidal-Quadras Roca, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Mendiluce Pereiro

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

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 291

EDD: Andersen, Belder, Blokland, Bonde, Booth, van Dam, Farage, Sandbæk, Titford

ELDR: Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Clegg, Costa, Davies, De Clercq, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebigger, Figueiredo, Frahm, González Álvarez, Jové Peres, Kaufmann, Korakas, Koulourianos, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Borghesio, Cappato, Della Vedova, Dillen, Gobbo, Hager, Ilgenfritz, Kronberger, Raschhofer, Speroni, Turco

PPE-DE: Beazley, Bradbourn, Bushill-Matthews, Chichester, Corrie, De Sarnez, Descamps, Deva, Dover, Elles, Evans, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Karas, Khanbhai, Kirkhope, Matikainen-Kallström, Nicholson, Parish, Perry, Provan, Purvis, Rack, Rübigen, Smet, Stenzel, Stevenson, Sumberg, Tannock, Thyssen, Van Orden, Vatanen, Villiers

Wednesday 2 July 2003

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napolitano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre

Abstention: 15

EDD: Abitbol, Bernié, Butel, Coûteaux, Esclopé, Mathieu, Saint-Josse

NI: Claeys, Gollnisch, Lang, Martinez, Stirbois

PPE-DE: Costa

PSE: Dehousse, Martin

**Zappalà recommendation A5-0245/2003
Amendment 6**

For: 16

NI: Borghezio, Garaud, Gobbo, de La Perriere, Speroni

PPE-DE: Wachtmeister

PSE: Marinho

UEN: Andrews, Collins, Crowley, Fitzsimons, Hyland, Ó Neachtain, Queiró, Ribeiro e Castro, Thomas-Mauro

Against: 502

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk, Titford

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Di Pietro, Duff, Dybkjær, Flesch, Gasoliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Van Hecke, Vermeer, Watson

GUE/NGL: Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Boudjenah, Brie, Caudron, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schmid, Schröder, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

Wednesday 2 July 2003

NI: Berthu, Beysen, Cappato, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Souchet, Turco

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gawronski, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggel, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Alvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Rübig, Sacrédeus, Salafraña Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Sumberg, Suominen, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Villiers, Vlasto, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Martín, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swibel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Berlato, Camre, Muscardini, Mussa, Musumeci, Nobilia, Poli Bortone, Segni

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, McCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 18

EDD: Abitbol, Bernié, Butel, Coûteaux, Esclopé, Mathieu, Saint-Josse

GUE/NGL: Bordes, Cauquil, Laguiller

NI: Claeys, Dillen, Gollnisch, Lang, Martinez, Stirbois

PSE: Dehousse, Martin

Wednesday 2 July 2003

**Zappalà recommendation A5-0245/2003
Amendment 66****For: 245****EDD:** Abitbol, Andersen, Bernié, Bonde, Butel, Coûteaux, Esclopé, Mathieu, Saint-Josse, Sandbæk**ELDR:** Di Pietro**GUE/NGL:** Ainardi, Alavanos, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Laguiller, Manisco, Markov, Marsset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Scarbonchi, Schröder, Seppänen, Sjöstedt, Uca, Vachetta, Vinci, Wurtz**PPE-DE:** Wijkman**PSE:** Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, De Rossa, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Howitt, van Hulten, Hume, Iivari, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Kefler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napolitano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Whitehead, Wiersma, Wynn, Zorba, Zrihen**UEN:** Hyland**Verts/ALE:** Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 278****EDD:** Belder, Blokland, van Dam, Titford**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Costa, Davies, De Clercq, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Lynne, Maaten, Manders, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Virrankoski, Watson**NI:** Berthu, Beysen, Borghezio, Cappato, Claeys, Della Vedova, Dillen, Gobbo, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Martinez, Pannella, Raschhofer, Souchet, Speroni, Stirbois, Turco

Wednesday 2 July 2003

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Brunetta, Bushill-Matthews, Callanan, Camisón Asensio, Chichester, Cocilovo, Coelho, Cornillet, Corrie, Costa, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Deva, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Fernández Martín, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Foster, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gemelli, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Herranz García, Hieronymi, Inglewood, Jackson, Jarzembowski, Jeggle, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann, Mantovani, Marinos, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Mombaur, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ridruejo, Ripoll y Martínez de Bedoya, Røvsing, Rübige, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Scapagnini, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Sumberg, Suominen, Tannock, Theato, Thyssen, Trakatellis, Valdivielso de Cué, Van Orden, Varela Suanzes-Carpegna, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wieland, von Wogau, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Honeyball

UEN: Andrews, Angelilli, Berlato, Camre, Collins, Crowley, Fitzsimons, Muscardini, Mussa, Musumeci, Nobilia, Ó Neachtain, Poli Bortone, Queiró, Ribeiro e Castro, Segni, Thomas-Mauro

Abstention: 2

GUE/NGL: Schmid

PSE: Martin

Trakatellis recommendation A5-0204/2003 Amendments 23 and 28

For: 285

EDD: Abitbol, Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Davies, Di Pietro, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Martelli, Monsonís Domingo, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Procacci, Ries, Riis-Jørgensen, Rutelli, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Virrankoski, Watson

GUE/NGL: Ainardi, Alavanos, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Caudron, Cauquil, Cossutta, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Laguiller, Manisco, Markov, Marget Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Berthu, Claeys, Gobbo, Gorostiaga Atxalandabaso, Kronberger, de La Perriere, Martinez, Raschhofer, Souchet, Stirbois

PPE-DE: Bourlanges, Deprez, De Sarnez, De Veyrac, Grosch, Gutiérrez-Cortines, Maij-Weggen, Scallon

Wednesday 2 July 2003

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Haug, Hedkvist Petersen, Honeyball, Howitt, van Hulten, Iivari, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Lavarra, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Marinho, Martin, Martín, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid, Simpson, Skinner, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Zorba, Zrihen

UEN: Collins, Crowley, Fitzsimons, Mussa, Musumeci, Ó Neachtain, Poli Bortone, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Dhaene, Echerer, Evans, Flautre, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lagendijk, Lambert, Lannoye, Lipietz, Lucas, MacCormick, McKenna, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasantá, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 172

EDD: Bernié, Butel, Esclopé, Mathieu, Saint-Josse

GUE/NGL: Di Lello Finuoli

NI: Beysen

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Böge, von Boetticher, Brok, Camisón Asensio, Chichester, Coelho, Corrie, Cunha, Cushnahan, Deva, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Ferrer, Ferri, Fiori, Flemming, Florenz, Foliás, Fourtou, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gil-Robles Gil-Delgado, Glase, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grossetête, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Herranz García, Hieronymi, Inglewood, Jackson, Jeggle, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klant, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Langen, Laschet, Lechner, Liese, Lisi, Lulling, McCartin, Mantovani, Marinos, Marques, Martens, Matikainen-Kallström, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Provan, Purvis, Rack, Radwan, Ripoll y Martínez de Bedoya, Røvsing, Rübí, Sacrédeus, Salafraña Sánchez-Neyra, Santer, Santini, Sartori, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Sommer, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tannock, Theato, Thyssen, Trakatellis, Van Orden, Vatanen, van Velzen, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wiermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Berenguer Fuster, Goebbels, Hänsch, Mann, Murphy, Poos

UEN: Angelilli, Berlato, Camre

Wednesday 2 July 2003

Abstention: 16**ELDR:** Mulder, Plooij-van Gorsel, Sanders-ten Holte, Vermeer**GUE/NGL:** Alyssandrakis, Patakis**NI:** Speroni**PPE-DE:** Costa, Descamps, Hermange, Maat, Martin, de Veyrinas, Vlasto**PSE:** Wynn**Verts/ALE:** Celli**Corbey recommendation A5-0200/2003
Amendment 18****For: 193****EDD:** Andersen, Bonde, Sandbæk**GUE/NGL:** Ainardi, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Patakis, Schmid, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Gobbo, Gorostiaga Atxalandabaso, Kronberger, Raschhofer**PPE-DE:** Gomolka, Lechner, Méndez de Vigo, Oomen-Ruijten**PSE:** Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Colom i Naval, Corbey, De Keyser, Désir, Díez González, Duhamel, Ettl, Evans, Färm, Fava, Ferreira, Fruteau, Garot, Ghilardotti, Gill, Gillig, Gröner, Hänsch, Hedkvist Petersen, van Hulten, Iivari, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Koukiadis, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Moraes, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Weiler, Wiersma, Zorba, Zrihen**Verts/ALE:** Aaltonen, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Frassoni, Gahrton, Hudghton, Isler Béguin, Lambert, Lannoye, Lucas, McCormick, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn**Against: 241****EDD:** Belder, Bernié, Blokland, Butel, van Dam, Esclopé, Mathieu, Saint-Josse**ELDR:** Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Martelli, Monsonis Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Virrankoski, Watson**NI:** Berthu, Beysen, Claeys, de La Perriere, Souchet, Speroni

Wednesday 2 July 2003

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Brok, Callanan, Camisón Asensio, Coelho, Corrie, Costa, Cunha, Cushman, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gil-Robles Gil-Delgado, Glase, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Hermange, Herranz García, Hieronymi, Inglewood, Jackson, Jeggle, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Langen, Laschet, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Majj-Weggen, Mantovani, Marinos, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Mayer, Mennea, Menrad, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Purvis, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Sacrédeus, Salafraña Sánchez-Neyra, Santer, Santini, Sartori, Scallon, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tannock, Theato, Thyssen, Trakatellis, Van Orden, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, Wuermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Ceyhun, Dehousse, Duin, Gebhardt, Glante, Goebbels, Görlach, Haug, Keßler, Kindermann, Krehl, Kreissl-Dörfler, Kuckelkorn, Müller, Stockmann

UEN: Camre, Collins, Crowley, Fitzsimons, Ó Neachtain, Poli Bortone, Ribeiro e Castro, Thomas-Mauro

Abstention: 20

PSE: Corbett, Ford, Honeyball, Howitt, McCarthy, McNally, Martin, Miller, Murphy, Myller, Poos, Read, Simpson, Skinner, Stihler, Titley, Tsatsos, Watts, Whitehead, Wynn

**Corbey recommendation A5-0200/2003
Amendment 8**

For: 217

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

ELDR: Mulder, Paulsen, Sanders-ten Holte, Schmidt

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bertinotti, Bordes, Boudjenah, Brie, Cauquil, Cossutta, Di Lello Finuoli, Fiebigg, Figueiredo, Frahm, Fraise, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Patakis, Schmid, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso

PPE-DE: Florenz, Keppelhoff-Wiechert, Lechner, Mantovani, Martens, Müller, Oomen-Ruijten, Posselt, Sacrédeus, Scallon, Wijkman

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbey, Dehousse, De Keyser, Désir, Díez González, Duhamel, Duin, Ettl, Färm, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, van Hulst, Iivari, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, Malliori, Mann, Marinho, Martin, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miranda de Lage, Müller, Napolitano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pittella, Poinant, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Weiler, Wiersma, Zorba, Zrihen

Wednesday 2 July 2003

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lambert, Lannoye, Lipietz, Lucas, MacCormick, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 214

EDD: Bernié, Butel, Esclopé, Mathieu, Saint-Josse

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Martelli, Monsonis Domingo, Newton Dunn, Nordmann, Olsson, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Rutelli, Sbarbati, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Virrankoski

GUE/NGL: Blak, Eriksson

NI: Berthu, Beysen, Claeys, Gobbo, Kronberger, de La Perriere, Souchet, Speroni

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Brok, Callanan, Camisón Asensio, Coelho, Corrie, Costa, Cunha, Cushnahan, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Ferrer, Ferri, Fiori, Flemming, Folias, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gil-Robles Gil-Delgado, Glase, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Hermange, Herranz García, Hieronymi, Inglewood, Jeggle, Karas, Kauppi, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Langen, Laschet, Lehne, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Marinos, Marques, Martin, Matikainen-Kallström, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Montfort, Moreira Da Silva, Morillon, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Purvis, Radwan, Ripoll y Martínez de Bedoya, Røvsing, Salafrañca Sánchez-Neyra, Santer, Santini, Sartori, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tannock, Theato, Thyssen, Trakatellis, Van Orden, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wiermeling, Xarchakos, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Goebbels

UEN: Camre, Collins, Crowley, Fitzsimons, Ó Neachtain, Poli Bortone, Ribeiro e Castro, Thomas-Mauro

Abstention: 26

PPE-DE: Liese

PSE: Cashman, Corbett, Evans, Ford, Gill, Honeyball, Howitt, McAvan, McCarthy, McNally, Martin, Miller, Moraes, Murphy, Myller, Poos, Read, Simpson, Skinner, Stihler, Titley, Watts, Whitehead, Wynn

UEN: Berlato

**Corbey recommendation A5-0200/2003
Amendment 26, 1st part**

For: 270

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

Wednesday 2 July 2003

ELDR: Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Huhne, Jensen, Ludford, Lynne, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Virrankoski

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Laguiller, Manisco, Markov, Maset Campos, Meijer, Miranda, Modrow, Morgantini, Patakis, Schmid, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci

NI: Gorostiaga Atxalandabaso, Kronberger

PPE-DE: Berend, Böge, von Boetticher, Brok, Deprez, De Veyrac, Doorn, Ferber, Flemming, Florenz, Gahler, Glase, Gomolka, Hatzidakis, Hieronymi, Jeggle, Keppelhoff-Wiechert, Klamt, Klaß, Koch, Konrad, Langen, Lechner, Lehne, Lulling, Mayer, Müller, Nassauer, Niebler, Oomen-Ruijten, Pack, Posselt, Radwan, Santer, Scallon, Schleicher, Schnellhardt, Stenzel, Suominen, Theato, van Velzen, Wuermeling, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Carlotti, Carrilho, Casaca, Ceyhun, Corbey, De Keyser, Désir, Duhamel, Duin, Ettl, Färm, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Iivari, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, Malliori, Mann, Marinho, Martin, Mastorakis, Miguélez Ramos, Müller, Myller, Napoletano, Napolitano, Paasilinna, Paciotti, Patrie, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Rocard, Roth-Behrendt, Rothe, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schulz, Soares, Souladakis, Sousa Pinto, Stockmann, Swibel, Swoboda, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Tsatsos, Vairinhos, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Weiler, Wiersma, Zorba, Zrihen

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lambert, Lannoye, Lipietz, Lucas, MacCormick, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 156

ELDR: André-Léonard, Gasòliba i Böhm, Maaten, Ries, Watson

NI: Berthu, Beysen, Gobbo, de La Perriere, Souchet, Speroni

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Bourlanges, Callanan, Camisón Asensio, Coelho, Corrie, Costa, Cunha, Cushnahan, De Sarnez, Descamps, Deva, Dimitrakopoulos, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferrer, Ferri, Fiori, Folias, Fournou, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gil-Robles Gil-Delgado, Goodwill, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Hansenne, Harbour, Heaton-Harris, Hermange, Herranz García, Inglewood, Jackson, Karas, Kauppi, Khanbhai, Kirkhope, Knolle, Korhola, Kratsa-Tsagaropoulou, Laschet, Liese, Lisi, Maat, McCartin, Mantovani, Marinos, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Méndez de Vigo, Mennea, Menrad, Montfort, Moreira Da Silva, Morillon, Musotto, Naranjo Escobar, Ojeda Sanz, Oostlander, Oreja Arburúa, Pacheco Pereira, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Purvis, Ripoll y Martínez de Bedoya, Rovsing, Sacrédeus, Salafranca Sánchez-Neyra, Santini, Sartori, Schaffner, Schmitt, Schwaiger, Stauner, Stevenson, Stockton, Sudre, Tannock, Thyssen, Trakatellis, Van Orden, Vatanen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, Zabell, Zacharakis, Zappalà

PSE: Berenguer Fuster, Carnero González, Cerdeira Morterero, Colom i Naval, Dehousse, Díez González, Izquierdo Rojo, Martínez Martínez, Medina Ortega, Menéndez del Valle, Miranda de Lage, Obiols i Germà, Pérez Royo, Rodríguez Ramos, Sauquillo Pérez del Arco, Sornosa Martínez, Valenciano Martínez-Orozco

UEN: Camre, Collins, Crowley, Fitzsimons, Ó Neachtain, Poli Bortone, Ribeiro e Castro, Thomas-Mauro

Wednesday 2 July 2003

Abstention: 24

PSE: Cashman, Corbett, Evans, Ford, Gill, Honeyball, Howitt, van Hulten, McAvan, McCarthy, McNally, Martin, Miller, Moraes, Murphy, Poos, Read, Simpson, Skinner, Stihler, Titley, Watts, Whitehead, Wynn

**Corbey recommendation A5-0200/2003
Amendment 26, 2nd part****For: 268**

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

ELDR: Andreasen, Attwooll, Boogerd-Quaak, Busk, Davies, De Clercq, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Martelli, Monsonís Domingo, Newton Dunn, Olsson, Paulsen, Rutelli, Sbarbati, Schmidt, Sørensen, Väyrynen, Vallvé, Vermeer, Virrankoski

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Laguiller, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Patakis, Schmid, Sjøstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Claeys, Gorostiaga Atxalandabaso, Kronberger

PPE-DE: Berend, Böge, von Boetticher, Brok, Deprez, Doorn, Ferber, Flemming, Florenz, Gahler, Glase, Gomolka, Hieronymi, Jeggler, Keppelhoff-Wiechert, Klamt, Klaß, Knolle, Koch, Konrad, Langen, Laschet, Lechner, Lehne, Liese, Lulling, Maat, Maij-Weggen, Martens, Mayer, Mayer, Menrad, Müller, Nassauer, Niebler, Oomen-Ruijten, Pack, Posselt, Radwan, Santer, Scallon, Schleicher, Schnellhardt, Stauner, Stenzel, Suominen, Theato, Thyssen, van Velzen, Wuermeling, Zimmerling, Zissener

PSE: Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Carlotti, Carrilho, Casaca, Ceyhun, Corbey, De Keyser, Désir, Duhamel, Duin, Ettl, Färm, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, van Hulten, Iivari, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, Malliori, Mann, Marinho, Martin, Mastorakis, Miguélez Ramos, Müller, Myller, Napoletano, Napolitano, Paasilinna, Paciotti, Patrie, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Rocard, Roth-Behrendt, Rothe, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Savary, Scheele, Schulz, Soares, Souladakis, Sousa Pinto, Stockmann, Swibel, Swoboda, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Tsatsos, Vairinhos, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Weiler, Wiersma, Zorba, Zrihen

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lambert, Lannoye, Lipietz, Lucas, McCormick, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wynn

Against: 150

ELDR: André-Léonard, Mulder, Nordmann, Ries, Sanders-ten Holte

NI: Berthu, Beysen, Gobbo, de La Perriere, Souchet, Speroni

Wednesday 2 July 2003

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Bourlanges, Callanan, Camisón Asensio, Coelho, Corrie, Costa, Cunha, Cushnahan, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferrer, Ferri, Fiori, Folias, Fournou, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gil-Robles Gil-Delgado, Goodwill, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Hermange, Herranz García, Inglewood, Jackson, Karas, Kauppi, Khanbhai, Kirkhope, Korhola, Kratsa-Tsagaropoulou, Lisi, McCartin, Mantovani, Marinos, Marques, Martin, Matikainen-Kallström, Mauro, Méndez de Vigo, Mennea, Montfort, Moreira Da Silva, Morillon, Musotto, Naranjo Escobar, Ojeda Sanz, Oostlander, Oreja Arburúa, Pacheco Pereira, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Purvis, Ripoll y Martínez de Bedoya, Rovsing, Sacrédeus, Salafranca Sánchez-Neyra, Sartori, Schaffner, Schmitt, Schwaiger, Stenmarck, Stevenson, Stockton, Sudre, Tannock, Trakatellis, Van Orden, Vatanen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, Zabell, Zacharakis, Zappalà

PSE: Aparicio Sánchez, Berenguer Fuster, Carnero González, Cerdeira Morterero, Colom i Naval, Dehousse, Díez González, Izquierdo Rojo, Martínez Martínez, Medina Ortega, Menéndez del Valle, Miranda de Lage, Obiols i Germà, Pérez Royo, Rodríguez Ramos, Sauquillo Pérez del Arco, Sornosa Martínez, Valenciano Martínez-Orozco

UEN: Camre, Collins, Crowley, Fitzsimons, Ó Neachtain, Poli Bortone, Ribeiro e Castro, Thomas-Mauro

Abstention: 28

EDD: Bernié, Butel, Esclopé, Mathieu, Saint-Josse

PSE: Cashman, Corbett, Evans, Ford, Gill, Honeyball, Howitt, McAvan, McCarthy, McNally, Martin, Miller, Moraes, Murphy, Poos, Read, Simpson, Skinner, Stihler, Titley, Watts, Whitehead, Wynn

**Corbey recommendation A5-0200/2003
Amendment 26, 3rd part**

For: 154

EDD: Belder, Blokland, van Dam

ELDR: Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Maaten, Martelli, Monsonís Domingo, Newton Dunn, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Rutelli, Sbarbati, Schmidt, Sterckx, Sørensen, Väyrynen, Vallvé, Vermeer, Virrankoski, Watson

GUE/NGL: Seppänen, Sjöstedt

NI: Claeys

PPE-DE: Kauppi, Koch, Konrad, Korhola, Matikainen-Kallström, Suominen, Vatanen

PSE: Andersson, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Carlotti, Carrilho, Casaca, Ceyhun, Corbey, De Keyser, Désir, Duhamel, Duin, Ettl, Färm, Fava, Ferreira, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, van Hulten, Iivari, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, Malliori, Mann, Marinho, Martin, Mastorakis, Miguélez Ramos, Müller, Myller, Napoletano, Napolitano, Paasilinna, Paciotti, Patrie, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roue, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Scheele, Schulz, Soares, Souladakis, Sousa Pinto, Stockmann, Swibel, Swoboda, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Tsatsos, Vairinhos, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Weiler, Wiersma, Zorba, Zrihen

Verts/ALE: Wuori

Wednesday 2 July 2003

Against: 271**EDD:** Andersen, Bonde, Sandbæk**ELDR:** André-Léonard, Mulder, Nordmann, Sanders-ten Holte, Thors**GUE/NGL:** Ainardi, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Bordes, Boudjenah, Brie, Cauquil, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Laguiller, Manisco, Markov, Maset Campos, Meijer, Miranda, Modrow, Morgantini, Patakis, Schmid, Sylla, Uca, Vachetta, Vinci, Wurtz**NI:** Berthu, Beysen, Gobbo, Gorostiaga Atxalandabaso, de La Perriere, Souchet, Speroni**PPE-DE:** Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Brok, Callanan, Camisón Asensio, Coelho, Corrie, Cunha, Cushnahan, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Ferrer, Ferri, Fiori, Flemming, Florenz, Folias, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcyoyen Tormo, Garriga Polledo, Gil-Robles Gil-Delgado, Glase, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Hermange, Herranz García, Hieronymi, Inglewood, Jackson, Jeggle, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Kratsa-Tsagaropoulou, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mantovani, Marinós, Marques, Martens, Martin, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Purvis, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Sacrédeus, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Stauner, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Tannock, Theato, Thyssen, Trakatellis, Van Orden, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wijkman, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener**PSE:** Aparicio Sánchez, Berenguer Fuster, Carnero González, Cerdeira Morterero, Colom i Naval, Dehousse, Díez González, Izquierdo Rojo, Martínez Martínez, Medina Ortega, Menéndez del Valle, Miranda de Lage, Obiols i Germà, Pérez Royo, Sauquillo Pérez del Arco, Savary, Sornosa Martínez, Valenciano Martínez-Orozco**UEN:** Camre, Collins, Crowley, Fitzsimons, Ó Neachtain, Poli Bortone, Ribeiro e Castro, Thomas-Mauro**Verts/ALE:** Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lambert, Lannoye, Lipietz, Lucas, MacCormick, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wyn**Abstention: 29****EDD:** Bernié, Butel, Esclopé, Mathieu, Saint-Josse**PPE-DE:** Costa**PSE:** Cashman, Corbett, Evans, Ford, Gill, Honeyball, Howitt, McCarthy, McNally, Martin, Miller, Moraes, Murphy, Poos, Read, Simpson, Skinner, Stihler, Titley, Watts, Whitehead, Wynn**UEN:** Berlato**Corbey recommendation A5-0200/2003
Amendment 10****For: 268****EDD:** Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

Wednesday 2 July 2003

ELDR: Andreasen, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Davies, De Clercq, Duff, Dybkjær, Flesch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Lynne, Martelli, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Väyrynen, Vallvé, Vermeer, Virrankoski, Watson

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Boudjenah, Brie, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Patakis, Schmid, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Vinci, Wurtz

NI: Gobbo, Gorostiaga Atxalandabaso, Kronberger, Raschhofer, Speroni

PPE-DE: Deprez, Flemming, Maat, Stenzel, Wijkman

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Carlotti, Carnero González, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulst, Iivari, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martín, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napoletano, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Read, Rocard, Rodríguez Ramos, Roth-Behrendt, Rothe, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Jonckheer, Lambert, Lipietz, Lucas, MacCormick, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 179

EDD: Bernié, Butel, Esclopé, Mathieu, Saint-Josse

ELDR: André-Léonard, Nordmann

NI: Berthu, Beysen, Claeys, de La Perriere, Souchet

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Brok, Callanan, Camisón Asensio, Coelho, Corrie, Cunha, Cushnahan, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Ferrer, Ferri, Fiori, Florenz, Folias, Fourtou, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gil-Robles Gil-Delgado, Glase, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Hermange, Herranz García, Hieronymi, Inglewood, Jackson, Jeggler, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, McCartin, Maij-Weggen, Mantovani, Marinos, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Montfort, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Purvis, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Sacrédeus, Salafrañca Sánchez-Neyra, Santer, Santini, Sartori, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Stauner, Stenmarck, Stevenson, Stockton, Sudre, Suominen, Tannock, Theato, Thyssen, Trakatellis, Van Orden, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wenzel-Perillo, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

Wednesday 2 July 2003

PSE: Dehousse

UEN: Berlato, Camre, Collins, Crowley, Fitzsimons, Ó Neachtain, Poli Bortone, Ribeiro e Castro, Thomas-Mauro

Abstention: 7

GUE/NGL: Bordes, Cauquil, Laguiller

PPE-DE: Costa, Oomen-Ruijten

PSE: Carrilho, Poos

**Corbey recommendation A5-0200/2003
Amendment 21/rev.**

For: 243

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

ELDR: Monsonís Domingo

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bertinotti, Blak, Boudjenah, Brie, Cossutta, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Patakis, Schmid, Seppänen, Sjöstedt, Sylla, Uca, Vachetta, Wurtz

NI: Claeys, Gobbo, Gorostiaga Atxalandabaso, Kronberger, de La Perriere, Raschhofer, Souchet, Speroni

PPE-DE: Flemming, Florenz, Montfort, Sacrédeus, Stenzel, Wijkman

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cerdeira Morterero, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, Désir, Díez González, Duhamel, Duin, Ettl, Evans, Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Hedkvist Petersen, Honeyball, Howitt, van Hulst, Iivari, Izquierdo Rojo, Jöns, Junker, Karamanou, Katiforis, Keßler, Kindermann, Koukiadis, Krehl, Kreissl-Dörfler, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McCarthy, McNally, Malliori, Mann, Marinho, Martin, Martín, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Moraes, Müller, Murphy, Myller, Napolitano, Napolitano, Obiols i Germà, Paciotti, Patrie, Pérez Royo, Pittella, Poignant, Prets, Randzio-Plath, Rapkay, Read, Rocard, Roth-Behrendt, Rothe, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Soares, Sornosa Martínez, Souladakis, Sousa Pinto, Stihler, Stockmann, Swiebel, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Valenciano Martínez-Orozco, Van Brempt, Van Lancker, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre, Collins, Crowley, Fitzsimons, Ó Neachtain, Ribeiro e Castro, Thomas-Mauro

Verts/ALE: Aaltonen, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Buitenweg, Celli, Cohn-Bendit, Dhaene, Echerer, Evans, Flautre, Frassoni, Gahrton, Hudghton, Isler Béguin, Lambert, Lucas, MacCormick, Maes, Mayol i Raynal, Nogueira Román, Onesta, Ortuondo Larrea, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori

Against: 202

ELDR: Andreasen, André-Léonard, Attwooll, Boogerd-Quaak, van den Bos, Busk, Clegg, Davies, De Clercq, Duff, Dybkjær, Fleisch, Gasòliba i Böhm, Huhne, Jensen, Ludford, Martelli, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Riis-Jørgensen, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Virrankoski, Watson

Wednesday 2 July 2003

NI: Berthu, Beysen

PPE-DE: Andria, Arvidsson, Averoff, Avilés Perea, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Bébéar, Berend, Böge, von Boetticher, Bourlanges, Brok, Callanan, Camisón Asensio, Coelho, Corrie, Cunha, Cushnahan, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Doyle, Ebner, Elles, Evans, Fatuzzo, Ferber, Ferrer, Ferri, Fiori, Folias, Fourtou, Gahler, García-Margallo y Marfil, García-Orcoyen Tormo, Garriga Polledo, Gil-Robles Gil-Delgado, Glase, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Hermange, Herranz García, Hieronymi, Inglewood, Jackson, Jeggle, Karas, Kauppi, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Langen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mantovani, Marinos, Marques, Martens, Martin, Matikainen-Kallström, Mauro, Mayer, Mayer, Méndez de Vigo, Mennea, Menrad, Moreira Da Silva, Morillon, Müller, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Purvis, Radwan, Ripoll y Martínez de Bedoya, Roving, Salafranca Sánchez-Neyra, Santer, Santini, Sartori, Schaffner, Schleicher, Schmitt, Schnellhardt, Schwaiger, Smet, Stauner, Stenmarck, Stevenson, Stockton, Sudre, Suominen, Tannock, Theato, Thyssen, Trakatellis, Van Orden, Vatanen, van Velzen, de Veyrinas, Vidal-Quadras Roca, Villiers, Vlasto, Wachtmeister, Wenzel-Perillo, Wuermeling, Zabell, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Dehousse

UEN: Berlato, Poli Bortone

Abstention: 6

GUE/NGL: Bordes, Cauquil, Laguiller

PPE-DE: Costa, Scallon

PSE: Poos

TEXTS ADOPTED**P5_TA(2003)0311****Security prospectuses ***II**

European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council directive on the prospectus to be published when securities are offered to the public or admitted to trading and amending Directive 2001/34/EC (5390/4/2003 — C5-0143/2003 — 2001/0117(COD))

(Codecision procedure: second reading)

The European Parliament,

- having regard to the Council common position (5390/4/2003 — C5-0143/2003) ⁽¹⁾,
- having regard to its position at first reading ⁽²⁾ on the Commission proposal to Parliament and the Council (COM(2001) 280) ⁽³⁾,
- having regard to the Commission's amended proposal (COM(2002) 460) ⁽⁴⁾,
- having regard to Article 251(2) of the EC Treaty,
- having regard to Rule 80 of its Rules of Procedure,
- having regard to the recommendation for second reading of the Committee on Economic and Monetary Affairs (A5-0218/2003),

1. Amends the common position as follows;
2. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ OJ C 125 E, 27.5.2003, p. 21.

⁽²⁾ OJ C 47 E, 27.2.2003, p. 524.

⁽³⁾ OJ C 240 E, 28.8.2001, p. 272.

⁽⁴⁾ OJ C 20 E, 28.1.2003, p. 122.

P5_TC2-COD(2001)0117

Position of the European Parliament adopted at second reading on 2 July 2003 with a view to the adoption of European Parliament and Council Directive 2003/.../EC on the prospectus to be published when securities are offered to the public or admitted to trading and amending Directive 2001/34/EC

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 44 and 95 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the Opinion of the European Economic and Social Committee ⁽²⁾,

⁽¹⁾ OJ C 240 E, 28.8.2001, p. 272 and OJ C 20 E, 28.1.2003, p. 122.

⁽²⁾ OJ C 80, 3.4.2002, p. 52.

Wednesday 2 July 2003

Having regard to the Opinion of the European Central Bank ⁽¹⁾,

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

Whereas:

- (1) Council Directives 80/390/EEC of 17 March 1980 coordinating the requirements for the drawing up, scrutiny and distribution of the listing particulars to be published for the admission of securities to official stock exchange listing ⁽³⁾ and 89/298/EEC of 17 April 1989 coordinating the requirements for the drawing up, scrutiny and distribution of the prospectus to be published when transferable securities are offered to the public ⁽⁴⁾ were adopted several years ago introducing a partial and complex mutual recognition mechanism which is unable to achieve the objective of the single passport provided for by this Directive. Those Directives should be upgraded, updated and grouped together into a single text.
- (2) Meanwhile, Directive 80/390/EEC was integrated into Directive 2001/34/EC of the European Parliament and of the Council of 28 May 2001 on the admission of securities to official stock exchange listing and on information to be published on those securities ⁽⁵⁾, which codifies several Directives in the field of listed securities.
- (3) For reasons of consistency, however, it is appropriate to regroup the provisions of Directive 2001/34/EC which stem from Directive 80/390/EEC together with Directive 89/298/EEC and to amend Directive 2001/34/EC accordingly.
- (4) This Directive constitutes an instrument essential to the achievement of the internal market as set out in timetable form in the Commission Communications 'Risk Capital Action Plan' and 'Implementing the framework for financial market: Action Plan' facilitating the widest possible access to investment capital on a Community-wide basis, including for small and medium sized enterprises (SMEs) and start-ups, by granting a single passport to the issuer.
- (5) On 17 July 2000, the Council set up the Committee of Wise Men on the regulation of European securities markets. In its initial report of 9 November 2000 the Committee stresses the lack of an agreed definition of public offer of securities, with the result that the same operation is regarded as a private placement in some Member States and not in others; the current system discourages firms from raising capital on a Community-wide basis and therefore from having real access to a large, liquid and integrated financial market.
- (6) In its final report of 15 February 2001 the Committee of Wise Men proposed the introduction of new legislative techniques based on a four-level approach, namely framework principles, implementing measures, cooperation and enforcement. Level 1, the Directive, should confine itself to broad general 'framework' principles while Level 2 should contain technical implementing measures to be adopted by the Commission with the assistance of a committee.
- (7) The Stockholm European Council of 23-24 March 2001 endorsed the final report of the Committee of Wise Men and the proposed four-level approach to make the regulatory process for Community securities legislation more efficient and transparent.

⁽¹⁾ OJ C 344, 6.12.2001, p. 4.

⁽²⁾ Opinion of the European Parliament of 14 March 2002 (OJ C 47 E, 27.2.2003, p. 524), Council Common Position of 24 March 2003 (OJ C 125 E, 27.5.2003, p. 21) and *opinion* of the European Parliament of 2 July 2003.

⁽³⁾ OJ L 100, 17.4.1980, p. 1. Directive as last amended by Directive of the European Parliament and of the Council 94/18/EC (OJ L 135, 31.5.1994, p. 1).

⁽⁴⁾ OJ L 124, 5.5.1989, p. 8.

⁽⁵⁾ OJ L 184, 6.7.2001, p. 1.

Wednesday 2 July 2003

- (8) The resolution of the European Parliament of 5 February 2002 on the implementation of financial services legislation ⁽¹⁾ also endorsed the Committee of Wise Men's final report, on the basis of the solemn declaration made before Parliament the same day by the Commission and the letter of 2 October 2001 addressed by the Internal Market Commissioner to the chairman of Parliament's Committee on Economic and Monetary Affairs with regard to the safeguards for the European Parliament's role in this process.
- (9) According to the Stockholm European Council, Level 2 implementing measures should be used more frequently to ensure that technical provisions can be kept up to date with market and supervisory developments and deadlines should be set for all stages of Level 2.
- (10) The aim of this Directive and its implementing measures is to ensure investor protection and market efficiency, in accordance with high regulatory standards adopted in the relevant international fora.
- (11) Non-equity securities issued by a Member State or by one of a Member State's regional or local authorities, by public international bodies of which one or more Member States are members, by the European Central Bank or by the central banks of the Member States are not covered by this Directive and thus remain unaffected by this Directive; the abovementioned issuers of such securities may, however, if they so choose, draw up a prospectus in accordance with this Directive.
- (12) Full coverage of equity and non-equity securities offered to the public or admitted to trading on regulated markets as defined by Council Directive 93/22/EEC of 10 May 1993 on investment services in the securities field ⁽²⁾, and not only securities which have been admitted to the official lists of stock exchanges, is also needed to ensure investor protection. The wide definition of securities in this Directive, which includes warrants and covered warrants and certificates, is only valid for this Directive and consequently in no way affects the various definitions of financial instruments used in national legislation for other purposes, such as taxation. Some of the securities defined in this Directive entitle the holder to acquire transferable securities or to receive a cash amount through a cash settlement determined by reference to other instruments, notably transferable securities, currencies, interest rates or yields, commodities or other indices or measures. Depositary receipts and convertible notes, e.g. securities convertible at the option of the investor, fall within the definition of non-equity securities set out in this Directive.
- (13) ***Issuance of securities having a similar type and/or class in the case of non-equity securities issued on the basis of an offering program, including warrants and certificates in any form, as well as the case of securities issued in a continuous or repeated manner, should be understood as not only covering identical securities but also securities that belong in general terms to one category. These securities may include different products, such as debt securities, certificates and warrants, or the same product under the same programme, and may have different features notably in terms of seniority, types of underlying securities, basis on which to determine the redemption amount or coupon payment.***
- (14) The grant to the issuer of a single passport, valid throughout the Community, and the application of the country of origin principle require the identification of the home Member State as the one best placed to regulate the issuer for the purposes of this Directive.

⁽¹⁾ OJ C 284 E, 21.11.2002, p. 115.

⁽²⁾ OJ L 141, 11.6.1993, p. 27. Directive as last amended by Directive 2000/64/EC of the European Parliament and of the Council (OJ L 290, 17.11.2000, p. 27).

Wednesday 2 July 2003

- (15) One of the objectives of this Directive is to protect investors. It is therefore appropriate to take account of the different requirements for protection of the various categories of investors and their level of expertise. Disclosure provided by the prospectus is not required for offers limited to qualified investors. In contrast, any resale to the public or public trading through admission to trading on a regulated market requires the publication of a prospectus.
- (16) ***The disclosure requirements of the present Directive do not prevent a Member State or a competent authority or an exchange through its rule book to impose other particular requirements in the context of admission to trading of securities on a regulated market (notably regarding corporate governance). Such requirements may not directly or indirectly restrict the drawing up, the content and the dissemination of a prospectus approved by a competent authority.***
- (17) Issuers, offerors or persons asking for the admission to trading on a regulated market of securities which are exempted from the obligation to publish a prospectus will benefit from the single passport if they comply with this Directive.
- (18) The provision of full information concerning securities and issuers of those securities promotes, together with rules on the conduct of business, the protection of investors. Moreover, such information provides an effective means of increasing confidence in securities and thus of contributing to the proper functioning and development of securities markets. The appropriate way to make this information available is to publish a prospectus.
- (19) Investment in securities, like any other form of investment, involves risk. Safeguards for the protection of the interests of actual and potential investors are required in all Member States in order to enable them to make an informed assessment of such risks and thus to take investment decisions in full knowledge of the facts.
- (20) Such information, which needs to be sufficient and as objective as possible as regards the financial circumstances of the issuer and the rights attaching to the securities, should be provided in an easily analysable and comprehensible form. Harmonisation of the information contained in the prospectus should provide equivalent investor protection at Community level.
- (21) Information is a key factor in investor protection; a summary conveying the essential characteristics of, and risks associated with, the issuer, any guarantor and the securities should be included in the prospectus. To ensure easy access to this information, the summary should be written in non-technical language and normally should not exceed 2 500 words in the language in which the prospectus was originally drawn up.
- (22) Best practices have been adopted at international level in order to allow cross-border offers of equities to be made using a single set of disclosure standards established by the International Organisation of Securities Commissions (IOSCO); the IOSCO disclosure standards⁽¹⁾ will upgrade information available for the markets and investors and at the same time will simplify the procedure for Community issuers wishing to raise capital in third countries. The Directive also calls for tailored disclosure standards to be adopted for other types of securities and issuers.
- (23) Fast-track procedures for issuers admitted to trading on a regulated market and frequently raising capital on these markets require the introduction at Community level of a new format of prospectuses for offering programmes or mortgage bonds and a new registration document system. Issuers may choose not to use those formats and therefore to draft the prospectus as a single document.

⁽¹⁾ International Disclosure Standards for cross-border offering and initial listings by foreign issuers, Part I, International Organisation of Securities Commissions, September 1998.

Wednesday 2 July 2003

- (24) The content of a base prospectus should, in particular, take into account the need for flexibility in relation to the information to be provided about the securities.
- (25) Omission of sensitive information to be included in a prospectus should be allowed through a derogation granted by the competent authority in certain circumstances in order to avoid detrimental situations for an issuer.
- (26) A clear time limit should be set for the validity of a prospectus in order to avoid outdated information.
- (27) Investors should be protected by ensuring publication of reliable information. The issuers whose securities are admitted to trading on a regulated market are subject to an ongoing disclosure obligation but are not required to publish updated information regularly. Further to this obligation, issuers should, at least annually, list all relevant information published or made available to the public over the preceding twelve months, including information provided to the various reporting requirements laid down in other Community legislation. This should make it possible to ensure the publication of consistent and easily understandable information on a regular basis. To avoid excessive burdens for certain issuers, issuers of non-equity securities with high minimum denomination should not be required to meet this obligation.
- (28) It is necessary for the annual information to be provided by issuers whose securities are admitted to trading on a regulated market to be appropriately monitored by Member States in accordance with their obligations under the provisions of Community and national law concerning the regulation of securities, issuers of securities and securities markets.
- (29) The opportunity of allowing issuers to incorporate by reference documents containing the information to be disclosed in a prospectus — provided that the documents incorporated by reference have been previously filed with or accepted by the competent authority — should facilitate the procedure of drawing up a prospectus and lower the costs for the issuers without endangering investor protection.
- (30) Differences regarding the efficiency, methods and timing of the checking of the information given in a prospectus not only make it more difficult for undertakings to raise capital or to obtain admission to trading on a regulated market in more than one Member State but also hinder the acquisition by investors established in one Member State of securities offered by an issuer established in another Member State or admitted to trading in another Member State. These differences should be eliminated by harmonising the rules and regulations in order to achieve an adequate degree of equivalence of the safeguards required in each Member State to ensure the provision of information which is sufficient and as objective as possible for actual or potential securities holders.
- (31) To facilitate circulation of the various documents making up the prospectus, the use of electronic communication facilities such as Internet should be encouraged. The prospectus should always be delivered in paper form free of charge to investors on request.
- (32) The prospectus should be filed with the relevant competent authority and be made available to the public by the issuer, the offeror or the person asking for admission to trading on a regulated market, subject to European Union provisions relating to data protection.
- (33) It is also necessary, in order to avoid loopholes in Community legislation which would undermine public confidence and therefore prejudice the proper functioning of financial markets, to harmonise advertisements.
- (34) Any new matter liable to influence the assessment of the investment, arising after the publication of the prospectus but before the closing of the offer or the start of trading on a regulated market, should be properly evaluated by investors and therefore requires the approval and dissemination of a supplement to the prospectus.

Wednesday 2 July 2003

- (35) The obligation for an issuer to translate the full prospectus into all the relevant official languages discourages cross-border offers or multiple trading. To facilitate cross-border offers, where the prospectus is drawn up in a language that is customary in the sphere of international finance, the host or home Member State should only be entitled to require a summary in its official language(s).
- (36) The competent authority of the host Member State should be entitled to receive a certificate from the competent authority of the home Member State which states that the prospectus has been drawn up in accordance with this Directive. In order to ensure that the purposes of this Directive will be fully achieved, it is also necessary to include within its scope securities issued by issuers governed by the laws of third countries.
- (37) A variety of competent authorities in Member States, having different responsibilities, may create unnecessary costs and overlapping of responsibilities without providing any additional benefit. In each Member State one single competent authority should be designated to approve prospectuses and to assume responsibility for supervising compliance with this Directive. Under strict conditions, a Member State should be allowed to designate more than one competent authority but only one will assume the duties for international cooperation. Such an authority or authorities should be established as an administrative authority and in such a form that their independence from economic actors is guaranteed and conflicts of interest are avoided. The designation of a competent authority for prospectus approval should not exclude cooperation between that authority and other entities, with a view to guaranteeing efficient scrutiny and approval of prospectuses in the interest of issuers, investors, markets participants and markets alike. Any delegation of tasks relating to the obligations provided for in this Directive and in its implementing measures should **be reviewed, according to Article 31, five years after the date of entry into force of this Directive and should, except for publication on the Internet of approved prospectuses and the filing of prospectuses as mentioned in Article 14, end eight years** after the entry into force of this Directive.
- (38) A common minimum set of powers for the competent authorities will guarantee the effectiveness of their supervision. The flow of information to the markets required by Directive 2001/34/EC should be ensured and action against breaches should be taken by competent authorities.
- (39) For the purposes of carrying out their duties, cooperation between competent authorities of the Member States is required.
- (40) Technical guidance and implementing measures for the rules laid down in this Directive may from time to time be necessary to take into account developments on financial markets. The Commission should accordingly be empowered to adopt implementing measures, provided that these do not modify the essential elements of this Directive and provided that the Commission acts in accordance with the principles set out in this Directive, after consulting the European Securities Committee established by Commission Decision 2001/528/EC of 6 June 2001 establishing the European Securities Committee⁽¹⁾.
- (41) In exercising its implementing powers in accordance with this Directive, the Commission should respect the following principles:
- the need to ensure confidence in financial markets among small investors and small and medium-sized enterprises (SMEs) by promoting high standards of transparency in financial markets,
 - the need to provide investors with a wide range of competing investment opportunities and a level of disclosure and protection tailored to their circumstances,

⁽¹⁾ OJ L 191, 13.7.2001, p. 45.

Wednesday 2 July 2003

- the need to ensure that independent regulatory authorities enforce the rules consistently, especially as regards the fight against white-collar crime,
 - the need for a high level of transparency and consultation with all market participants and with the European Parliament and the Council,
 - the need to encourage innovation in financial markets if they are to be dynamic and efficient,
 - the need to ensure systemic stability of the financial system by close and reactive monitoring of financial innovation,
 - the importance of reducing the cost of, and increasing access to, capital,
 - the need to balance, on a long-term basis, the costs and benefits to market participants (including SMEs and small investors) of any implementing measures,
 - the need to foster the international competitiveness of the Community's financial markets without prejudice to a much-needed extension of international cooperation,
 - the need to achieve a level playing field for all market participants by establishing Community legislation every time it is appropriate,
 - the need to respect differences in national financial markets where these do not unduly impinge on the coherence of the single market,
 - the need to ensure coherence with other Community legislation in this area, as imbalances in information and a lack of transparency may jeopardise the operation of the markets and above all harm consumers and small investors.
- (42) The European Parliament should be given a period of three months from the first transmission of draft implementing measures to allow it to examine them and to give its opinion. However, in urgent and duly justified cases, this period may be shortened. If, within that period, a resolution is passed by the European Parliament, the Commission should re-examine the draft measures.
- (43) Member States should lay down a system of sanctions for breaches of the national provisions adopted pursuant to this Directive and should take all the measures necessary to ensure that these sanctions are applied. The sanctions thus provided for should be effective, proportional and dissuasive.
- (44) Provision should be made for the right of judicial review of decisions taken by Member States' competent authorities in respect of the application of this Directive.
- (45) In accordance with the principle of proportionality, it is necessary and appropriate for the achievement of the basic objective of ensuring the completion of a single securities market to lay down rules on a single passport for issuers. This Directive does not go beyond what is necessary in order to achieve the objectives pursued in accordance with the third paragraph of Article 5 of the Treaty.
- (46) The assessment made by the Commission of the application of this Directive should focus in particular on the process of approval of prospectuses by the competent authorities of the Member States, and more generally on the application of the home-country principle, and whether or not problems of investor protection and market efficiency might result from this application; the Commission should also examine the functioning of Article 10.

Wednesday 2 July 2003

- (47) For future developments of this Directive, consideration should be given to the matter of deciding which approval mechanism should be adopted to further enhance the uniform application of Community legislation on prospectuses, including the possible establishment of a European Securities Unit.
- (48) This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union,
- (49) The measures necessary for the implementation of this Directive should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽¹⁾,

HAVE ADOPTED THIS DIRECTIVE:

CHAPTER I
GENERAL PROVISIONS

Article 1
Purpose and scope

1. The purpose of this Directive is to harmonise requirements for the drawing up, approval and distribution of the prospectus to be published when securities are offered to the public or admitted to trading on a regulated market situated or operating within a Member State.
2. This Directive shall not apply to:
- a) units issued by collective investment undertakings other than the closed-end type,
 - b) non-equity securities issued by a Member State or by one of a Member State's regional or local authorities, by public international bodies of which one or more Member States are members, by the European Central Bank or by the central banks of the Member States,
 - c) shares in the capital of central banks of the Member States,
 - d) securities unconditionally and irrevocably guaranteed by a Member State or by one of a Member State's regional or local authorities,
 - e) securities issued by associations with legal status or non-profit-making bodies, recognised by a Member State, with a view to their obtaining the means necessary to achieve their non-profit-making objectives,
 - f) non-equity securities issued in a continuous or repeated manner by credit institutions provided that these securities:
 - i) are not subordinated, convertible or exchangeable;
 - ii) do not give a right to subscribe to or acquire other types of securities and that they are not linked to a derivative instrument;
 - iii) materialise reception of repayable deposits;
 - iv) are covered by a deposit guarantee scheme under Directive 94/19/EC, of the European Parliament and of the Council of 30 May 1994 on deposit-guarantee schemes ⁽²⁾,

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

⁽²⁾ OJ L 135, 31.5.1994, p. 5.

Wednesday 2 July 2003

- g) non-fungible shares of capital whose main purpose is to provide the holder with a right to occupy an apartment, or other form of immovable property or a part thereof and where the shares cannot be sold on without this right being given up,
- h) securities included in an offer where the total consideration of the offer is less than EUR 2 500 000, which limit shall be calculated over a period of twelve months,
- i) 'bostadsobligationer' issued repeatedly by credit institutions in Sweden whose main purpose is to grant mortgage loans, provided that
 - i) the 'bostadsobligationer' issued are of the same series;
 - ii) the 'bostadsobligationer' are issued on tap during a specified issuing period;
 - iii) the terms and conditions of the 'bostadsobligationer' are not changed during the issuing period; and
 - iv) the sums deriving from the issue of the said 'bostadsobligationer', in accordance with the articles of association of the issuer, are placed in assets which provide sufficient coverage for the liability deriving from securities,
- j) Non-equity securities issued in a continuous or repeated manner by credit institutions where the total consideration of the offer is less than EUR 50 000 000, which limit shall be calculated over a period of twelve months, provided that these securities:
 - i) are not subordinated, convertible or exchangeable;
 - ii) do not give a right to subscribe to or acquire other types of securities and that they are not linked to a derivative instrument.

3. Notwithstanding paragraph 2(b), (d), (h), (i) and (j), an issuer, an offeror or a person asking for admission to trading on a regulated market shall be entitled to draw up a prospectus in accordance with this Directive when securities are offered to the public or admitted to trading.

Article 2 Definitions

1. For the purposes of this Directive, the following definitions shall apply:
 - a) 'securities' means transferable securities as defined by Article 1(4) of Directive 93/22/EEC with the exception of money market instruments as defined by Article 1(5) of Directive 93/22/EEC having a maturity of less than 12 months. For these instruments national legislation may be applicable,
 - b) 'equity securities' means shares and other transferable securities equivalent to shares in companies, as well as any other type of transferable securities giving the right to acquire any of the aforementioned securities as a consequence of their being converted or the rights conferred by them being exercised, provided that securities of the latter type are issued by the issuer of the underlying shares or by an entity belonging to the group of the said issuer,
 - c) 'non-equity securities' means all securities that are not equity securities,
 - d) 'offer of securities to the public' means a communication to persons in any form and by any means, presenting sufficient information on the terms of the offer and the securities to be offered, so as to enable an investor to decide to purchase or subscribe to these securities. This definition shall also be applicable to the placing of securities through financial intermediaries,

Wednesday 2 July 2003

- e) 'qualified investors' mean:
- i) legal entities which are authorised or regulated to operate in the financial markets, including: credit institutions, investment firms, other authorised or regulated financial institutions, insurance companies, collective investment schemes and their management companies, pension funds and their management companies, commodity dealers, as well as entities not so authorised or regulated whose corporate purpose is solely to invest in securities;
 - ii) national and regional governments, central banks, international and supranational institutions such as the International Monetary Fund, the European Central Bank, the European Investment Bank and other similar international organisations;
 - iii) other legal entities which do not meet two of the three criteria set out in paragraph (f);
 - iv) certain natural persons: subject to mutual recognition, a Member State may choose to authorise natural persons who are resident in the Member State and who expressly ask to be considered as qualified investors if these persons meet at least two of the criteria set out in paragraph 2;
 - v) certain SMEs: subject to mutual recognition, a Member State may choose to authorise SMEs which have their registered office in that Member State and who expressly ask to be considered as qualified investors,
- f) 'small and medium-sized enterprises' means companies, which, according to their last annual or consolidated accounts, meet at least two of the following three criteria: an average number of employees during the financial year of less than 250, a total balance sheet not exceeding EUR 43 000 000 and an annual net turnover not exceeding EUR 50 000 000,
- g) 'credit institution' means an undertaking as defined by Article 1(1)(a) of Directive 2000/12/EC of the European Parliament and of the Council of 20 March 2000 relating to the taking up and pursuit of the business of credit institutions ⁽¹⁾,
- h) 'issuer' means a legal entity which issues or proposes to issue securities,
- i) 'person making an offer' (or 'offeror') means a legal entity or individual which offers securities to the public,
- j) 'regulated market' means a market as defined by Article 1(13) of Directive 93/22/EEC,
- k) 'offering programme' means **a plan which would permit** the issuance of non-equity securities, including warrants in any form, having a similar type and/or class, in a continuous or repeated manner during a specified issuing period,
- l) 'securities issued in a continuous or repeated manner' means issues on tap **or** at least two separate issues of securities of a similar type and/or class over a period of twelve months,
- m) 'home Member State' means:
- i) for all Community issuers of securities which are not mentioned in (ii), the Member State where the issuer has its registered office;
 - ii) for any issues of non-equity securities whose denomination per unit amounts to at least **EUR 1 000**, and for any issues of non-equity securities giving the right to acquire any transferable securities or to receive a cash amount, as a consequence of their being converted or the rights conferred by them being exercised, provided that the issuer of the non-equity securities is not the issuer of the underlying securities or an entity belonging to the group of the latter issuer, the Member State where the issuer has its registered office, or where the securities were or are to be admitted to trading on a regulated market or where the securities are offered to the public, at the choice of the issuer, the offeror or the person asking for permission, as the case may be. **The same regime shall be applicable to non-equity securities in another currency than Euro, provided that the value of such minimum denomination is nearly equivalent to 1 000 Euros;**

⁽¹⁾ OJ L 126, 26.5.2000, p. 1. Directive as last amended by Directive 2002/87/EC (OJ L 35, 11.2.2003, p. 1).

Wednesday 2 July 2003

- iii) for all issuers of securities incorporated in a third country, which are not mentioned in (ii), the Member State where the securities are intended to be offered to the public for the first time after the date of entry into force of this Directive or where the first application for admission to trading on a regulated market is made, at the choice of the issuer, the offeror or the person asking for admission, as the case may be, subject to a subsequent election by issuers incorporated in a third country if the home Member State was not determined by their choice;
- n) 'host Member State' means the State where an offer to the public is made or admission to trading is sought, when different from the home Member State,
- o) 'collective investment undertaking other than the closed-end type' means unit trusts and investment companies:
 - i) the object of which is the collective investment of capital provided by the public, and which operate on the principle of risk spreading; and
 - ii) the units of which are, at the holder's request, repurchased or redeemed, directly or indirectly, out of the assets of these undertakings,
- p) 'units of a collective investment undertaking' mean securities issued by a collective investment undertaking as representing the rights of the participants in such an undertaking over its assets,
- q) 'approval' means the positive act at the outcome of the scrutiny of the completeness of the prospectus by the home Member State's competent authority including the consistency of the information given and its comprehensibility,
- r) '**base prospectus' means a prospectus containing all relevant information as specified in Articles 5, 7 and 16 in case there is a supplement, concerning the issuer and the securities to be offered to the public or admitted to trading, and, at the choice of the issuer, the final terms of the offering.**

2. For the purposes of paragraph 1(e)(iv) the criteria are as follows:

- a) the investor has carried out transactions of a significant size on securities markets at an average frequency of at least, ten per quarter over the previous four quarters,
- b) the size of the investor's securities portfolio exceeds EUR 0,5 million,
- c) the investor works or has worked for at least one year in the financial sector in a professional position which requires knowledge of securities investment.

3. For the purposes of paragraphs 1(e)(iv) and (v) the following shall apply: Each competent authority shall ensure that appropriate mechanisms are in place for a register of natural persons and SMEs considered as qualified investors, taking into account the need to ensure an adequate level of data protection. The register shall be available to all issuers. Each natural person or SME wishing to be considered as a qualified investor shall register and each registered investor may decide to opt out at any moment.

4. In order to take account of technical developments on financial markets and to ensure uniform application of this Directive, the Commission shall, in accordance with the procedure set out in Article 24(2), adopt implementing measures concerning the definitions referred to in paragraph 1, including adjustment of the figures used for the definition of SMEs, taking into account Community legislation and recommendations as well as economic developments and disclosure measures relating to the registration of individual qualified investors.

Article 3

Obligation to publish a prospectus

1. Member States shall not allow any offer of securities to be made to the public within their territories without prior publication of a prospectus.

Wednesday 2 July 2003

2. The obligation to publish a prospectus shall not apply to the following types of offer:
 - a) an offer of securities addressed solely to qualified investors, and/or;
 - b) an offer of securities addressed to fewer than 100 natural or legal persons per Member State, other than qualified investors, and/or;
 - c) an offer of securities addressed to investors who acquire securities for a total consideration of at least EUR 50 000 per investor, for each separate offer, and/or;
 - d) an offer of securities whose denomination per unit amounts to at least EUR 50 000, and/or;
 - e) an offer of securities with a total consideration of less than EUR 100 000, which limit shall be calculated over a period of twelve months.

However, any subsequent resale of securities which were previously the subject of one or more of the types of offer mentioned in this paragraph shall be regarded as a separate offer and the definition set out to in Article 2(1)(d) shall apply for the purpose of deciding whether that resale is an offer of securities to the public. The placement of securities through financial intermediaries shall be subject to publication of a prospectus if none of the conditions (a) to (e) are met for the final placement.

3. Member States shall ensure that any admission of securities to trading on a regulated market situated or operating within their territories is subject to the publication of a prospectus.

Article 4

Exemptions from the obligation to publish a prospectus

1. The obligation to publish a prospectus shall not apply to offers of securities to the public of the following types of securities:
 - a) shares issued in substitution for shares of the same class already issued, if the issuing of such new shares does not involve any increase in the issued capital;
 - b) securities offered in connection with a take-over by means of an exchange offer, provided that a document is available containing information which is regarded by the competent authority as being equivalent to that of the prospectus, taking into account the requirements of Community legislation;
 - c) securities offered, allotted or to be allotted in connection with a merger, provided that a document is available containing information which is regarded by the competent authority as being equivalent to that of the prospectus, taking into account the requirements of Community legislation;
 - d) shares offered, allotted or to be allotted free of charge to existing shareholders, and dividends paid out in the form of shares of the same class as the shares in respect of which such dividends are paid, provided that a document is made available containing information on the number and nature of the shares and the reasons for and details of the offer;
 - e) securities offered, allotted or to be allotted to existing or former directors or employees by their employer which has securities already admitted to trading on a regulated market or by an affiliated undertaking, provided that a document is made available containing information on the number and nature of the securities and the reasons for and details of the offer.
2. The obligation to publish a prospectus shall not apply to the admission to trading on a regulated market of the following types of securities:
 - a) shares representing, over a period of twelve months, less than 10 per cent of the number of shares of the same class already admitted to trading on the same regulated market;

Wednesday 2 July 2003

- b) shares issued in substitution for shares of the same class already admitted to trading on the same regulated market, if the issuing of such shares does not involve any increase in the issued capital;
- c) securities offered in connection with a take-over by means of an exchange offer, provided that a document is available containing information which is regarded by the competent authority as being equivalent to that of the prospectus, taking into account the requirements of Community legislation;
- d) securities offered, allotted or to be allotted in connection with a merger, provided that a document is available containing information which is regarded by the competent authority as being equivalent to that of the prospectus, taking into account the requirements of Community legislation;
- e) shares offered, allotted or to be allotted free of charge to existing shareholders, and dividends paid out in the form of shares of the same class as the shares in respect of which such dividends are paid, provided that the said shares are of the same class as the shares already admitted to trading on the same regulated market and that a document is made available containing information on the number and nature of the shares and the reasons for and details of the offer;
- f) securities offered, allotted or to be allotted to existing or former directors or employees by their employer or an affiliated undertaking, provided that the said securities are of the same class as the securities already admitted to trading on the same regulated market and that a document is made available containing information on the number and nature of the securities and the reasons for and detail of the offer;
- g) shares resulting from the conversion or exchange of other securities or from the exercise of the rights conferred by other securities, provided that the said shares are of the same class as the shares already admitted to trading on the same regulated market;
- h) securities already admitted to trading on another regulated market, on the following conditions:
 - i) that these securities, or securities of the same class, have been admitted to trading on that other regulated market for more than 18 months;
 - ii) that, for securities first admitted to trading on a regulated market after the date of entry into force of this Directive, the admission to trading on that other regulated market was associated with an approved prospectus made available to the public in conformity with Article 14;
 - iii) that, except where (ii) applies, for securities first admitted to listing after 30 June 1983, listing particulars were approved in accordance with the requirements of Directive 80/390/EEC or Directive 2001/34/EC;
 - iv) that the ongoing obligations for trading on that other regulated market have been fulfilled;
 - v) that the person seeking the admission of a security to trading on a regulated market under this exemption makes a summary document available to the public in a language accepted by the competent authority of the Member State of the regulated market where admission is sought;
 - vi) that the summary document referred to in (v) is made available to the public in the Member State of the regulated market where admission to trading is sought in the manner set out in Article 14(2); and

Wednesday 2 July 2003

- vii) that the contents of the summary document shall comply with Article 5(2). Furthermore the document shall state where the most recent prospectus can be obtained and where the financial information published by the issuer pursuant to his ongoing disclosure obligations is available.

3. In order to take account of technical developments on financial markets and to ensure uniform application of this Directive, the Commission shall, in accordance with the procedure referred to in Article 24(2), adopt implementing measures concerning paragraphs 1(b), 1(c), 2 (c) and 2(d), notably in relation to the meaning of equivalence.

CHAPTER II

DRAWING UP OF THE PROSPECTUS

Article 5

The prospectus

1. Without prejudice to Article 8(2), the prospectus shall contain all information which, according to the particular nature of the issuer and of the securities offered to the public or admitted to trading on a regulated market, is necessary to enable investors to make an informed assessment of the assets and liabilities, financial position, profit and losses, and prospects of the issuer and of any guarantor, and of the rights attaching to such securities. This information shall be presented in an easily analysable and comprehensible form.

2. The prospectus shall contain information concerning the issuer and the securities to be offered to the public or to be admitted to trading on a regulated market. It shall also include a summary. The summary shall, in a brief manner and in non-technical language, convey the essential characteristics and risks associated with the issuer, any guarantor and the securities, in the language in which the prospectus was originally drawn up. The summary shall also contain a warning that:

- a) it should be read as an introduction to the prospectus, and
- b) any decision to invest in the securities should be based on consideration of the prospectus as a whole by the investor, and
- c) where a claim relating to the information contained in a prospectus is brought before a court, the plaintiff investor might, under the national legislation of the Member States, have to bear the costs of translating the prospectus before the legal proceedings are initiated, and
- d) civil liability attaches to **those persons who have tabled** the summary including any translation thereof, **and applied for its notification, but only if the summary** is misleading, inaccurate or inconsistent when read together with other parts of the prospectus.

Where the prospectus relates to the admission to trading on a regulated market of non-equity securities having a denomination of at least EUR 50 000, there shall be no requirement to provide a summary except when requested by a Member State as provided for in Article 19(4).

3. Subject to paragraph 4 the issuer, offeror or person asking for the admission to trading on a regulated market may draw up the prospectus as a single document or separate documents. A prospectus composed of separate documents shall divide the required information into a registration document, a securities note and a summary note. The registration document shall contain the information relating to the issuer. The securities note shall contain the information concerning the securities offered to the public or to be admitted to trading on a regulated market.

Wednesday 2 July 2003

4. For the following types of securities, the prospectus *can, at the choice of the issuer*, consist of a base prospectus containing all relevant information concerning the issuer and the securities to be offered to the public or admitted to trading on a regulated market:

- a) non-equity securities, including warrants in any form, issued under an offering programme;
- b) non-equity securities issued in a continuous or repeated manner by credit institutions,
 - i) where the sums deriving from the issue of the said securities, under national legislation, are placed in assets which provide sufficient coverage for the liability deriving from securities until their maturity date; and
 - ii) where, in the event of the insolvency of the related credit institution, the said sums are intended, as a priority, to repay the capital and interest falling due, without prejudice to the provisions of Directive 2001/24/EC of the European Parliament and of the Council of 4 April 2001 on the reorganisation and winding up of credit institutions ⁽¹⁾.

The information given in the base prospectus shall be supplemented, if necessary, in accordance with Article 16 with updated information on the issuer and on the securities to be offered to the public or to be admitted to trading on a regulated market.

If the final terms of the offer are not included in either the base prospectus or a supplement, the final terms shall be provided to investors and filed with the competent authority when each public offer is made as soon as practicable and if possible in advance of the beginning of the offer. The provisions of Article 8(1)(a) shall be applicable in any such case.

5. In order to take account of technical developments on financial markets and to ensure uniform application of this Directive, the Commission shall, in accordance with the procedure referred to in Article 24(2), adopt implementing measures concerning the format of the prospectus or base prospectus and supplements.

Article 6

Responsibility attaching to the prospectus

1. Member States shall ensure that responsibility for the information given in a prospectus attaches at least to the issuer or its administrative, management or supervisory bodies, the offeror, the person asking for the admission to trading on a regulated market or the guarantor, as the case may be. The persons responsible shall be clearly identified in the prospectus by their names and functions or, in the case of legal persons, their names and registered offices, as well as declarations by them that, to the best of their knowledge, the information contained in the prospectus is in accordance with the facts and that the prospectus makes no omission likely to affect its import.

2. Member States shall ensure that their laws, regulation and administrative provisions on civil liability apply to those persons responsible for the information given in a prospectus.

However, Member States shall ensure that no civil liability shall attach to any person solely on the basis of the summary, including any translation thereof, unless it is misleading, inaccurate or inconsistent when read together with the other parts of the prospectus.

Article 7

Minimum information

1. Detailed implementing measures regarding the specific information which must be included in a prospectus, avoiding duplication of information when a prospectus is composed of separate documents, shall be adopted by the Commission in accordance with the procedure referred to in Article 24(2). The first set of implementing measures shall be adopted by ... (*).

⁽¹⁾ OJ L 125, 5.5.2001, p. 15.

(*) 6 months after the date of entry into force of this Directive.

Wednesday 2 July 2003

2. In particular, for the elaboration of the various models of prospectuses, account shall be taken of the following:

- a) the various types of information needed by investors relating to equity securities as compared with non equity-securities; a consistent approach shall be taken with regard to information required in a prospectus for securities which have a similar economic rationale, notably derivative securities;
- b) the various types and characteristics of offers and admissions to trading on a regulated market of non-equity securities. The information required in a prospectus shall be appropriate from the point of view of the investors concerned for non-equity securities having a denomination per unit of at least EUR 50 000;
- c) the format used and the information required in prospectuses relating to non-equity securities, including warrants in any form, issued under an offering programme;
- d) the format used and the information required in prospectuses relating to non-equity securities, insofar as these securities are not subordinated, convertible, exchangeable, subject to subscription or acquisition rights or linked to derivative instruments, issued in a continuous or repeated manner by entities authorised or regulated to operate in the financial markets within the European Economic Area;
- e) the various activities and size of the issuer, in particular SMEs. For such companies the information shall be adapted to their size and, where appropriate, to their shorter track record;
- f) if applicable, the public nature of the issuer.

3. The implementing measures referred to in paragraph 1 shall be based on the standards in the field of financial and non financial information set out by international securities commission organisations, and in particular by IOSCO and on the indicative Annexes to this Directive.

Article 8

Omission of information

1. Member States shall ensure that where the final offer price and amount of securities which will be offered to the public cannot be included in the prospectus:

- a) the criteria, and/or the conditions in accordance with which the above elements will be determined or, in the case of price, the maximum price, are disclosed in the prospectus, or
- b) the acceptances of the purchase or subscription of securities may be withdrawn for not less than two working days after the final offer price and amount of securities which will be offered to the public have been filed.

The final offer price and amount of securities shall be filed with the competent authority of the home Member State and published in accordance with the arrangements provided for in Article 14(2).

2. The competent authority of the home Member State may authorise the omission from the prospectus of certain information provided for in this Directive or in the implementing measures referred to in Article 7(1), if it considers that:

- a) disclosure of such information would be contrary to the public interest, or
- b) disclosure of such information would be seriously detrimental to the issuer, provided that the omission would not be likely to mislead the public with regard to facts and circumstances essential for an informed assessment of the issuer, offeror or guarantor, if any, and of the rights attached to the securities to which the prospectus relates, or

Wednesday 2 July 2003

c) such information is of minor importance only for a specific offer or admission to trading on a regulated market and is not such as will influence the assessment of the financial position and prospects of the issuer, offeror or guarantor, if any.

3. Without prejudice to the adequate information of investors, where, exceptionally, certain information required by implementing measures referred to in Article 7(1) to be included in a prospectus is inappropriate to the issuer's sphere of activity or to the legal form of the issuer or to the securities to which the prospectus relates, the prospectus shall contain information equivalent to the required information. If there is no such information, this requirement shall not apply.

4. In order to take account of technical developments on financial markets and to ensure uniform application of this Directive, the Commission shall, in accordance with the procedure referred to in Article 24(2), adopt implementing measures concerning paragraph 2.

Article 9

Validity of a prospectus, base prospectus and registration document

1. A prospectus shall be valid for twelve months after its publication for offers to the public or admissions to trading on a regulated market, provided that the prospectus is completed by any supplements required pursuant to Article 16.

2. In the case of an offering programme, the base prospectus, previously filed, shall be valid for a period of up to twelve months.

3. In the case of non-equity securities referred to in Article 5(4)(b) the prospectus shall be valid until no more of the securities concerned are issued in a continuous or repeated manner.

4. A registration document, as referred to in Article 5(3), previously filed, shall be valid for a period of up to twelve months provided that it has been updated in accordance with Article 10(1). The registration document accompanied by the securities note, updated if applicable in accordance with Article 12, and the summary note shall be considered to constitute a valid prospectus.

Article 10

Information

1. Issuers whose securities are admitted to trading on a regulated market shall at least annually provide a document that contains or refers to all information that they have published or made available to the public over the preceding 12 months in one or more Member States and in third countries in compliance with their obligations under Community and national laws and rules dealing with the regulation of securities, issuers of securities, and securities markets. Issuers shall refer at least to the information required pursuant to Company Law Directives, Directive 2001/34/EC and Regulation (EC) No 1606/2002 of the European Parliament and of the Council of 19 July 2002 on the application of International Accounting Standards ⁽¹⁾.

2. The document shall be filed with the competent authority of the home Member State after the publication of the financial statement. Where the document refers to information, it shall be stated where the information can be obtained.

3. The obligation set out in paragraph 1 shall not apply to issuers of non-equity securities whose denomination per unit amounts to at least EUR 50 000.

4. In order to take account of technical developments on financial markets and to ensure uniform application of this Directive, the Commission may, in accordance with the procedure referred to in Article 24(2), adopt implementing measures concerning paragraph 1. These measures will relate only to the method of publication of the disclosure requirements mentioned in paragraph 1 and will not entail new disclosure requirements. The first set of implementing measures shall be adopted by ... (*).

⁽¹⁾ OJ L 243, 11.9.2002, p. 1.

(*) 6 months after the date of entry into force of this Directive.

Wednesday 2 July 2003

Article 11

Incorporation by reference

1. Member States shall allow information to be incorporated in the prospectus by reference to one or more previously *or simultaneously* published documents that have been approved by the competent authority of the home Member State or filed with it in accordance with this Directive, in particular pursuant to Article 10, or with Titles IV and V of Directive 2001/34/EC. This information shall be the latest available to the issuer. The summary shall not incorporate information by reference.
2. When information is incorporated by reference, a cross-reference list must be provided in order to enable investors to easily identify specific items of information.
3. In order to take account of technical developments on financial markets and to ensure uniform application of this Directive, the Commission shall, in accordance with the procedure referred to in Article 24(2), adopt implementing measures concerning the information to be incorporated by reference. The first set of implementing measures shall be adopted by ... (*).

Article 12

Prospectuses consisting of separate documents

1. An issuer which already has a registration document approved by the competent authority shall be required to draw up only the securities note and the summary note when securities are offered to the public or admitted to trading on a regulated market.
2. In this case, the securities note shall provide information that would normally be provided in the registration document if there has been a material change or recent development which could affect investors' assessments since the latest updated registration document or any supplement as provided for in Article 16 was approved. The securities and summary notes shall be subject to a separate approval.
3. Where an issuer has only filed a registration document without approval, the entire documentation, including updated information, shall be subject to approval.

CHAPTER III

ARRANGEMENTS FOR APPROVAL AND PUBLICATION OF THE PROSPECTUS

Article 13

Approval of the prospectus

1. No prospectus shall be published until it has been approved by the competent authority of the home Member State.
2. This competent authority shall notify the issuer, the offeror or the person asking for admission to trading on a regulated market, as the case may be, of its decision regarding the approval of the prospectus within **10 working days** of the submission of the draft prospectus.

If the competent authority fails to give a decision on the prospectus within the time limits laid down in this paragraph and paragraph 3, this shall not be deemed to constitute approval of the application.

3. The time limit referred to in paragraph 2 shall be extended to **20 working days** if the public offer involves securities issued by an issuer which does not have any securities admitted to trading on a regulated market and who has not previously offered securities to the public.
4. If the competent authority finds, on reasonable grounds, that the documents submitted to it are incomplete or that supplementary information is needed, the time limits referred to in paragraphs 2 and 3 shall apply only from the date on which such information is provided by the issuer, the offeror or the person asking for admission to trading on a regulated market.

(*) 6 months after the date of entry into force of this Directive.

Wednesday 2 July 2003

In the case referred to in paragraph 2 the competent authority should notify the issuer if the documents are incomplete within ten working days of the submission of the application.

5. The competent authority of the home Member State may transfer the approval of a prospectus to the competent authority of another Member State, subject to the agreement of that competent authority. Furthermore, this transfer shall be notified to the issuer, the offeror or the person asking for admission within **three working days** from the date of the decision taken by the competent authority of the home Member State. The time limit in paragraph 2 shall apply from this date.

6. This Directive shall not affect the competent authority's liability, which shall continue to be governed solely by national law.

Member States shall ensure that their national provisions on the liability of competent authorities apply only to approvals of prospectuses by their competent authority or authorities.

7. In order to take account of technical developments on financial markets and to ensure uniform application of this Directive, the Commission may, in accordance with the procedure referred to in Article 24(2), adopt implementing measures concerning the conditions in accordance with which time limits may be adjusted.

Article 14

Publication of the prospectus

1. Once approved the prospectus shall be filed with the competent authority of the home Member State and shall be made available to the public by the issuer, offeror or person asking for admission to trading on a regulated market as soon as practicable and in any case, at a reasonable time in advance of, and at the latest at the beginning of, the offer to the public or the admission to trading of the securities involved. In addition, in the case of an initial public offer of a class of shares not already admitted to trading on a regulated market that is to be admitted to trading for the first time, the prospectus shall be available at least six working days before the end of the offer.

2. The prospectus shall be deemed available to the public when published either:

- (a) by insertion in one or more newspapers circulated throughout, or widely circulated in, the Member States in which the offer to the public is made or the admission to trading is sought, or
- (b) in a printed form to be made available, free of charge, to the public at the offices of the market on which the securities are being admitted to trading, or at the registered office of the issuer and at the offices of the financial intermediaries placing or selling the securities, including paying agents, or
- (c) in an electronic form on the issuer's web-site and, if applicable, on the web-site of the financial intermediaries placing or selling the securities, including paying agents, or
- (d) ***in an electronic form on the website of the regulated market where the admission to trading is sought, or***
- (e) in electronic form on the web-site of the competent authority of the home Member State if the said authority has decided to offer this service.

A home Member State may require issuers which publish their prospectus in accordance with (a) or (b) also to publish their prospectus in an electronic form in accordance with (c).

3. In addition, a home Member State may require publication of a notice stating how the prospectus has been made available and where it can be obtained by the public.

Wednesday 2 July 2003

4. The competent authority of the home Member State shall publish on its web-site over a period of twelve months, at its choice, all the prospectuses approved, or at least the list of prospectuses approved in accordance with Article 13, including, if applicable, a hyperlink to the prospectus published on the web-site of the issuer, **or on the web-site of the regulated market.**

5. In the case of a prospectus comprising several documents and/or incorporating information by reference, the documents and information making up the prospectus may be published and circulated separately provided that the said documents are made available, free of charge, to the public, in accordance with the arrangements established in paragraph 2. Each document shall indicate where the other constituent documents of the full prospectus may be obtained.

6. The text and the format of the prospectus, and/or the supplements to the prospectus, published or made available to the public, shall at all times be identical to the original version approved by the competent authority of the home Member State.

7. Where the prospectus is made available by publication in electronic form, a paper copy must nevertheless be delivered to the investor, upon his request and free of charge, by the issuer, the offeror, the person asking for admission to trading or the financial intermediaries placing or selling the securities.

8. In order to take account of technical developments on financial markets and to ensure uniform application of the Directive, the Commission shall, in accordance with the procedure referred to in Article 24(2), adopt implementing measures concerning paragraphs 1, 2, 3 and 4. The first set of implementing measures shall be adopted by ... (*).

Article 15

Advertisements

1. Any type of advertisements relating either to an offer to the public of securities or to an admission to trading on a regulated market shall observe the principles contained in paragraphs 2 to 5. Paragraphs 2 to 4 shall apply only to cases where the issuer, the offeror or the person applying for admission to trading is covered by the obligation to draw up a prospectus.

2. Advertisements shall state that a prospectus has been or will be published and indicate where investors are or will be able to obtain it.

3. Advertisements shall be clearly recognisable as such. The information contained in an advertisement shall not be inaccurate, or misleading. **This information shall also be consistent with the information contained in the prospectus, if already published, or with the information required to be in the prospectus, if the prospectus is published afterwards.**

4. In any case, all information concerning the offer to the public or the admission to trading on a regulated market disclosed in an oral or written form, even if not for advertising purposes, shall be consistent with that contained in the prospectus.

5. When under this Directive no prospectus is required, material information provided by an issuer or an offeror and addressed to qualified investors or special categories of investors, including information disclosed in the context of meetings relating to offers of securities, shall be disclosed to all qualified investors or special categories of investors to whom the offer is exclusively addressed. Where a prospectus is required to be published, such information shall be included in the prospectus or in a supplement to the prospectus in accordance with Article 16(1).

(*) 6 months after the date of entry into force of this Directive.

Wednesday 2 July 2003

6. The competent authority of the home Member State shall have the power to exercise control over the compliance of advertising activity, relating to a public offer of securities or an admission to trading on a regulated market, with the principles referred to in paragraphs 2 to 5.

7. In order to take account of technical developments on financial markets and to ensure uniform application of this Directive, the Commission shall, in accordance with the procedure referred to in Article 24(2), adopt implementing measures concerning the dissemination of advertisements announcing the intention to offer securities to the public or the admission to trading on a regulated market, in particular before the prospectus has been made available to the public or before the opening of the subscription, and concerning paragraph 4. The first set of implementing measures shall be adopted by the Commission by ... (*).

Article 16

Supplements to the prospectus

1. Every significant new factor, material mistake or inaccuracy relating to the information included in the prospectus which is capable of affecting the assessment of the securities and which arises or is noted between the time when the prospectus is approved and the final closing of the offer to the public or, as the case may be, the time when trading on a regulated market begins, shall be mentioned in a supplement to the prospectus. Such a supplement shall be approved in the same way **in a maximum of seven working days** and published in accordance with at least the same arrangements as were applied when the original prospectus was published. The summary, and any translations thereof, shall also be supplemented, if necessary to take into account the new information included in the supplement.

2. Investors who have already agreed to purchase or subscribe for the securities before the supplement is published shall have the right, exercisable within a time-limit which shall not be shorter than two working days after the publication of the supplement, to withdraw their acceptances.

CHAPTER IV

CROSS-BORDER OFFERS AND ADMISSION TO TRADING

Article 17

Community scope of approvals of prospectuses

1. Without prejudice to Article 23, where an offer to the public or admission to trading on a regulated market is provided for in one or more Member States, or in a Member State other than the home Member State, the prospectus approved by the home Member State, and any supplements thereto, shall be valid for the public offer or the admission to trading in any number of host Member States, provided that the competent authority of each host Member State is notified in accordance with Article 18. Competent authorities of host Member States shall not undertake any approval or administrative procedures relating to prospectuses.

2. If there are significant new factors, material mistakes or inaccuracies, as referred to in Article 16, arising since the approval of the prospectus, the competent authority of the home Member State shall require the publication of a supplement to be approved as provided for in Article 13(1). The competent authority of the host Member State may draw the attention of the competent authority of the home Member State to the need for any new information.

(*) 6 months after the date of entry into force of this Directive.

Wednesday 2 July 2003

Article 18
Notification

1. The competent authority of the home Member State shall, at the request of the issuer or the person responsible for drawing up the prospectus and within three working days following that request **or, if the request is submitted together with the draft prospectus, within one working day after the approval of the prospectus**, provide the competent authority of the host Member States with a certificate of approval attesting that the prospectus has been drawn up in accordance with this Directive and with a copy of said prospectus. If applicable, this notification shall be accompanied by a translation of the summary produced under the responsibility of the issuer or person responsible for drafting the prospectus. The same procedure shall be followed for any supplement to the prospectus.

2. The application of the provisions of Article 8(2) and (3) shall be stated in the certificate, as well as its justification.

CHAPTER V

USE OF LANGUAGES AND ISSUERS INCORPORATED IN THIRD COUNTRIES

Article 19
Use of languages

1. Where an offer to the public is made or admission to trading on a regulated market is sought only in the home Member State, the prospectus shall be drawn up in a language accepted by the competent authority of the home Member State.

2. Where an offer to the public is made or admission to trading on a regulated market is sought in one or more Member States excluding the home Member State, the prospectus shall be drawn up either in a language accepted by the competent authorities of those Member States or in a language customary in the sphere of international finance, at the choice of the issuer, offeror or person asking for admission, as the case may be. The competent authority of each host Member State may only require that the summary be translated into its official language(s).

For the purpose of the scrutiny by the competent authority of the home Member State, the prospectus shall be drawn up either in a language accepted by this authority or in a language customary in the sphere of international finance, at the choice of the issuer, offeror or person asking for admission to trading, as the case may be.

3. Where an offer to the public is made or admission to trading on a regulated market is sought in more than one Member State including the home Member State, the prospectus shall be drawn up in a language accepted by the competent authority of the home Member State and shall also be made available either in a language accepted by the competent authorities of each host Member State or in a language customary in the sphere of international finance, at the choice of the issuer, offeror, or person asking for admission to trading, as the case may be. The competent authority of each host Member State may only require that the summary referred to in Article 5(2) be translated into its official language(s).

4. Where admission to trading on a regulated market of non-equity securities whose denomination per unit amounts to at least EUR 50 000 is sought in one or more Member States, the prospectus shall be drawn up either in a language accepted by the competent authorities of the home and host Member States or in a language customary in the sphere of international finance, at the choice of the issuer, offeror, or person asking for admission to trading, as the case may be. Member States may choose to require in their national legislation that a summary be drawn up in their official language(s).

Wednesday 2 July 2003

Article 20

Issuers incorporated in third countries

1. The competent authority of the home Member State of issuers having their registered office in a third country may approve a prospectus for an offer to the public or for admission to trading on a regulated market, drawn up in accordance with the legislation of a third country, provided that:

- a) the prospectus has been drawn up in accordance with international standards set by international securities commission organisations, including the IOSCO Disclosure Standards, and
- b) the information requirements, including information of a financial nature, are equivalent to the requirements under this Directive.

2. In the case of an offer to the public or admission to trading on a regulated market of securities, issued by an issuer incorporated in a third country, in a Member State other than the home Member State, the requirements set out in Articles 17, 18 and 19 shall apply.

3. In order to ensure uniform application of this Directive, the Commission may adopt implementing measures in accordance with the procedure referred to in Article 24(2), stating that a third country ensures the equivalence of prospectuses drawn up in that country with this Directive, by reason of its national law or of practices or procedures based on international standards set by international organisations, including the IOSCO Disclosure Standards.

CHAPTER VI

COMPETENT AUTHORITIES

Article 21

Powers

1. Each Member State shall designate a central competent administrative authority responsible for carrying out the obligations provided for in this Directive and for ensuring that the provisions adopted pursuant to this Directive are applied.

However, a Member State may, if so required by national law, designate other administrative authorities to apply Chapter III.

These competent authorities shall be completely independent from all market participants.

If an offer of securities is made to the public or admission to trading on a regulated market is sought in a Member State other than the home Member State, only the central competent administrative authority designated by each Member State shall be entitled to approve the prospectus.

2. Member States may allow their competent authority or authorities to delegate tasks. Except for delegation of the publication on the Internet of approved prospectuses **and the filing of prospectuses** as mentioned in Article 14, any delegation of tasks relating to the obligations provided for in this Directive and in its implementing measures **shall be reviewed, in accordance with Article 31, by ... ⁽¹⁾ at the latest and shall end on ... ⁽²⁾ at the latest.** Any delegation of tasks to entities other than the authorities referred to in paragraph 1 shall be made in a specific manner stating the tasks to be undertaken and the conditions under which they are to be carried out.

These conditions shall include a clause obliging the entity in question to act and be organised in such a manner as to avoid conflict of interest and so that information obtained from carrying out the delegated tasks is not used unfairly or to prevent competition. In any case, the final responsibility for supervising compliance with this Directive and with its implementing measures and for approving the prospectus shall lie with the competent authority or authorities designated in accordance with paragraph 1.

⁽¹⁾ 5 years after the date of entry into force of this Directive.

⁽²⁾ 8 years after the date of entry into force of this Directive.

Wednesday 2 July 2003

Member States shall inform the Commission and the competent authorities of other Member States of any arrangements entered into with regard to delegation of tasks, including the precise conditions regulating such delegation.

3. Each competent authority shall have all the powers necessary for the performance of its functions. A competent authority that has received an application for approving a prospectus shall be empowered at least to:

- a) require issuers, offerors or persons asking for admission to trading on a regulated market to include in the prospectus supplementary information, if necessary for investor protection;
- b) require issuers, offerors or persons asking for admission to trading on a regulated market, and the persons that control them or are controlled by them to provide information and documents;
- c) require auditors and managers of the issuer, offeror or person asking for admission to trading on a regulated market, as well as financial intermediaries commissioned to carry out the offer to the public or ask for admission to trading, to provide information;
- d) suspend a public offer or admission to trading for a maximum of 10 consecutive working days on any single occasion if it has reasonable grounds for suspecting that the provisions of this Directive have been infringed;
- e) prohibit or suspend advertisements for a maximum of 10 consecutive working days on any single occasion if it has reasonable grounds for believing that the provisions of this Directive have been infringed;
- f) prohibit a public offer if it finds that the provisions of this Directive have been infringed or if it has reasonable grounds for suspecting that they would be infringed;
- g) suspend, or ask the relevant regulated markets to suspend, trading on a regulated market for a maximum of 10 consecutive working days on any single occasion if it has reasonable grounds for believing that the provisions of this Directive have been infringed;
- h) prohibit trading on a regulated market if it finds that the provisions of this Directive have been infringed;
- i) make public the fact that an issuer is failing to comply with its obligations.

Where necessary under national law, the competent authority may ask the relevant judicial authority to decide on the use of the powers referred to in points (d) to (h) above.

4. Each competent authority shall also, once the securities have been admitted to trading on a regulated market, be empowered to:

- a) require the issuer to disclose all material information which may have an effect on the assessment of the securities admitted to trading on regulated markets in order to ensure investor protection or the smooth operation of the market;
- b) suspend or ask the relevant regulated market to suspend the securities from trading if, in its opinion, the issuer's situation is such that trading would be detrimental to investors' interests;
- c) ensure that issuers whose securities are traded on regulated markets comply with the obligations provided for in Articles 102 and 103 of Directive 2001/34/EC and that equivalent information is provided to investors and equivalent treatment is granted by the issuer to all securities holders who are in the same position, in all Member States where the offer to the public is made or the securities are admitted to trading;

Wednesday 2 July 2003

d) carry out on-site inspections in its territory in accordance with national law, in order to verify compliance with the provisions of this Directive and its implementing measures. Where necessary under national law, the competent authority or authorities may use this power by applying to the relevant judicial authority and/or in cooperation with other authorities.

5. Paragraphs 1 to 4 shall be without prejudice to the possibility for a Member State to make separate legal and administrative arrangements for overseas European territories for whose external relations that Member State is responsible.

Article 22

Professional secrecy and cooperation between authorities

1. The obligation of professional secrecy shall apply to all persons who work or have worked for the competent authority and for entities to which competent authorities may have delegated certain tasks. Information covered by professional secrecy may not be disclosed to any other person or authority except in accordance with provisions laid down by law.

2. Competent authorities of Member States shall cooperate with each other whenever necessary for the purpose of carrying out their duties and making use of their powers. Competent authorities shall render assistance to competent authorities of other Member States. In particular, they shall exchange information and cooperate when an issuer has more than one home competent authority because of its various classes of securities, **or where the approval of a prospectus has been transferred to the competent authority of another Member State pursuant to Article 13(5). They shall also closely cooperate when requiring suspension or prohibition of trading for securities traded in various Member States in order to ensure a level playing field between trading venues and protection of investors.** Where appropriate, the competent authority of the host Member State may request the assistance of the competent authority of the home Member State from the stage at which the case is scrutinised, in particular as regards a new type or rare forms of securities. The competent authority of the home Member State may ask for information from the competent authority of the host Member State on any items specific to the relevant market.

Without prejudice to Article 21, competent authorities of Member States may consult with operators of regulated markets as necessary and, in particular, when deciding to suspend, or to ask a regulated market to suspend or prohibit trading.

3. Paragraph 1 shall not prevent the competent authorities from exchanging confidential information. Information thus exchanged shall be covered by the obligation of professional secrecy, to which the persons employed or formerly employed by the competent authorities receiving the information are subject.

Article 23

Precautionary measures

1. Where the competent authority of the host Member State finds that irregularities have been committed by the issuer or by the financial institutions in charge of the public offer or that breaches have been committed of the obligations attaching to the issuer by reason of the fact that the securities are admitted to trading on a regulated market, it shall refer these findings to the competent authority of the home Member State.

Wednesday 2 July 2003

2. If, despite the measures taken by the competent authority of the home Member State or because such measures prove inadequate, the issuer or the financial institution in charge of the public offer persists in breaching the relevant legal or regulatory provisions, the competent authority of the host Member State, after informing the competent authority of the home Member State, shall take all the appropriate measures in order to protect investors. The Commission shall be informed of such measures at the earliest opportunity.

CHAPTER VII IMPLEMENTING MEASURES

Article 24 Committee procedure

1. The Commission shall be assisted by the European Securities Committee, instituted by Decision 2001/528/EC (hereinafter referred to as 'the Committee').
2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to 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 Directive.

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, on the expiry of a four-year period following its entry into force of this Directive the application of its provisions providing for the adoption of technical rules and decisions in accordance with the procedure referred to in paragraph 2 shall be suspended. On a proposal from the Commission, the European Parliament and the Council may renew the provisions concerned in accordance with the procedure laid down in Article 251 of the Treaty and, to that end, shall review them prior to the expiry of the four-year period.

Article 25 Sanctions

1. Without prejudice to the right of Member States to impose criminal sanctions and without prejudice to their civil liability regime, Member States shall ensure, in conformity with their national law, that the appropriate administrative measures can be taken or administrative sanctions be imposed against the persons responsible, where the provisions adopted in the implementation of this Directive have not been complied with. Member States shall ensure that these measures are effective, proportionate and dissuasive.
2. Member States shall provide that the competent authority may disclose to the public every measure or sanction that has been imposed for infringement of the provisions adopted pursuant to this Directive, unless the disclosure would seriously jeopardise the financial markets or cause disproportionate damage to the parties involved.

Article 26 Right of appeal

Member States shall ensure that decisions taken under laws, regulations and administrative provisions adopted in accordance with this Directive are subject to the right to appeal to the courts.

CHAPTER VIII
TRANSITIONAL AND FINAL PROVISIONS

Article 27
Amendments

With effect from the date set out in Article 29, Directive 2001/34/EC is hereby amended as follows:

- 1) Articles 3, 20 to 41, 98 to 101, 104 and 108(2) (c) (ii) shall be deleted;
- 2) in Article 107(3), the first subparagraph shall be deleted;
- 3) in Article 108(2)(a), the words 'the conditions of establishment, the control and circulation of listing particulars to be published for admission' shall be deleted;
- 4) Annex I shall be deleted.

Article 28
Repeal

With effect from the date indicated in Article 29, Directive 89/298/EEC shall be repealed. References to the repealed Directive shall be construed as references to this Directive.

Article 29
Transposition

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than ... (*). They shall forthwith inform the Commission thereof. When Member States adopt those measures they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. The methods for making such reference shall be laid down by Member States.

Article 30
Transitional provision

1. Issuers which are incorporated in a third country and whose securities have already been admitted to trading on a regulated market shall choose their competent authority in accordance with Article 2(1)(m)(iii) and notify their decision to the competent authority of their chosen home Member State by 31 December 2005.

2. By way of derogation from Article 3, Member States which have used the exemption in Article 5(a) of Directive 89/298/EEC may continue to allow credit institutions or other financial institutions equivalent to credit institutions which are not covered by Article 1(2)(j) of this Directive to offer debt securities or other transferable securities equivalent to debt securities issued in a continuous or repeated manner within their territory for five years following the date of entry into force of this Directive.

3. By way of derogation from Article 29, the Federal Republic of Germany shall comply with Article 21(1) by ... (**).

Article 31
Review

Five years after the date of entry into force of this Directive, the Commission shall make an assessment of the application of this Directive and present a report to the European Parliament and the Council, accompanied where appropriate by proposals for its review.

(*) Eighteen months after the date of entry into force of this Directive.

(**) Five years after the date of entry into force of this Directive.

Wednesday 2 July 2003

Article 32
Entry into force

This Directive shall enter into force on the day of its publication in the Official Journal of the European Union.

Article 33
Addressees

This Directive is addressed to the Member States.

Done at ,

For the European Parliament
The President

For the Council
The President

ANNEX I

PROSPECTUS

I. SUMMARY

The summary shall provide in a few pages the most important information included in the prospectus, covering at least the following items:

1. identity of directors, senior management, advisers and auditors
2. offer statistics and expected timetable
3. key information concerning selected financial data; capitalisation and indebtedness; reasons for the offer and use of proceeds; risk factors
4. information concerning the issuer
 - history and development of the issuer
 - business overview
5. operating and financial review and prospects
 - research and development, patents and licences, etc.
 - trends
6. directors, senior management and employees
7. major shareholders and related-party transactions
8. financial information
 - consolidated statement and other financial information
 - significant changes

9. details of the offer and admission to trading

- offer and admission to trading
- plan for distribution
- markets
- selling shareholders
- dilution (equity securities only)
- expenses of the issue

10. additional information

- share capital
- memorandum and articles of association
- documents on display

II. IDENTITY OF DIRECTORS, SENIOR MANAGEMENT, ADVISERS AND AUDITORS

The purpose is to identify the company representatives and other individuals involved in the company's offer or admission to trading; these are the persons responsible for drawing up the prospectus as required by Article 5 of the Directive and those responsible for auditing the financial statements.

III. OFFER STATISTICS AND EXPECTED TIMETABLE

The purpose is to provide key information regarding the conduct of any offer and the identification of important dates relating to that offer.

- A. Offer statistics
- B. Method and expected timetable

IV. KEY INFORMATION

The purpose is to summarise key information about the company's financial condition, capitalisation and risk factors. If the financial statements included in the document are restated to reflect material changes in the company's group structure or accounting policies, the selected financial data must also be restated.

- A. Selected financial data
- B. Capitalisation and indebtedness
- C. Reasons for the offer and use of proceeds
- D. Risk factors

V. INFORMATION ON THE COMPANY

The purpose is to provide information about the company's business operations, the products it makes or the services it provides, and the factors which affect the business. It is also intended to provide information regarding the adequacy and suitability of the company's properties, plant and equipment, as well as its plans for future capacity increases or decreases.

- A. History and development of the company

Wednesday 2 July 2003

- B. Business overview
- C. Organisational structure
- D. Property, plant and equipment

VI. OPERATING AND FINANCIAL REVIEW AND PROSPECTS

The purpose is to provide the management's explanation of factors that have affected the company's financial condition and results of operations for the historical periods covered by the financial statements, and management's assessment of factors and trends which are expected to have a material effect on the company's financial condition and results of operations in future periods.

- A. Operating results
- B. Liquidity and capital resources
- C. Research and development, patents and licences, etc.
- D. Trends

VII. DIRECTORS, SENIOR MANAGEMENT AND EMPLOYEES

The purpose is to provide information concerning the company's directors and managers that will allow investors to assess their experience, qualifications and levels of remuneration, as well as their relationship with the company.

- A. Directors and senior management
- B. Remuneration
- C. Board practices
- D. Employees
- E. Share ownership

VIII. MAJOR SHAREHOLDERS AND RELATED-PARTY TRANSACTIONS

The purpose is to provide information regarding the major shareholders and others that may control or have an influence on the company. It also provides information regarding transactions the company has entered into with persons affiliated with the company and whether the terms of such transactions are fair to the company.

- A. Major shareholders
- B. Related-party transactions
- C. Interests of experts and advisers

IX. FINANCIAL INFORMATION

The purpose is to specify which financial statements must be included in the document, as well as the periods to be covered, the age of the financial statements and other information of a financial nature. The accounting and auditing principles that will be accepted for use in preparation and audit of the financial statements will be determined in accordance with international accounting and auditing standards.

- A. Consolidated statements and other financial information
- B. Significant changes

X. DETAILS OF THE OFFER AND ADMISSION TO TRADING DETAILS

The purpose is to provide information regarding the offer and the admission to trading of securities, the plan for distribution of the securities and related matters.

- A. Offer and admission to trading

Wednesday 2 July 2003

- B. Plan for distribution
- C. Markets
- D. Holders of securities who are selling
- E. Dilution (for equity securities only)
- F. Expenses of the issue

XI. ADDITIONAL INFORMATION

The purpose is to provide information, most of which is of a statutory nature, that is not covered elsewhere in the prospectus.

- A. Share capital
- B. Memorandum and articles of association
- C. Material contracts
- D. Exchange controls
- E. Taxation
- F. Dividends and paying agents
- G. Statement by experts
- H. Documents on display
- I. Subsidiary information

ANNEX II

REGISTRATION DOCUMENT

I. IDENTITY OF DIRECTORS, SENIOR MANAGEMENT, ADVISERS AND AUDITORS

The purpose is to identify the company representatives and other individuals involved in the company's offer or admission to trading; these are the persons responsible for drawing up the prospectus and those responsible for auditing the financial statements.

II. KEY INFORMATION ABOUT THE ISSUER

The purpose is to summarise key information about the company's financial condition, capitalisation and risk factors. If the financial statements included in the document are restated to reflect material changes in the company's group structure or accounting policies, the selected financial data must also be restated.

- A. Selected financial data
- B. Capitalisation and indebtedness
- C. Risk factors

Wednesday 2 July 2003

III. INFORMATION ON THE COMPANY

The purpose is to provide information about the company's business operations, the products it makes or the services it provides, and the factors which affect the business. It is also intended to provide information regarding the adequacy and suitability of the company's properties, plants and equipment, as well as its plans for future capacity increases or decreases.

- A. History and development of the company
- B. Business overview
- C. Organisational structure
- D. Property, plants and equipment

IV. OPERATING AND FINANCIAL REVIEW AND PROSPECTS

The purpose is to provide the management's explanation of factors that have affected the company's financial condition and results of operations for the historical periods covered by the financial statements, and management's assessment of factors and trends which are expected to have a material effect on the company's financial condition and results of operations in future periods.

- A. Operating results
- B. Liquidity and capital resources
- C. Research and development, patents and licences, etc.
- D. Trends

V. DIRECTORS, SENIOR MANAGEMENT AND EMPLOYEES

The purpose is to provide information concerning the company's directors and managers that will allow investors to assess their experience, qualifications and levels of remuneration, as well as their relationship with the company.

- A. Directors and senior management
- B. Remuneration
- C. Board practices
- D. Employees
- E. Share ownership

VI. MAJOR SHAREHOLDERS AND RELATED-PARTY TRANSACTIONS

The purpose is to provide information regarding the major shareholders and others that may control or have an influence on the company. It also provides information regarding transactions the company has entered into with persons affiliated with the company and whether the terms of such transactions are fair to the company.

- A. Major shareholders
- B. Related-party transactions
- C. Interests of experts and advisers

Wednesday 2 July 2003

VII. FINANCIAL INFORMATION

The purpose is to specify which financial statements must be included in the document, as well as the periods to be covered, the age of the financial statements and other information of a financial nature. The accounting and auditing principles that will be accepted for use in preparation and audit of the financial statements will be determined in accordance with international accounting and auditing standards.

- A. Consolidated statements and other financial information
- B. Significant changes

VIII. ADDITIONAL INFORMATION

The purpose is to provide information, most of which is of a statutory nature, that is not covered elsewhere in the prospectus.

- A. Share capital
- B. Memorandum and articles of association
- C. Material contracts
- D. Statement by experts
- E. Documents on display
- F. Subsidiary information

ANNEX III

SECURITIES NOTE

I. IDENTITY OF DIRECTORS, SENIOR MANAGEMENT, ADVISERS AND AUDITORS

The purpose is to identify the company representatives and other individuals involved in the company's offer or admission to trading; these are the persons responsible for drawing up the prospectus and those responsible for auditing the financial statements.

II. OFFER STATISTICS AND EXPECTED TIMETABLE

The purpose is to provide key information regarding the conduct of any offer and the identification of important dates relating to that offer.

- A. Offer statistics
- B. Method and expected timetable

III. KEY INFORMATION ABOUT THE ISSUER

The purpose is to summarise key information about the company's financial condition, capitalisation and risk factors. If the financial statements included in the document are restated to reflect material changes in the company's group structure or accounting policies, the selected financial data must also be restated.

- A. Capitalisation and indebtedness

Wednesday 2 July 2003

B. Reasons for the offer and use of proceeds

C. Risk factors

IV. INTERESTS OF EXPERTS

The purpose is to provide information regarding transactions the company has entered into with experts or advisers employed on a contingent basis.

V. DETAILS OF THE OFFER AND ADMISSION TO TRADING

The purpose is to provide information regarding the offer and the admission to trading of securities, the plan for distribution of the securities and related matters.

A. Offer and admission to trading

B. Plan for distribution

C. Markets

D. Selling securities holders

E. Dilution (for equity securities only)

F. Expenses of the issue

VI. ADDITIONAL INFORMATION

The purpose is to provide information, most of which is of a statutory nature, that is not covered elsewhere in the prospectus.

A. Exchange controls

B. Taxation

C. Dividends and paying agents

D. Statement by experts

E. Documents on display

ANNEX IV

SUMMARY NOTE

The summary note shall provide in a few pages the most important information included in the prospectus, covering at least the following items:

- identity of directors, senior management, advisers and auditors
- offer statistics and expected timetable
- key information concerning selected financial data; capitalisation and indebtedness; reasons for the offer and use of proceeds; risk factors
- information concerning the issuer
- history and development of the issuer
- business overview
- operating and financial review and prospects
- research and development, patents and licences, etc.
- trends

- directors, senior management and employees
- major shareholders and related-party transactions
- financial information
- consolidated statement and other financial information
- significant changes
- details on the offer and admission to trading
- offer and admission to trading
- plan for distribution
- markets
- selling shareholders
- dilution (for equity securities only)
- expenses of the issue
- additional information
- share capital
- memorandum and articles of incorporation
- documents available for inspection

P5_TA(2003)0312

Procedures for supply, service and works contracts *II**

European Parliament legislative resolution on the Council common position with a view to adopting a European Parliament and Council directive on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts (11029/3/2002 — C5-0141/2003 — 2000/0115(COD))

(Codecision procedure: second reading)

The European Parliament,

- having regard to the Council common position (11029/3/2002 — C5-0141/2003) ⁽¹⁾,
- having regard to its position at first reading ⁽²⁾ on the Commission proposal to Parliament and the Council (COM(2000) 275) ⁽³⁾,
- having regard to the Commission's amended proposal (COM(2002) 236) ⁽⁴⁾,
- having regard to Article 251(2) of the EC Treaty,

⁽¹⁾ OJ C 147 E, 24.6.2003, p. 1

⁽²⁾ OJ C 271 E, 7.11. 2002, p. 176.

⁽³⁾ OJ C 29 E, 30.1.2001, p. 11.

⁽⁴⁾ OJ C 203 E, 27.8.2002, p. 210.

Wednesday 2 July 2003

- having regard to Rule 80 of its Rules of Procedure,
 - having regard to the recommendation for second reading of the Committee on Legal Affairs and the Internal Market (A5-0242/2003),
1. Amends the common position as follows;
 2. Instructs its President to forward its position to the Council and Commission.

P5_TC2-COD(2000)0115

Position of the European Parliament adopted at second reading on 2 July 2003 with a view to the adoption of European Parliament and Council Directive 2003/.../EC on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community and in particular Article 47(2) and Articles 55 and 95 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the Opinion of the European Economic and Social Committee ⁽²⁾,

Having regard to the Opinion of the Committee of the Regions ⁽³⁾,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽⁴⁾,

Whereas:

- (1) On the occasion of new amendments being made to Council Directives 92/50/EEC of 18 June 1992 relating to the coordination of procedures for the award of public service contracts ⁽⁵⁾, 93/36/EEC of 14 June 1993 coordinating procedures for the award of public supply contracts ⁽⁶⁾ and 93/37/EEC of 14 June 1993 concerning the coordination of procedures for the award of public works contracts ⁽⁷⁾, which are necessary to meet requests for simplification and modernisation made by contracting authorities and economic operators alike in their responses to the Green Paper adopted by the Commission on 27 November 1996, the Directives should, in the interests of clarity, be recast.

⁽¹⁾ OJ C 29 E, 30.1.2001, p. 11 and OJ C 203 E, 27.8.2002, p. 210.

⁽²⁾ OJ C 193, 10.7.2001, p. 7.

⁽³⁾ OJ C 144, 16.5.2001, p. 23.

⁽⁴⁾ Position of the European Parliament of 17 January 2002 (OJ C 271 E, 7.11.2002, p.176), Council Common Position of 20 March 2003 (OJ C 147 E, 24.6.2003, p.1) and Position of the European Parliament of 2 July 2003.

⁽⁵⁾ OJ L 209, 24.7.1992, p. 1. Directive as last amended by Commission Directive 2001/78/EC (OJ L 285, 29.10.2001, p.1).

⁽⁶⁾ OJ L 199, 9.8.1993, p. 1. Directive as last amended by Directive 2001/78/EC.

⁽⁷⁾ OJ L 199, 9.8.1993, p. 54. Directive as last amended by Directive 2001/78/EC.

- (2) The achievement of freedom of movement of goods in the matter of public supply contracts, and the achievement of freedom of establishment and freedom to provide services in the matter of public works contracts and public service contracts, for contracts concluded in the Member States on behalf of the State, regional or local authorities and other bodies governed by public law requires not only the abolition of restrictions but also the implementation of provisions on the coordination of national procedures for the award of public contracts which are based on the rules governing these three freedoms and on the principles deriving therefrom, such as the principles of equal treatment, of which the principle of non-discrimination is no more than a specific expression, the principle of mutual recognition, the principle of proportionality and the principle of transparency, and the opening-up of public procurement to competition. These coordinating provisions should therefore be interpreted in accordance with both the aforementioned rules and principles and other rules of the Treaty. **Contracting authorities should observe the above principles as regards all contracts, including those falling below the thresholds specified in Article 8 of this Directive.**
- (3) Such coordinating provisions should comply as far as possible with current procedures and practices in each of the Member States.
- (4) Member States should ensure that the participation of a body governed by public law as a tenderer in a procedure for the award of a public contract does not cause any distortion of competition in relation to private tenderers.
- (5) Under Article 6 of the Treaty, environmental protection requirements are to be integrated into the definition and implementation of the Community policies and activities referred to in Article 3 of that Treaty, in particular with a view to promoting sustainable development. This Directive therefore clarifies how the contracting authorities may contribute to the protection of the environment and the promotion of sustainable development, whilst ensuring the possibility of obtaining the best value for money for their contracts.
- (6) Nothing in this Directive should prevent the imposition or enforcement of measures necessary to protect public policy, public morality, public security, health, human and animal life or the preservation of plant life, in particular with a view to sustainable development, provided that these measures are in conformity with the Treaty.
- (7) Council Decision 94/800/EC of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the Agreements reached in the Uruguay Round multilateral negotiations (1986 to 1994) ⁽¹⁾, approved in particular the Agreement on Government Procurement, hereinafter referred to as the 'Agreement', the aim of which is to establish a multilateral framework of balanced rights and obligations relating to public contracts with a view to achieving the liberalisation and expansion of world trade. In view of the international rights and commitments devolving on the Community as a result of the acceptance of the Agreement, the arrangements to be applied to tenderers and products from signatory third countries are those defined by the Agreement. This Agreement does not have direct effect. The contracting authorities covered by the Agreement which comply with this Directive and which apply the latter to economic operators of third countries which are signatories to the Agreement should therefore be in conformity with the Agreement. It is also appropriate that those coordinating provisions should guarantee for Community economic operators conditions for participation in public procurement which are just as favourable as those reserved for economic operators of third countries which are signatories to the Agreement.
- (8) Before launching a procedure for the award of a contract, contracting authorities may, using a technical dialogue, seek or accept advice which may be used in the preparation of the specifications provided, however, that such advice does not have the effect of precluding competition.

⁽¹⁾ OJ L 336, 23.12.1994, p. 1.

Wednesday 2 July 2003

- (9) In view of the diversity of public works contracts, contracting authorities should be able to make provision for contracts for the design and execution of work to be awarded either separately or jointly. It is not the intention of this Directive to prescribe either joint or separate contract awards. The decision to award contracts separately or jointly must be determined by qualitative and economic criteria, which may be defined by national **law**.
- (10) ***A contract shall be deemed to be a public works contract only if its subject-matter specifically covers the execution of activities listed in Annex I, even if the contract covers the provision of other services necessary for the execution of such activities. Public service contracts, in particular in the sphere of property management services, may, in certain circumstances, include works. However, insofar as such works are incidental to the principal subject-matter of the contract, and are a possible consequence thereof or a complement thereto, the fact that such works are included in the contract does not justify the qualification of the contract as a public works contract.***
- (11) A Community definition of framework agreements, together with specific rules on framework agreements concluded for contracts falling within the scope of this Directive, should be provided. Under these rules, when a contracting authority enters into a framework agreement in accordance with the provisions of this Directive relating, in particular, to advertising, time-limits and conditions for the submission of tenders, it may enter into contracts based on such a framework agreement during its term of validity either by applying the terms set forth in the framework agreement or, if all terms have not been fixed in advance in the framework agreement, by reopening competition between the parties to the framework agreement in relation to those terms. The reopening of competition should comply with certain rules the aim of which is to guarantee the required flexibility and to guarantee respect for the general principles, in particular the principle of equal treatment. For the same reasons, the term of the framework agreements should not exceed four years, except in cases duly justified by the contracting authorities.
- (12) Certain new electronic purchasing techniques are continuously being developed. Such techniques help to increase competition and streamline public purchasing, particularly in terms of the savings in time and money which their use will allow. Contracting authorities may make use of electronic purchasing techniques, providing such use complies with the rules drawn up under this Directive and the principles of equal treatment, non-discrimination and transparency. To that extent, a tender submitted by a tenderer, in particular where competition has been reopened under a framework agreement or where a dynamic purchasing system is being used, may take the form of that tenderer's electronic catalogue if the latter uses the means of communication chosen by the contracting authority in accordance with *Article 44*.
- (13) In view of the rapid expansion of electronic purchasing systems, appropriate rules should now be introduced to enable contracting authorities to take full advantage of the possibilities afforded by these systems. Against this background, it is necessary to define a completely electronic dynamic purchasing system for commonly used purchases, and lay down specific rules for setting up and operating such a system in order to ensure the fair treatment of any economic operator who wishes to take part therein. Any economic operator which submits an indicative tender in accordance with the specification and meets the selection criteria should be allowed to join such a system. This purchasing technique allows the contracting authority, through the establishment of a list of tenderers already selected and the opportunity given to new tenderers to take part, to have a particularly broad range of tenders as a result of the electronic facilities available, and hence to ensure optimum use of public funds through broad competition.

Wednesday 2 July 2003

- (14) Since use of the technique of electronic auctions is likely to increase, such auctions should be given a Community definition and governed by specific rules in order to ensure that they operate in full accordance with the principles of equal treatment, non-discrimination and transparency. To that end, provision should be made for such electronic auctions to deal only with contracts for works, supplies or services for which the specifications can be determined with precision. With the same objective, it must also be possible to establish the respective ranking of the tenderers at any stage of the electronic auction. Recourse to electronic auctions enables contracting authorities to ask tenderers to submit new prices, revised downwards, and when the contract is awarded to the most economically advantageous tender, also to improve elements of the tenders other than prices. However, in order to guarantee compliance with the principle of transparency, only the elements suitable for automatic evaluation by electronic means, without any intervention by the contracting authority, may be improved. To this end, such elements must be quantifiable so that they can be expressed in figures or percentages.
- (15) Certain centralised purchasing techniques have been developed in Member States. Several contracting authorities are responsible for making acquisitions or awarding public contracts/framework agreements for other contracting authorities. In view of the large volumes purchased, those techniques help increase competition and streamline public purchasing. Provision should therefore be made for a Community definition of central purchasing bodies dedicated to contracting authorities. A definition should also be given of the conditions under which, in accordance with the principles of non-discrimination and equal treatment, contracting authorities purchasing works, supplies and/or services through a central purchasing body may be deemed to have complied with this Directive.
- (16) In order to take account of the different circumstances obtaining in Member States, Member States should be allowed to choose whether contracting authorities may use framework agreements, central purchasing bodies, dynamic purchasing systems, electronic auctions or the competitive dialogue procedure, as defined and regulated by this Directive.
- (17) Multiplying the number of thresholds for applying the coordinating provisions complicates matters for contracting authorities. Furthermore, in the context of monetary union such thresholds should be established in euro. Accordingly, thresholds should be set, in euro, in such a way as to simplify the application of such provisions, while at the same time ensuring compliance with the thresholds provided for by the Agreement which are expressed in special drawing rights. In this context, provision should also be made for periodic reviews of the thresholds expressed in euro so as to adjust them, where necessary, in line with possible variations in the value of the euro in relation to the special drawing right.
- (18) The field of services is best delineated, for the purpose of applying the procedural rules of this Directive and for monitoring purposes, by subdividing it into categories corresponding to particular headings of a common classification and by bringing them together in two Annexes, IIA and IIB, according to the regime to which they are subject. As regards services in Annex IIB, the relevant provisions of this Directive should be without prejudice to the application of Community rules specific to the services in question.
- (19) As regards public service contracts, full application of this Directive should be limited, for a transitional period, to contracts where its provisions will permit the full potential for increased cross-frontier trade to be realised. Contracts for other services need to be monitored during this transitional period before a decision is taken on the full application of this Directive. In this respect, the mechanism for such monitoring needs to be defined. This mechanism should, at the same time, enable interested parties to have access to the relevant information.

Wednesday 2 July 2003

- (20) Public contracts which are awarded by the contracting authorities operating in the water, energy, transport and postal services sectors and which fall within the scope of those activities are covered by Directive 2003/./EC of the European Parliament and of the Council of ... coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors ⁽¹⁾. However, contracts awarded by the contracting authorities in the context of their service activities for maritime, coastal or river transport must fall within the scope of this Directive.
- (21) In view of the situation of effective market competition in the telecommunications sector following the implementation of the Community rules aiming to liberalise that sector, public contracts in that area should be excluded from the scope of this Directive insofar as they are intended primarily to allow the contracting authorities to exercise certain activities in the telecommunications sector. Those activities are defined in accordance with the definitions used in Articles 1, 2 and 8 of Council Directive 93/38/EEC of 14 June 1993 coordinating the procurement procedures of entities operating in the water, energy, transport and telecommunications sector ⁽²⁾, such that this Directive does not apply to contracts which have been excluded from the scope of Directive 93/38/EEC pursuant to Article 8 thereof.
- (22) Provision should be made for cases in which it is impossible to apply the measures for coordinating procedures on grounds relating to State security or secrecy, or because specific rules on the awarding of contracts which derive from international agreements, relating to the stationing of troops, or which are specific to international organisations are applicable.
- (23) Pursuant to Article 163 of the Treaty, the encouragement of research and technological development is a means of strengthening the scientific and technological basis of Community industry, and the opening-up of public service contracts contributes to this end. This Directive should not cover the cofinancing of research and development programmes: research and development contracts other than those where the benefits accrue exclusively to the contracting authority for its use in the conduct of its own affairs, on condition that the service provided is wholly remunerated by the contracting authority, are not therefore covered by this Directive.
- (24) In the context of services, contracts for the acquisition or rental of immovable property or rights to such property have particular characteristics which make the application of public procurement rules inappropriate.
- (25) The awarding of public contracts for certain audiovisual services in the field of broadcasting should allow aspects of cultural or social significance to be taken into account which render application of procurement rules inappropriate. For these reasons, an exception must therefore be made for public service contracts for the purchase, development, production or co-production of off-the-shelf programmes and other preparatory services, such as those relating to scripts or artistic performances necessary for the production of the programme and contracts concerning broadcasting times. **A broadcast should be defined as transmission and distribution using any form of electronic network.** However, this exclusion *should* not apply to the supply of technical equipment necessary for the production, co-production and broadcasting of such programmes.
- (26) Arbitration and conciliation services are usually provided by bodies or individuals designated or selected in a manner which cannot be governed by procurement rules.
- (27) In accordance with the Agreement, the financial services covered by this Directive do not include instruments of monetary policy, exchange rates, public debt, reserve management or other policies involving transactions in securities or other financial instruments, in particular transactions by the contracting authorities to raise money or capital. Accordingly, contracts relating to the issue, purchase, sale or transfer of securities or other financial instruments are not covered. Central bank services are also excluded.

⁽¹⁾ OJ L

⁽²⁾ OJ L 199, 9.8.1993, p. 84. Directive as last amended by Directive 2001/78/EC.

Wednesday 2 July 2003

- (28) The technical specifications drawn up by public purchasers need to allow public procurement to be opened up to competition. To this end, it must be possible to submit tenders which reflect the diversity of technical solutions. Accordingly, it must be possible to draw up the technical specifications in terms of functional performance and requirements, and, where reference is made to the European standard or, in the absence thereof, to the national standard, tenders based on equivalent arrangements must be considered by contracting authorities. To demonstrate equivalence, tenderers should be permitted to use any form of evidence. Contracting authorities must be able to provide a reason for any decision that equivalence does not exist in a given case. Contracting authorities that wish to define environmental requirements for the technical specifications of a given contract may lay down the environmental characteristics and/or specific environmental effects of product groups or services. They can, but are not obliged to, use appropriate specifications that are defined in eco-labels, such as the European Eco-label, (multi-)national eco-labels or any other eco-label providing the requirements for the label are drawn up and adopted on the basis of scientific information using a procedure in which stakeholders, such as government bodies, consumers, manufacturers, distributors and environmental organisations can participate, and providing the label is accessible and available to all interested parties. **Whenever possible, the contracting authority should take into account accessibility criteria for people with disabilities and design for all requirements when laying down specifications. These technical specifications should be clearly indicated so that all tenderers fully understand the requirements established by the contracting authority.**
- (29) Additional information concerning contracts must, as is customary in Member States, be given in the contract documents for each contract or else in an equivalent document.
- (30) Contracting authorities which carry out exceptionally complex projects may, without this being due to any fault on their part, find it objectively impossible to define the means of satisfying their needs or of assessing what the market can offer in the way of technical solutions and/or financial/legal solutions. This situation may arise in particular with the implementation of important integrated transport infrastructure projects, large computer networks or projects involving complex and structured financing the financial and legal make-up of which cannot be defined in advance. To the extent that use of open or restricted procedures does not allow the award of such contracts, a flexible procedure should be provided which preserves not only competition between economic operators but also the need for the contracting authorities to discuss all aspects of the contract with each candidate. However, this procedure must not be used in such a way as to restrict or distort competition, particularly by altering any fundamental aspects of the offers, or by imposing substantial new requirements on the successful tenderer, or by involving any tenderer other than the one selected as the most economically advantageous.
- (31) In order to encourage the involvement of small and medium-sized undertakings in the public contracts procurement market, it is advisable to include provisions on subcontracting.
- (32) Contract performance conditions are compatible with this Directive provided that they are not directly or indirectly discriminatory and are indicated in the contract notice or in the contract documents. They may, in particular, be intended to favour on-site vocational training, the employment of people experiencing particular difficulty in achieving integration, the fight against unemployment or the protection of the environment. For instance, mention may be made, amongst other things, of the requirements — applicable during performance of the contract — to recruit long-term job-seekers or to implement training measures for the unemployed or young persons, to comply in substance with the provisions of the basic International Labour Organisation (ILO) Conventions, assuming that such provisions have not been implemented in national law, and to recruit more handicapped persons than are required under national legislation.

Wednesday 2 July 2003

- (33) The laws, regulations and collective agreements, at both national and Community level, which are in force in the areas of **employment conditions** and safety at work apply during performance of a public contract, providing that such rules, and their application, comply with Community law. In cross-border situations, where workers from one Member State provide services in another Member State for the purpose of performing a public contract, Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services⁽¹⁾ lays down the minimum conditions which must be observed by the host country in respect of such posted workers. If national law contains provisions to this effect, non-compliance with those obligations may be considered to be grave misconduct or an offence concerning the professional conduct of the economic operator concerned, liable to lead to the exclusion of that economic operator from the procedure for the award of a public contract.
- (34) In view of new developments in information and communications technology, and the simplifications these can bring in terms of publicising contracts and the efficiency and transparency of procurement processes, electronic means should be put on a par with traditional means of communication and information exchange. As far as possible, the means and technology chosen should be compatible with the technologies used in other Member States.
- (35) To ensure development of effective competition in the field of public contracts, it is necessary that contract notices drawn up by the contracting authorities of Member States be advertised throughout the Community. The information contained in these notices must enable economic operators in the Community to determine whether the proposed contracts are of interest to them. For this purpose, it is appropriate to give them adequate information on the object of the contract and the conditions attached thereto. Improved visibility should therefore be ensured for public notices by means of appropriate instruments, such as standard contract notice forms and the Common Procurement Vocabulary (CPV) provided for in Regulation (EC) No 2195/2002 of the European Parliament and of the Council of 5 November 2002⁽²⁾ as the reference nomenclature for public contracts. In restricted procedures, advertisement is, more particularly, intended to enable contractors of Member States to express their interest in contracts by seeking from the contracting authorities invitations to tender under the required conditions.
- (36) Directive 1999/93/EC of the European Parliament and of the Council of 13 December 1999 on a Community framework for electronic signatures⁽³⁾ and Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the internal market ('Directive on electronic commerce')⁽⁴⁾ should, in the context of this Directive, apply to the transmission of information by electronic means. The public procurement procedures and the rules applicable to service contests require a level of security and confidentiality higher than that required by these Directives. Accordingly, the devices for the electronic receipt of offers, requests to participate and plans and projects should comply with specific additional requirements. Moreover, the existence of voluntary accreditation schemes could constitute a favourable framework for enhancing the level of certification service provision for these devices.
- (37) The use of electronic means leads to savings in time. As a result, provision should be made for reducing the minimum periods where electronic means are used, subject, however, to the condition that they are compatible with the specific mode of transmission envisaged at Community level.

⁽¹⁾ OJ L 18, 21.1.1997, p.1.

⁽²⁾ OJ L 340, 16.12.2002, p.1.

⁽³⁾ OJ L 13, 19.1.2000, p. 12.

⁽⁴⁾ OJ L 178, 17.7.2000, p. 1.

Wednesday 2 July 2003

- (38) Verification of the suitability of tenderers, in open procedures, and of candidates, in restricted and negotiated procedures with publication of a contract notice and in the competitive dialogue, and the selection thereof, should be carried out in transparent conditions. For this purpose, non-discriminatory criteria should be indicated which the contracting authorities may use when selecting competitors and the means which economic operators may use to prove they have satisfied those criteria. In the same spirit of transparency, the contracting authority should be required, as soon as a contract is put out to competition, to indicate the selection criteria it will use and the level of specific competence it may or may not demand of the economic operators before admitting them to the procurement procedure.
- (39) A contracting authority may limit the number of candidates in the restricted and negotiated procedures with publication of a contract notice, and in the competitive dialogue. Such a reduction of candidates should be performed on the basis of objective criteria indicated in the contract notice. These objective criteria do not necessarily imply weightings. For criteria relating to the personal situation of economic operators, a general reference in the contract notice to the situations set out in Article 48 may suffice.
- (40) In the competitive dialogue and negotiated procedures with publication of a contract notice, in view of the flexibility which may be required and the high level of costs associated with such methods of procurement, contracting authorities should be entitled to make provision for the procedure to be conducted in successive stages in order gradually to reduce, on the basis of previously indicated contract award criteria, the number of tenders which they will go on to discuss or negotiate. This reduction should, insofar as the number of appropriate solutions or candidates allows, ensure that there is genuine competition.
- (41) The relevant Community rules on mutual recognition of diplomas, certificates or other evidence of formal qualifications apply when evidence of a particular qualification is required for participation in a procurement procedure or a design contest.
- (42) The award of public contracts to economic operators who have participated in a criminal organisation or who have been found guilty of corruption or of fraud to the detriment of the financial interests of the European Communities or of money laundering should be avoided. Where appropriate, the contracting authorities should ask candidates or tenderers to supply relevant documents and, where they have doubts concerning the personal situation of a candidate or tenderer, they may seek the cooperation of the competent authorities of the Member State concerned. The exclusion of such economic operators should take place as soon as the contracting authority has knowledge of a judgment concerning such offences rendered in accordance with national law that has the force of *res judicata*. If national law contains provisions to this effect, non-compliance with environmental legislation or legislation on unlawful agreements in public contracts which has been the subject of a definitive judgment or a decision having equivalent effect may be considered an offence concerning the professional conduct of the economic operator concerned or grave misconduct.
- (43) In appropriate cases, in which the nature of the works and/or services justifies applying environmental management measures or schemes during the performance of a public contract, the application of such measures or schemes may be required. Environmental management schemes, whether or not they are registered under Community instruments such as Regulation (EC) No 761/2001⁽¹⁾ (EMAS), can demonstrate that the economic operator has the technical capability to perform the contract. Moreover, a description of the measures implemented by the economic operator to ensure the same level of environmental protection should be accepted as an alternative to environmental management registration schemes as a form of evidence.

⁽¹⁾ Regulation (EC) No 761/2001 of the European Parliament and of the Council of 19 March 2001 allowing a voluntary participation by organisations in a Community eco-management and audit scheme (EMAS) (OJ L 114, 24.4.2001, p. 1).

Wednesday 2 July 2003

- (44) This Directive allows Member States to establish official lists of contractors, suppliers or service providers or a system of certification by public or private bodies, and makes provision for the effects of such registration or such certification in a contract award procedure in another Member State. As regards official lists of approved economic operators, it is important to take into account Court of Justice case law in cases where an economic operator belonging to a group claims the economic, financial or technical capabilities of other companies in the group in support of its application for registration. In this case, it is for the economic operator to prove that those resources will actually be available to it throughout the period of validity of the registration. For the purposes of that registration, a Member State may therefore determine the level of requirements to be met and in particular, for example where the operator lays claim to the financial standing of another company in the group, it may require that that company be held liable, if necessary jointly and severally.
- (45) The contract should be awarded on the basis of objective criteria which ensure compliance with the principles of transparency, non-discrimination and equal treatment and which guarantee that tenders are assessed in conditions of effective competition. As a result, it is appropriate to allow the application of two award criteria only: 'the lowest price' and 'the most economically advantageous tender'. To ensure compliance with the principle of equal treatment in the award of contracts, it is appropriate to lay down an obligation — established by case law — to ensure the necessary transparency to enable all tenderers to be reasonably informed of the criteria and arrangements which will be applied to identify the most economically advantageous tender. It is therefore the responsibility of contracting authorities to indicate the criteria for the award of the contract and the relative weighting given to each of those criteria in sufficient time for tenderers to be aware of them when preparing their tenders. Contracting authorities may derogate from indicating the weighting of the criteria for the award in duly justified cases for which they must be able to give reasons, where the weighting cannot be established in advance, in particular on account of the complexity of the contract. In such cases, they must indicate the descending order of importance of the criteria. Where the contracting authorities choose to award a contract to the most economically advantageous tender, they shall assess the tenders in order to determine which one offers the best value for money. In order to do this, they shall determine the economic and quality criteria which, taken as a whole, must make it possible to determine the most economically advantageous tender for the contracting authority. The determination of these criteria depends on the object of the contract since they must allow the level of performance offered by each tender to be assessed in the light of the object of the contract, as defined in the technical specifications, and the value for money of each tender to be measured. In order to guarantee equal treatment, the criteria for the award of the contract should enable tenders to be compared and assessed objectively. If these conditions are fulfilled, economic and qualitative criteria for the award of the contract, such as meeting environmental requirements, may enable the contracting authority to meet the needs of the public concerned, as expressed in the specifications of the contract. Under the same conditions, a contracting authority may use criteria aiming to meet social requirements, in response in particular to the needs — defined in the specifications of the contract — of particularly disadvantaged groups of people to which those receiving/using the works, supplies or services which are the object of the contract belong.
- (46) In the case of public service contracts, the award criteria should not affect the application of national provisions on the remuneration of certain services, such as, for example, the services performed by architects, engineers or lawyers.
- (47) Certain technical conditions, and in particular those concerning notices and statistical reports, as well as the nomenclature used and the conditions of reference to that nomenclature, will need to be adopted and amended in the light of changing technical requirements. The lists of contracting authorities in the Annexes will also need to be updated. It is therefore appropriate to put in place a flexible and rapid adoption procedure for this purpose.

Wednesday 2 July 2003

- (48) The measures necessary for the implementation of this Directive should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽¹⁾.
- (49) It is appropriate that Council Regulation (EEC, Euratom) No 1182/71 of 3 June 1971 determining the rules applicable to periods, dates and time-limits ⁽²⁾ should apply to the calculation of the time-limits contained in this Directive.
- (50) This Directive should not prejudice the time-limits set out in Annex XI, within which Member States are required to transpose and apply Directives 92/50/EEC, 93/36/EEC and 93/37/EEC,

TABLE OF CONTENTS

TITLE I

Definitions and general principles

- Article 1 Definitions
- Article 2 Principles of awarding contracts
- Article 3 Granting of special or exclusive rights: non-discrimination clause

TITLE II

Rules on public contracts

CHAPTER I

General provisions

- Article 4 Economic operators
- Article 5 Conditions relating to the agreements concluded within the World Trade Organisation
- Article 6 Confidentiality
- Article 7 *Respect for Community law***

CHAPTER II

Scope

SECTION 1 Thresholds

- Article 8 Threshold amounts for public contracts
- Article 9 Contracts subsidised by more than 50 % by contracting authorities
- Article 10 Methods for calculating the estimated value of public contracts, framework agreements and dynamic purchasing systems

SECTION 2 Specific situations

- Article 11 Defence procurement
- Article 12 Public contracts and framework agreements awarded by central purchasing bodies

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

⁽²⁾ OJ L 124, 8.6.1971, p. 1.

Wednesday 2 July 2003

SECTION 3 Excluded contracts

Article 13 Contracts in the water, energy, transport and postal services sectors

Article 14 Specific exclusions in the field of telecommunications

Article 15 Secret contracts and contracts requiring special security measures

Article 16 Contracts awarded pursuant to international rules

Article 17 Specific exclusions

Article 18 Service concessions

Article 19 Service contracts awarded on the basis of an exclusive right

Article 20 ***Contracts awarded to entities formed by contracting authorities***

SECTION 4 Special arrangement

Article 21 Reserved contracts

CHAPTER III

Arrangements for public service contracts

Article 22 Service contracts listed in Annex II A

Article 23 Service contracts listed in Annex II B

Article 24 Mixed contracts including services listed in Annex II A and services listed in Annex II B

CHAPTER IV

Specific rules governing specifications and contract documents

Article 25 Technical specifications

Article 26 Variants

Article 27 Subcontracting

Article 28 Conditions for performance of contracts

Article 29 Obligations relating to taxes, environmental protection, employment protection provisions and working conditions

CHAPTER V

Procedures

Article 30 Use of open, restricted and negotiated procedures and of competitive dialogue

Article 31 Competitive dialogue

Article 32 Cases justifying use of the negotiated procedure with prior publication of a contract notice

Article 33 Cases justifying use of the negotiated procedure without publication of a contract notice

- Article 34* Framework agreements
- Article 35* Dynamic purchasing systems
- Article 36* Public works contracts: particular rules on subsidised housing schemes

CHAPTER VI

Rules on advertising and transparency

SECTION 1 Publication of notices

- Article 37* Notices
- Article 38* Form and manner of publication of notices
- Article 39* Non-mandatory publication

SECTION 2 Time-limits

- Article 40* Time-limits for receipt of requests to participate and for receipt of tenders
- Article 41* Open procedures: Specifications, additional documents and information

SECTION 3 Information content and means of transmission

- Article 42* Invitations to submit a tender, participate in the dialogue or negotiate
- Article 43* Informing candidates and tenderers

SECTION 4 Communication

- Article 44* Rules applicable to communication

SECTION 5 Reports

- Article 45* Content of reports

CHAPTER VII

Conduct of the procedure

SECTION 1 General provisions

- Article 46* Verification of the suitability and choice of participants and award of contracts

***Article 47* Qualification systems**

SECTION 2 Criteria for qualitative selection

- Article 48* Personal situation of the candidate or tenderer
- Article 49* Suitability to pursue the professional activity
- Article 50* Economic and financial standing
- Article 51* Technical and/or professional capability
- Article 52* Quality assurance standards
- Article 53* Environmental management standards

Wednesday 2 July 2003

- Article 54* Additional documentation and information
- Article 55* Official lists of approved economic operators and certification by bodies established in public or private law

SECTION 3 Award of the contract

- Article 56* Contract award criteria
- Article 57* Use of electronic auctions
- Article 58* Abnormally low tenders

TITLE III
Rules on public works concessions

CHAPTER I
Rules governing public works concessions

- Article 59* Scope
- Article 60* Exclusions from the scope
- Article 61* Publication of the notice concerning public works concessions
- Article 62* Time limits
- Article 63* Subcontracting
- Article 64* Awarding of additional works to the concessionaire

CHAPTER II
Rules on contracts awarded by concessionaires which are contracting authorities

- Article 65* Rules applicable

CHAPTER III
Rules applicable to contracts awarded by concessionaires which are not contracting authorities

- Article 66* Advertising rules: threshold and exceptions
- Article 67* Publication of the notice
- Article 68* Time limit for the receipt of requests to participate and receipt of tenders

TITLE IV
Rules governing design contests

- Article 69* General provisions
- Article 70* Scope
- Article 71* Exclusions from the scope
- Article 72* Notices
- Article 73* Form and manner of publication of notices of contests

Article 74 Means of communication

Article 75 Selection of competitors

Article 76 Composition of the jury

Article 77 Decisions of the jury

TITLE V

Statistical duties, executory powers and final provisions

Article 78 Statistical duties

Article 79 Content of statistical report

Article 80 Advisory Committee

Article 81 Revision of the thresholds

Article 82 Amendments

Article 83 Implementation

Article 84 *Monitoring mechanisms*

Article 85 Repeals

Article 86 Entry into force

Article 87 Addressees

ANNEXES

Annex I List of the activities referred to in Article 1(2)(b)

Annex II Services referred to in Article 1(2)(d)

Annex II A

Annex II B

Annex III List of bodies and categories of bodies governed by public law referred to in the second subparagraph of Article 1(9)

Annex IV Central Government authority

Annex V List of products referred to in Article 8 with regard to contracts awarded by contracting authorities in the field of defence

Annex VI Definition of certain technical specifications

Annex VII Information to be included in notices

Annex VII A Information to be included in public contract notices

Annex VII B Information which must appear in public works concession notices

Annex VII C Information which must appear in works contracts notices of concessionaires who are not contracting authorities

Annex VII D Information which must appear in design contest notices

Annex VIII Features concerning publication

Annex IX Registers

Wednesday 2 July 2003

Annex IX A	Public works contracts
Annex IX B	Public supply contracts
Annex IX C	Public service contracts
Annex X	Requirements relating to equipment for the electronic receipt of tenders, requests to participate and plans and projects in design contests
Annex XI	Deadlines for transposition and application (<i>Article 83</i>)
Annex XII	Correlation table

HAVE ADOPTED THIS DIRECTIVE:

TITLE I

Definitions and general principles

Article 1

Definitions

1. For the purposes of this Directive, the definitions set out in *paragraphs 2 to 16* shall apply.
2. a) 'Public contracts' are contracts for pecuniary interest concluded in writing between one or more economic operators and one or more contracting authorities and having as their object the execution of works, the supply of products or the provision of services within the meaning of this Directive.

(b) 'Public works contracts' are public contracts having as their object either the execution, or both the design and execution, of works related to one of the activities within the meaning of Annex I or a work, or the realisation, by whatever means, of a work corresponding to the requirements specified by the contracting authority. A 'work' means the outcome of building or civil engineering works taken as a whole which is sufficient of itself to fulfil an economic or technical function.

(c) 'Public supply contracts' are public contracts other than those referred to in (b) having as their object the purchase, lease, rental or hire purchase, with or without option to buy, of products.

A public contract having as its object the supply of products and which also covers, as an incidental matter, the siting and installation operations shall be considered to be a 'public supply contract'.

- (d) 'Public service contracts' are public contracts other than public works or supply contracts having as their object the provision of services referred to in Annex II.

A public contract having as its object both products and services within the meaning of Annex II shall be considered to be a 'public service contract' if the value of the services in question exceeds that of the products covered by the contract.

A public contract having as its object services within the meaning of Annex II and including activities within the meaning of Annex I that are only incidental to the principal object of the contract shall be considered to be a public service contract.

3. 'Public works concession' is a contract of the same type as a public works contract except for the fact that the consideration for the works to be carried out consists either solely in the right to exploit the work or in this right together with payment.
4. 'Service concession' is a contract of the same type as a public service contract except for the fact that the consideration for the provision of services consists either solely in the right to exploit the service or in this right together with payment.

Wednesday 2 July 2003

5. A 'framework agreement' is an agreement between one or more contracting authorities and one or more economic operators, the purpose of which is to establish the terms governing contracts to be awarded during a given period, in particular with regard to price and, where appropriate, the quantity envisaged.

6. A 'dynamic purchasing system' is a completely electronic process for making commonly used purchases, the characteristics of which, as generally available on the market, meet the requirements of the contracting authority, which is limited in duration and open throughout its validity to any economic operator which satisfies the selection criteria and has submitted an indicative tender that complies with the specification.

7. An 'electronic auction' is a repetitive process involving an electronic device for the presentation of new prices, revised downwards, and/or new **values, enabling** them to be ranked using automatic evaluation methods. ***This procedure is in no way suited to the award of works contracts or contracts for intellectual-creative and other complex services.***

8. The terms 'contractor', 'supplier' and 'service provider' mean any natural or legal person or public entity or group of such persons and/or bodies which offers on the market, respectively, the execution of works and/or a work, products or services.

The term 'economic operator' shall cover equally the concepts of contractor, supplier and service provider. It is used merely in the interest of simplification.

An economic operator who has submitted a tender shall be designated a 'tenderer'. One which has sought an invitation to take part in a restricted or negotiated procedure or a competitive dialogue shall be designated a 'candidate'.

9. 'Contracting authorities' means the State, regional or local authorities, bodies governed by public law, associations formed by one or several of such authorities or one or several of such bodies governed by public law ***as well as central purchasing bodies set up by the latter for the purpose of awarding public contracts.***

A 'body governed by public law' means any body:

- a) established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character,
- b) having legal personality and
- c) financed, for the most part, by the State, regional or local authorities, or other bodies governed by public law; or subject to management supervision by those bodies; or having an administrative, managerial or supervisory board, more than half of whose members are appointed by the State, regional or local authorities, or by other bodies governed by public law.

Non-exhaustive lists of bodies and categories of bodies governed by public law which fulfil the criteria referred to in (a), (b) and (c) of the second subparagraph are set out in Annex III. Member States shall periodically notify the Commission of any changes to their lists of bodies and categories of bodies.

10. A 'central purchasing body' is a contracting authority which:

- acquires supplies and/or services intended for contracting authorities or
- awards public contracts or concludes framework agreements for works, supplies or services intended for contracting authorities.

Wednesday 2 July 2003

11. 'Open procedures' means those procedures whereby any interested economic operator may submit a tender.

'Restricted procedures' means those procedures in which any economic operator may request to participate and whereby only those economic operators invited by the contracting authority may submit a tender.

'Competitive dialogue' is a procedure in which any economic operator may request to participate and whereby the contracting authority conducts a dialogue with the candidates admitted to that procedure, with the aim of developing one or more suitable alternatives capable of meeting its requirements, and on the basis of which the candidates chosen are invited to tender.

'Negotiated procedures' means those procedures whereby the contracting authorities consult the economic operators of their choice and negotiate the terms of contract with one or more of these.

'Design contests' means those procedures which enable the contracting authority to acquire, mainly in the fields of town and country planning, architecture and engineering or data processing, a plan or design selected by a jury after being put out to competition with or without the award of prizes.

12. 'Written' or 'in writing' means any expression consisting of words or figures which can be read, reproduced and subsequently communicated. It may include information which is transmitted and stored by electronic means.

13. 'Electronic means' means using electronic equipment for the processing (including digital compression) and storage of data which is transmitted, conveyed and received by wire, by radio, by optical means or by other electromagnetic means.

14. The 'Common Procurement Vocabulary (CPV)' shall designate the reference nomenclature applicable to public contracts as adopted by Regulation (EC) No 2195/2002, while ensuring equivalence with the other existing nomenclatures.

In the event of varying interpretations of the scope of this Directive, owing to possible differences between the CPV and NACE nomenclatures listed in Annex I, or between the CPV and CPC (provisional version) nomenclatures listed in Annex II, the NACE or the CPC nomenclature respectively shall take precedence.

15. For the purposes of Article 14, Article 60(1)(a) and Article 71(b), the following phrases shall have the following meanings:

- a) 'public telecommunications network' means the public telecommunications infrastructure which enables signals to be conveyed between defined network termination points by wire, by microwave, by optical means or by other electromagnetic means;
- b) a 'network termination point' means all physical connections and their technical access specifications which form part of the public telecommunications network and are necessary for access to, and efficient communication through, that public network;
- c) 'public telecommunications services' means telecommunications services the provision of which the Member States have specifically assigned to, in particular to one or more telecommunications entities;
- d) 'telecommunications services' means services the provision of which consists wholly or partly in the transmission and routing of signals on the public telecommunications network by means of telecommunications processes, with the exception of broadcasting and television.

Wednesday 2 July 2003

16. A contract is 'particularly complex' if the contracting authority is not able to define, either by holding a design contest or by a functional contract notice, the technical or other means of meeting its requirements or what the market can offer in terms of technical or financial solutions.

Article 2

Principles of awarding contracts

Contracting authorities shall treat economic operators equally and non-discriminatorily and shall act in a transparent way.

Article 3

Granting of special or exclusive rights: non-discrimination clause

Where a contracting authority grants special or exclusive rights to carry out a public service activity to an entity other than such a contracting authority, the act by which that right is granted shall provide that, in respect of the supply contracts which it awards to third parties as part of its activities, the entity concerned must comply with the principle of non-discrimination on the basis of nationality.

TITLE II

Rules on public contracts

CHAPTER I

General provisions

Article 4

Economic operators

1. Candidates or tenderers who, under the law of the Member State in which they are established, are entitled to provide the relevant service, shall not be rejected solely on the grounds that, under the law of the Member State in which the contract is awarded, they would have been required to be either natural or legal persons.

However, in the case of public service and public works contracts as well as for public supply contracts covering in addition services and/or siting and installation operations, legal persons may be required to indicate in the tender or the request to participate, the names and relevant professional qualifications of the staff to be responsible for the performance of the contract in question.

2. Groups of economic operators may submit tenders or put themselves forward as candidates. In order to submit a tender or a request to participate, these groups may not be required by the contracting authorities to assume a specific legal form; however, the group selected may be required to do so when it has been awarded the contract, to the extent that this change is necessary for the satisfactory performance of the contract.

Article 5

Conditions relating to agreements concluded within the World Trade Organisation

For the purposes of the award of contracts by contracting authorities, Member States shall apply in their relations conditions as favourable as those which they grant to economic operators of third countries in implementation of the Agreement on Government Procurement (hereinafter referred to as 'the Agreement'), concluded in the framework of the Uruguay Round multilateral negotiations. Member States shall, to this end, consult one another within the Advisory Committee for Public Contracts referred to in *Article 80* on the measures to be taken pursuant to the Agreement.

Wednesday 2 July 2003

Article 6
Confidentiality

Without prejudice to the requirements to publish information on contracts awarded and to inform the candidates and tenderers, laid down in Articles 37(4) and 43 respectively, the contracting authorities shall, throughout the award procedure and at its end, respect the confidential nature of information provided by the economic operators. Such information shall include technical or trade secrets, the confidentiality of tenders and proposed solutions, and any other confidential information provided by the economic operator.

Article 7
Respect for the fundamental principles of Community law

Contracting authorities shall respect the fundamental principles of Community law in connection with all contracts, including those falling below the thresholds specified in Article 8.

CHAPTER II

Scope

SECTION 1

Thresholds

Article 8

Threshold amounts for public contracts

This Directive shall apply to public contracts which are not excluded in accordance with the exceptions provided for in Articles 11 and 12 and Articles 13 to 20 and which have a value exclusive of value-added tax (VAT) estimated to be equal or greater than the following thresholds:

- (a) EUR 162 000 for public supply and service contracts others than those covered by point (b), third indent, awarded by contracting authorities which are listed as central government authorities in Annex IV; in the case of public supply contracts awarded by contracting authorities operating in the field of defence, this shall apply only to contracts involving products covered by Annex V;
- (b) EUR 249 000
- for public supply and service contracts awarded by contracting authorities other than those listed in Annex IV;
 - for public supply contracts awarded by contracting authorities which are listed in Annex IV and operate in the field of defence, where these contracts involve products not covered by Annex V;
 - for public service contracts awarded by any contracting authority in respect of the services listed in Category 8 of Annex IIA, Category 5 telecommunications services the positions of which in the CPV are equivalent to CPC reference Nos 7524, 7525 and 7526 and/or the services listed in Annex IIB.
- (c) EUR 6 242 000 for public works contracts.

Wednesday 2 July 2003

Article 9

Contracts subsidised by more than 50 % by contracting authorities

This Directive shall apply to the awarding of:

- a) contracts which are subsidised directly by contracting authorities by more than 50 % and the estimated value of which, net of VAT, is equal to or greater than EUR 6 242 000,
 - where those contracts involve civil engineering activities within the meaning of Annex I;
 - where those contracts involve building work for hospitals, facilities intended for sports, recreation and leisure, school and university buildings and buildings used for administrative purposes;
- b) service contracts which are subsidised directly by contracting authorities by more than 50 % and the estimated value of which, net of VAT, is equal to or greater than EUR 249 000 and which are connected with a works contract within the meaning of (a).

Member States shall take the necessary measures to ensure that the contracting authorities awarding such subsidies ensure compliance with this Directive where that contract is awarded by one or more entities other than themselves or comply with this Directive where they themselves award that contract for and on behalf of those other entities.

Article 10

Methods for calculating the estimated value of public contracts, framework agreements and dynamic purchasing systems

1. The calculation of the estimated value of a public contract shall be based on the total amount, net of VAT, payable as estimated by the contracting authority. This calculation shall take account of the estimated total amount, including any form of option and any renewals of the contract.

Where the contracting authority provides for prizes or payments to candidates or tenderers it shall take them into account when calculating the estimated value of the contract.

2. This estimate must be valid at the moment at which the contract notice is sent, as provided for in *Article 37(2)*, or, in cases where such notice is not required, at the moment at which the contracting authority commences the contract awarding procedure.

3. No works project or proposed purchase of a certain quantity of supplies and/or services may be subdivided to prevent its coming within the scope of this Directive.

4. With regard to public works contracts, calculation of the estimated value shall take account of both the cost of the works and the total estimated value of the supplies necessary for executing the works and placed at the contractor's disposal by the contracting authorities.

5. a) Where a proposed work or purchase of services may result in contracts being awarded at the same time in the form of separate lots, account shall be taken of the total estimated value of all such lots.

Where the aggregate value of the lots is equal to or exceeds the threshold laid down in *Article 8*, this Directive shall apply to the awarding of each lot.

However, the contracting authorities may waive such application in respect of lots the estimated value of which net of VAT is less than EUR 80 000 for services or EUR 1 million for works, provided that the aggregate cost of those lots does not exceed 20 % of the aggregate value of the lots as a whole.

(b) Where a proposal for the acquisition of similar supplies may result in contracts being awarded at the same time in the form of separate lots, account shall be taken of the total estimated value of all such lots when applying *Article 8(a)* and (b).

Wednesday 2 July 2003

Where the aggregate value of the lots is equal to or exceeds the threshold laid down in *Article 8*, this Directive shall apply to the awarding of each lot.

However, the contracting authorities may waive such application in respect of lots, the estimated value of which, net of VAT, is less than EUR 80 000, provided that the aggregate cost of those lots does not exceed 20 % of the aggregate value of the lots as a whole.

6. With regard to public supply contracts relating to the leasing, hire, rental or hire purchase of products, the value to be taken as a basis for calculating the estimated contract value shall be as follows:

- a) in the case of fixed-term public contracts, if that term is less than or equal to twelve months, the total estimated value for the term of the contract or, if the term of the contract is greater than twelve months, the total value including the estimated residual value;
- b) in the case of public contracts without a fixed term or the term of which cannot be defined, the monthly value multiplied by 48.

7. In the case of public supply or service contracts which are regular in nature or which are intended to be renewed within a given period, the calculation of the estimated contract value shall be based on the following:

- a) either the total actual value of the successive contracts of the same type awarded during the preceding twelve months or financial year, if possible adjusted to take account of the changes in quantity or value which would occur in the course of the twelve months following the initial contract;
- b) or the total estimated value of the successive contracts awarded during the twelve months following the first delivery, or during the financial year if that is longer than twelve months.

The choice of method used to calculate the estimated value of a public contract may not be made with the intention of excluding it from the scope of this Directive.

8. With regard to public service contracts, the value to be taken as a basis for calculating the estimated contract value shall be, where appropriate, the following:

- a) for the following types of services:
 - i) insurance services: the premium payable and other forms of remuneration;
 - ii) banking and other financial services: the fees, commissions, interest and other forms of remuneration;
 - iii) design contracts: fees, commission payable and other forms of remuneration;
- b) for service contracts which do not indicate a total price:
 - i) in the case of fixed-term contracts, if that term is less than or equal to forty-eight months: the total value for their full term;
 - ii) in the case of contracts without a fixed term or with a term greater than forty-eight months: the monthly value multiplied by 48.

9. With regard to framework agreements and dynamic purchasing systems, the value to be taken into consideration shall be the maximum estimated value net of VAT of all the contracts envisaged for the total term of the framework agreement or the dynamic purchasing system.

SECTION 2

Specific situations

Article 11

Defence procurement

This Directive shall apply to public contracts awarded by contracting authorities in the field of defence, subject to Article 296 of the Treaty.

Wednesday 2 July 2003

Article 12

Public contracts and framework agreements awarded by central purchasing bodies

1. Member States may stipulate that contracting authorities may purchase works, supplies and/or services from or through a central purchasing body.
2. Contracting authorities which purchase works, supplies and/or services from or through a central purchasing body in the cases set out in Article 1(10) shall be deemed to have complied with this Directive insofar as the central purchasing body has complied with it.

SECTION 3

Excluded contracts

Article 13

Contracts in the water, energy, transport and postal services sectors

This Directive shall not apply to public contracts which, under Directive 2003/.../EC [*coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors*], are awarded by contracting authorities exercising one or more of the activities referred to in Articles 3 to 7 of that Directive and are awarded for the pursuit of those activities, or to public contracts excluded from the scope of that Directive under Article 5(2) and Articles 20, 27 and 31 thereof.

However, this Directive shall continue to apply to public contracts awarded by contracting authorities carrying out one or more of the activities referred to in Article 6 of Directive 2003/.../EC [*coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors*] and awarded for those activities, insofar as the Member State concerned takes advantage of the option referred to in the second subparagraph of Article 72(1) thereof to defer its application.

Article 14

Specific exclusions in the field of telecommunications

This Directive shall not apply to public contracts for the principal purpose of permitting the contracting authorities to provide or exploit public telecommunications networks or to provide to the public one or more telecommunications services.

Article 15

Secret contracts and contracts requiring special security measures

This Directive shall not apply to public contracts when they are declared to be secret, when their execution must be accompanied by special security measures in accordance with the laws, regulations or administrative provisions in force in the Member State concerned, or when the protection of the essential interests of that Member State so requires.

Article 16

Contracts awarded pursuant to international rules

This Directive shall not apply to public contracts governed by different procedural rules and awarded:

Wednesday 2 July 2003

- a) pursuant to an international agreement concluded in conformity with the Treaty between a Member State and one or more third countries and covering supplies or works intended for the joint implementation or exploitation of a work by the signatory States or services intended for the joint implementation or exploitation of a project by the signatory States; all agreements shall be communicated to the Commission, which may consult the Advisory Committee for Public Contracts referred to in *Article 80*;
- b) pursuant to a concluded international agreement relating to the stationing of troops and concerning the undertakings of a Member State or a third country;
- c) pursuant to the particular procedure of an international organisation.

Article 17

Specific exclusions

1. This Directive shall not apply to public service contracts for:

- a) the acquisition or rental, by whatever financial means, of land, existing buildings or other immovable property or concerning rights thereon; nevertheless, financial service contracts concluded at the same time as, before or after the contract of acquisition or rental, in whatever form, shall be subject to this Directive;
- b) the acquisition, development, production or co-production of programme **and other electronic material intended for transmission and distribution across all electronic communications networks** by broadcasters and contracts for broadcasting time;
- c) arbitration and conciliation services;
- d) financial services in connection with the issue, sale, purchase or transfer of securities or other financial instruments, in particular transactions by the contracting authorities to raise money or capital, and central bank services;
- e) employment contracts;
- f) research and development services other than those where the benefits accrue exclusively to the contracting authority for its use in the conduct of its own affairs, on condition that the service provided is wholly remunerated by the contracting authority.

2. ***In addition, this Directive shall not apply to public supply contracts involving the purchase of schoolbooks in respect of which a final retail price has been fixed in accordance with the law in the Member State in which the purchase is made.***

Article 18

Service concessions

Without prejudice to the application of Article 3, this Directive shall not apply to service concessions as defined in Article 1(4).

Article 19

Service contracts awarded on the basis of an exclusive right

This Directive shall not apply to public service contracts awarded by a contracting authority to another contracting authority or to an association of contracting authorities on the basis of an exclusive right which they enjoy pursuant to a published law, regulation or administrative provision which is compatible with the Treaty.

Article 20**Contracts awarded to entities formed by contracting authorities**

This Directive shall not apply to contracts awarded by a contracting authority to:

- a) *a legally distinct entity, if the contracting authority exercises over that entity a control which is similar to that which it exercises over its own departments and if that entity carries out the essential part of its activities with the controlling contracting authority;*
- b) *a joint venture formed by that contracting authority with other contracting authorities, if that contracting authority exercises over the joint venture a control which is similar to that which it exercises over its own departments and if the joint venture carries out the essential part of its activities with the controlling contracting authority or authorities.*

SECTION 4

Special arrangement

Article 21

Reserved contracts

Member States may reserve the right to participate in public contract award procedures to sheltered workshops or provide for such contracts to be executed in the context of sheltered employment programmes where most of the employees concerned are handicapped persons who, by reason of the nature or the seriousness of their disabilities, cannot carry on occupations under normal conditions.

The contract notice shall make reference to this provision.

CHAPTER III

Arrangements for public service contracts

Article 22

Service contracts listed in Annex II A

Contracts which have as their object services listed in Annex II A shall be awarded in accordance with *Articles 25 to 58*.

Article 23

Service contracts listed in Annex II B

Contracts which have as their object services listed in Annex II B shall be subject solely to *Article 25 and Article 37(4)*.

Article 24

Mixed contracts including services listed in Annex II A and services listed in Annex II B

Contracts which have as their object services listed both in Annex II A and in Annex II B shall be awarded in accordance with *Articles 25 to 58* where the value of the services listed in Annex II A is greater than the value of the services listed in Annex II B. In other cases, contracts shall be awarded in accordance with *Article 25 and Article 37(4)*.

Wednesday 2 July 2003

CHAPTER IV

Specific rules governing specifications and contract documents

Article 25

Technical specifications

1. The technical specifications as defined in point 1 of Annex VI shall be set out in the contract documentation, such as contract notices, contract documents or additional documents.
2. Technical specifications shall afford equal access for tenderers and not have the effect of creating unjustified obstacles to the opening of public procurement to competition.
3. Without prejudice to compulsory national technical rules, to the extent that they are compatible with Community law, the technical specifications shall be formulated:
 - a) either by reference to technical specifications defined in Annex VI and, in order of preference, to national standards transposing European standards, European technical approvals, common technical specifications, international standards, other technical reference systems established by the European standardisation bodies or — when these do not exist — to national standards, national technical approvals or national technical specifications relating to the design, calculation and execution of the works and use of the products. Each reference shall be accompanied by the words 'or equivalent';
 - b) or in terms of performance or functional requirements; the latter may include environmental characteristics. However, such parameters must be sufficiently precise to allow tenderers to determine the subject-matter of the contract and to allow contracting authorities to award the contract;
 - c) or in terms of performance or functional requirements as mentioned in (b), with reference to the specifications mentioned in (a) as a means of presuming conformity with such performance or functional requirements;
 - d) or by referring to the specifications mentioned in (a) for certain characteristics, and by referring to the performance or functional requirements mentioned in (b) for other characteristics.
4. Where a contracting authority makes use of the option of referring to the specifications mentioned in paragraph 3(a), it cannot reject a tender on the grounds that the products and services tendered for do not comply with the specifications to which it has referred, once the tenderer proves in his tender to the satisfaction of the contracting authority, by whatever appropriate means, that the solutions which he proposes satisfy in an equivalent manner the requirements defined by the technical specifications.

An appropriate means might be constituted by a technical dossier of the manufacturer or a test report from a recognised body.

A contracting authority that rejects a tender on the grounds that its requirements are not satisfied in an equivalent manner shall inform the tenderer, at the latter's request, of the grounds for the non-equivalence.

5. Where a contracting authority uses the option laid down in paragraph 3 to prescribe in terms of performance or functional requirements, it may not reject a tender for works, products or services which comply with a national standard transposing a European standard, with a European technical approval, a common technical specification, an international standard, a technical reference system established by a European standardisation body, if these specifications address the performance or functional requirements which it has laid down.

Wednesday 2 July 2003

In his tender, the tenderer must prove to the satisfaction of the contracting authority and by any appropriate means that the work, product or service in compliance with the standard meets the performance or functional requirements of the contracting authority.

An appropriate means might be constituted by a technical dossier of the manufacturer or a test report from a recognised body.

6. Where contracting authorities lay down environmental characteristics in terms of performance or functional requirements as referred to in paragraph 3(b) they may use the detailed specifications, or, if necessary, parts thereof, as defined by European or (multi-) national eco-labels, or by any other eco-label, providing that:

- those specifications are appropriate to define the characteristics of the supplies or services that are the object of the contract,
- the requirements for the label are drawn up on the basis of scientific information,
- the eco-labels are adopted using a procedure in which all stakeholders, such as government bodies, consumers, manufacturers, distributors and environmental organisations can participate, and
- they are accessible to all interested parties.

The contracting authorities may indicate that the products and services bearing the eco-label are presumed to comply with the technical specifications laid down in the contract documents; they must accept any other appropriate means of proof, such as a technical dossier of the manufacturer or a test report from a recognised body.

7. Whenever possible, contracting authorities shall take into account accessibility for people with disabilities and design for all requirements. These technical specifications shall be clearly indicated in the contract documents.

8. 'Recognised bodies', within the meaning of this Article, are test and calibration laboratories and certification and inspection bodies which comply with applicable European standards.

Contracting authorities shall accept certificates from recognised bodies established in other Member States.

9. Unless justified by the subject-matter of the contract, technical specifications shall not refer to a specific make or source, or a particular process, or to trade marks, patents, types or a specific origin or production with the effect of favouring or eliminating certain undertakings or certain products. Such reference shall be permitted on an exceptional basis, where a sufficiently precise and intelligible description of the subject-matter of the contract pursuant to paragraphs 3 and 4 is not possible; such reference shall be accompanied by the words 'or equivalent'.

Article 26

Variants

1. Where the criterion for award is that of the most economically advantageous tender, contracting authorities may authorise tenderers to submit variants.

2. The contracting authorities shall indicate in the contract notice whether or not they authorise variants: variants shall not be authorised without this indication.

Wednesday 2 July 2003

3. The contracting authorities authorising variants shall state in the contract documents the minimum requirements to be respected by the variants and any specific requirements for their presentation.

4. Only variants meeting the minimum requirements laid down by these contracting authorities shall be taken into consideration.

In the procedures for awarding public supply or service contracts, contracting authorities which have authorised variants may not reject a variant on the sole ground that it would lead, if successful, to either a service contract rather than a public supply contract or a supply contract rather than a public service contract.

Article 27

Subcontracting

In the contract documents, the contracting authority may ask or may be required by a Member State to ask the tenderer to indicate in his tender any share of the contract he may intend to subcontract to third parties and any proposed subcontractors.

This indication shall be without prejudice to the question of the principal economic operator's liability.

Article 28

Conditions for performance of contracts

Contracting authorities may lay down special conditions relating to the performance of a contract, provided that these are compatible with Community law and are indicated in the contract notice or in the specifications. The conditions governing the performance of a contract may, in particular, concern social and environmental considerations.

Article 29

Obligations relating to taxes, environmental protection, employment protection provisions and working conditions

1. The contracting authority may state in the contract documents, or be obliged by a Member State to do so, the body or bodies from which a candidate or tenderer may obtain the appropriate information on the obligations relating to taxes, to environmental protection, to the employment protection provisions and to the working conditions which are in force in the Member State, region or locality in which the works are to be carried out or services are to be provided and which shall be applicable to the works carried out on site or to the services provided during the performance of the contract.

2. The contracting authority which supplies the information referred to in paragraph 1 shall request the tenderers or candidates in the contract award procedure to indicate that they have taken account, when drawing up their tender, of the obligations relating to employment protection provisions and the working conditions which are in force in the place where the works are to be carried out or the service is to be provided.

The first subparagraph shall be without prejudice to the application of the provisions of Article 58 concerning the examination of abnormally low tenders.

Wednesday 2 July 2003

CHAPTER V

Procedures

Article 30

Use of open, restricted and negotiated procedures and of competitive dialogue

In awarding their public contracts, the contracting authorities shall apply the national procedures adjusted for the purposes of this Directive.

They shall award these public contracts by applying the open or restricted procedure. In the specific circumstances expressly provided for in Article 31, the contracting authorities may award their public contracts by means of the competitive dialogue. In the specific cases and circumstances referred to expressly in Articles 32 and 33, they may apply a negotiated procedure, with or without publication of the contract notice.

Article 31

Competitive dialogue

1. Member States may provide that where contracting authorities consider that the use of the open or restricted procedure will not allow the award of the contract, the latter may make use of the competitive dialogue in accordance with this Article:

- a) where they are not objectively able to define the technical means in accordance with *Article 25(3)(b)*, (c) or (d), capable of satisfying their needs or objectives, and/or
- b) where they are not objectively able to specify the legal and/or financial make-up of a project.

A public contract shall be awarded on the sole basis of the award criterion for the most economically advantageous tender.

2. In the case of particularly complex contracts within the meaning of Article 1(16) the contracting authority may make use of the competitive dialogue in accordance with this Article. The award criterion must be the most economically advantageous tender.

3. The contracting authorities shall publish a contract notice setting out their needs and requirements, which they shall define in that notice and/or in a descriptive document.

4. The contracting authorities shall open, with the candidates selected in accordance with the relevant provisions of *Articles 46 to 55*, a dialogue the aim of which shall be to identify and define the means best fitted to satisfy their needs. They may discuss all aspects of the contract with the chosen candidates during this dialogue.

During the dialogue, the contracting authorities shall ensure equality of treatment among all tenderers. In particular, they shall not provide information in a discriminatory manner which may give some tenderers an advantage over others.

The contracting authorities may not reveal to the other participants solutions proposed or other confidential information communicated by a candidate participating in the dialogue without his/her agreement.

5. The contracting authorities may provide for the procedure to take place in successive stages in order to reduce the number of solutions to be discussed during the dialogue stage by applying the award criteria in the contract notice or the descriptive document. The contract notice or the descriptive document shall indicate that recourse may be had to this option.

Wednesday 2 July 2003

6. The contracting authority shall continue such dialogue until it can identify the solution or solutions, if necessary after comparing them, which are capable of meeting its needs.

7. Having declared that the dialogue is concluded and having so informed the participants, contracting authorities shall ask them to submit their final tenders on the basis of the solution or solutions presented and specified during the dialogue. These tenders shall contain all the elements required and necessary for the performance of the project.

These tenders may be clarified, specified **and fine-tuned** at the request of the contracting authority. However, such clarification, specification, **fine-tuning** or additional information may not involve **fundamental** changes to the basic features of the tender or the call for tender, variations in which are likely to distort competition or have a discriminatory effect.

8. Contracting authorities shall assess the tenders received on the basis of the award criteria laid down in the contract notice or the descriptive document and shall choose the most economically advantageous tender in accordance with *Article 56*.

At the request of the contracting authority, the tenderer identified as having submitted the most economically advantageous tender may be asked to clarify aspects of the tender or confirm commitments contained in the tender provided this does not have the effect of modifying substantial aspects of the tender or of the call for tender and does not risk distorting competition or causing discrimination.

9. The contracting authorities may specify prices or payments to the participants in the dialogue.

Article 32

Cases justifying use of the negotiated procedure with prior publication of a contract notice

1. Contracting authorities may award their public contracts by negotiated procedure, after publication of a contract notice, in the following cases:

a) in the event of irregular tenders or the submission of tenders which are unacceptable under national provisions compatible with *Articles 4, 26, 27 and 29* and Chapter VII, in response to an open or restricted procedure or a competitive dialogue insofar as the original terms of the contract are not substantially altered.

Contracting authorities need not publish a contract notice where they include in the negotiated procedure all of, and only, the tenderers which satisfy the criteria of *Articles 48 to 55* and which, during the prior open or restricted procedure or competitive dialogue, have submitted tenders in accordance with the formal requirements of the tendering procedure;

b) in exceptional cases, when the nature of the works, supplies, or services or the risks attaching thereto do not permit prior overall pricing;

c) in the case of services, inter alia services within category 6 of Annex II A, and intellectual services such as services involving the design of works, insofar as the nature of the services to be provided is such that contract specifications cannot be established with sufficient precision to permit the award of the contract by selection of the best tender according to the rules governing open or restricted procedures;

d) in respect of public works contracts, for works which are performed solely for purposes of research, testing or development and not with the aim of ensuring profitability or recovering research and development costs.

Wednesday 2 July 2003

2. In the cases referred to in paragraph 1, contracting authorities shall negotiate with tenderers the tenders submitted by them in order to adapt them to the requirements which they have set in the contract notice, the specifications and additional documents, if any, and to seek out the best tender in accordance with *Article 56(1)*.

3. During the negotiations, contracting authorities shall ensure the equal treatment of all tenderers. In particular, they shall not provide information in a discriminatory manner which may give some tenderers an advantage over others.

4. Contracting authorities may provide for the negotiated procedure to take place in successive stages in order to reduce the number of tenders to be negotiated by applying the award criteria in the contract notice or the specifications. The contract notice or the specifications shall indicate whether recourse has been had to this option.

Article 33

Cases justifying use of the negotiated procedure without publication of a contract notice

Contracting authorities may award public contracts by a negotiated procedure without prior publication of a contract notice in the following cases:

- 1) for public works contracts, public supply contracts and public service contracts:
 - a) when no tenders or no suitable tenders or no applications have been submitted in response to an open procedure or a restricted procedure, provided that the initial conditions of contract are not substantially altered and on condition that a report is sent to the Commission if it so requests;
 - b) when, for technical or artistic reasons, or for reasons connected with the protection of exclusive rights, the contract may be awarded only to a particular economic operator;
 - c) insofar as is strictly necessary when, for reasons of extreme urgency brought about by events unforeseeable by the contracting authorities in question, the time-limit for the open, restricted or negotiated procedures with publication of a contract notice as referred to in *Article 32* cannot be complied with. The circumstances invoked to justify extreme urgency must not in any event be attributable to the contracting authority;
- 2) for public supply contracts:
 - a) when the products involved are manufactured purely for the purpose of research, experiment, study or development; this provision does not extend to quantity production to establish commercial viability or to recover research and development costs;
 - b) for additional deliveries by the original supplier which are intended either as a partial replacement of normal supplies or installations or as the extension of existing supplies or installations where a change of supplier would oblige the contracting authority to acquire material having different technical characteristics which would result in incompatibility or disproportionate technical difficulties in operation and maintenance; the length of such contracts as well as that of recurrent contracts may not, as a general rule, exceed three years;
 - c) for supplies quoted and purchased on a commodity market;
 - d) for the purchase of supplies on particularly advantageous terms, from either a supplier which is definitively winding up its business activities, or the receivers or liquidators of a bankruptcy, an arrangement with creditors, or a similar procedure under national laws or regulations;

Wednesday 2 July 2003

- 3) for public service contracts, when the contract concerned follows a design contest and must, under the applicable rules, be awarded to the successful candidate or to one of the successful candidates, in the latter case, all successful candidates must be invited to participate in the negotiations;
- 4) for public works contracts and public service contracts:
- a) for additional works or services not included in the project initially considered or in the original contract but which have, through unforeseen circumstances, become necessary for the performance of the works or services described therein, on condition that the award is made to the economic operator performing such works or services:
- when such additional works or services cannot be technically or economically separated from the original contract without major inconvenience to the contracting authorities,
- or
- when such works or services, although separable from the performance of the original contract, are strictly necessary for its completion.

However, the aggregate value of contracts awarded for additional works or services may not exceed 50 % of the amount of the original contract;

- b) for new works or services consisting in the repetition of similar works or services entrusted to the economic operator to whom the same contracting authorities awarded an original contract, provided that such works or services are in conformity with a basic project for which the original contract was awarded according to the open or restricted procedure.

As soon as the first project is put up for tender, the possible use of this procedure shall be disclosed and the total estimated cost of subsequent works or services shall be taken into consideration by the contracting authorities when they apply the provisions of *Article 8*.

This procedure may be used only during the three years following the conclusion of the original contract.

Article 34

Framework agreements

1. Member States may provide that contracting authorities may conclude framework agreements.
2. For the purpose of concluding a framework agreement, contracting authorities shall follow the rules of procedure referred to in this Directive for all phases up to the award of contracts based on that framework agreement. The parties to the framework agreement shall be chosen by applying the award criteria set in accordance with *Article 56*.

Contracts based on a framework agreement shall be awarded in accordance with the procedures laid down in paragraphs 3 and 4. Those procedures may be applied only between the contracting authorities and the economic operators originally party to the framework agreement.

When awarding contracts based on a framework agreement, the parties may under no circumstances make substantial amendments to the terms laid down in that framework agreement, in particular in the case referred to in paragraph 3.

The term of a framework agreement may not exceed four years, save in exceptional cases duly justified, in particular by the subject of the framework agreement.

Wednesday 2 July 2003

Contracting authorities may not use framework agreements improperly or in such a way as to prevent, restrict or distort competition.

3. Where a framework agreement is concluded with a single economic operator, contracts based on that agreement shall be awarded within the limits of the terms laid down in the framework agreement.

For the award of those contracts, contracting authorities may consult the operator party to the framework agreement in writing, requesting it to supplement its tender as necessary.

4. Where a framework agreement is concluded with several economic operators, the latter must be at least three in number, insofar as there is a sufficient number of economic operators to satisfy the selection criteria and/or of admissible tenders which meet the award criteria.

Contracts based on framework agreements concluded with several economic operators may be awarded either:

- by application of the terms laid down in the framework agreement without reopening competition, or
- where not all the terms are laid down in the framework agreement, when the parties are again in competition on the basis of the same and, if necessary, more precisely formulated terms, and, where appropriate, other terms referred to in the specifications of the framework agreement, in accordance with the following procedure:
 - a) for every contract to be awarded, contracting authorities shall consult in writing the economic operators capable of executing the subject of the contract;
 - b) contracting authorities shall fix a time-limit which is sufficiently long to allow tenders for each specific contract to be submitted, taking into account factors such as the complexity of the subject of the contract and the time needed to send in tenders;
 - c) tenders shall be submitted in writing, and their content shall remain confidential until the stipulated time-limit for reply has expired;
 - d) contracting authorities shall award each contract to the tenderer who has submitted the best tender on the basis of the award criteria set out in the specifications of the framework agreement.

Article 35

Dynamic purchasing systems

1. Member States may provide that contracting authorities may use dynamic purchasing systems.
2. In order to set up a dynamic purchasing system, contracting authorities shall follow the rules of the open procedure in all its phases up to the award of the contracts to be concluded under this system. All the tenderers satisfying the selection criteria and having submitted an indicative tender which complies with the specification and any possible additional documents shall be admitted to the system; indicative tenders may be improved at any time provided that they continue to comply with the specification. With a view to setting up the system and to the award of contracts under that system, contracting authorities shall use solely electronic means in accordance with *Article 44(2) to (5)*.
3. For the purposes of setting up the dynamic purchasing system, contracting authorities shall:
 - a) publish a contract notice making it clear that a dynamic purchasing system is involved;

Wednesday 2 July 2003

- b) indicate in the specification, amongst others, the nature of the purchases envisaged under that system, as well as all the necessary information concerning the purchasing system, the electronic equipment used and the technical connection arrangements and specifications;
- c) offer by electronic means, on publication of the notice and up to the expiry of the system, unrestricted, direct and full access to the specification and to any additional documents and shall indicate in the notice the internet address at which such documents may be consulted.

4. Contracting authorities shall give any economic operator, throughout the entire period of the dynamic purchasing system, the possibility of submitting an indicative tender and of being admitted to the system under the conditions referred to in paragraph 2. They shall complete evaluation within a maximum of 15 days from the date of submission of the indicative tender. However, they may extend the evaluation period provided that no invitation to tender is issued in the meantime.

The contracting authority shall inform the tenderer referred to in the first subparagraph at the earliest possible opportunity of its admittance to the dynamic purchasing system or of the rejection of its indicative tender.

5. Each specific contract must be the subject of an invitation to tender. Before issuing the invitation to tender, contracting authorities shall publish a simplified contract notice inviting all interested economic operators to submit an indicative tender, in accordance with paragraph 4, within a time-limit that may not be less than 15 days from the date on which the simplified notice was sent. Contracting authorities may not proceed with tendering until they have completed evaluation of all the indicative tenders received by that deadline.

6. Contracting authorities shall invite all tenderers admitted to the system to submit a tender for each specific contract to be awarded under the system. To that end they shall set a time-limit for the submission of tenders.

They shall award the contract to the tenderer which submitted the best tender on the basis of the award criteria set out in the contract notice for the establishment of the dynamic purchasing system. Those criteria may, if appropriate, be formulated more precisely in the invitation referred to in the first subparagraph.

7. A dynamic purchasing system may not last for more than four years, except in duly justified exceptional cases.

Contracting authorities may not resort to this system to prevent, restrict or distort competition.

No charges may be billed to the interested economic operators or to parties to the system.

Article 36

Public works contracts: particular rules on subsidised housing schemes

In the case of public contracts relating to the design and construction of a subsidised housing scheme the size and complexity of which, and the estimated duration of the work involved require that planning be based from the outset on close collaboration within a team comprising representatives of the contracting authorities, experts and the contractor to be responsible for carrying out the works, a special award procedure may be adopted for selecting the contractor most suitable for integration into the team.

Wednesday 2 July 2003

In particular, contracting authorities shall include in the contract notice as accurate as possible a description of the works to be carried out so as to enable interested contractors to form a valid idea of the project. Furthermore, contracting authorities shall, in accordance with the qualitative selection criteria referred to in *Articles 48 to 55*, set out in such a contract notice the personal, technical, economic and financial conditions to be fulfilled by candidates.

Where such a procedure is adopted, contracting authorities shall apply *Articles 2, 37, 38, 40, 41, 43, 44, 45 and 48 to 55*.

CHAPTER VI

Rules on advertising and transparency

SECTION 1

Publication of notices

Article 37

Notices

1. Contracting authorities shall make known, by means of a prior information notice published by the Commission or by themselves on their 'buyer profile', as described in point 2(b) of Annex VIII:

a) where supplies are concerned, the estimated total value of the contracts or the framework agreements by product area which they intend to award over the following twelve months, where the total estimated value, taking into account *Articles 8 and 10*, is equal to or greater than EUR 750 000.

The product area shall be established by the contracting authorities by reference to the CPV nomenclature;

b) where services are concerned, the estimated total value of the contracts or the framework agreements in each of the categories of services listed in Annex IIA which they intend to award over the following twelve months, where such estimated total value, taking into account the provisions of *Articles 8 and 10*, is equal to or greater than EUR 750 000;

c) where works are concerned, the essential characteristics of the contracts or the framework agreements which they intend to award, the estimated value of which is equal to or greater than the threshold specified in *Article 8*, taking into account *Article 10*.

The notices referred to in (a) and (b) shall be sent to the Commission or published on the buyer profile as soon as possible after the beginning of the budgetary year.

The notice referred to in (c) shall be sent to the Commission or published on the buyer profile as soon as possible after the decision approving the planning of the works contracts or the framework agreements that the contracting authorities intend to award.

Contracting authorities who publish the prior information notice on their buyer profiles shall send the Commission, electronically, a notice of the publication of the prior information notice on a buyer profile, in accordance with the format and modalities for sending notices indicated in point 3 of Annex VIII.

The publication of the notices referred to in (a), (b) and (c) shall be compulsory only where the contracting authorities take the option of shortening the time-limits for the receipt of tenders as laid down in *Article 40(4)*.

This paragraph shall not apply to negotiated procedures without the prior publication of a contract notice.

Wednesday 2 July 2003

2. Contracting authorities which wish to award a public **contract by** open, restricted or, under the conditions laid down in *Article 32*, negotiated **procedure shall** make known their intention by means of a contract notice **or, where a qualification system is in operation in accordance with Article 47, by means of a notice that such a system exists.**

3. Contracting authorities which wish to set up a dynamic purchasing system shall make known their intention by means of a contract notice.

Contracting authorities which wish to award a contract based on a dynamic purchasing system shall make known their intention by means of a simplified contract notice.

4. Contracting authorities which have awarded a public contract or concluded a framework agreement shall send a notice of the results of the award procedure no later than 48 days after the award of the contract or the conclusion of the framework agreement.

In the case of framework agreements concluded in accordance with *Article 34* the contracting authorities are not bound to send a notice of the results of the award procedure for each contract based on that agreement.

Contracting authorities shall send a notice of the result of the award of contracts based on a dynamic purchasing system within 48 days of the award of each contract. They may, however, group such notices on a quarterly basis. In that case, they shall send the grouped notices within 48 days of the end of each quarter.

In the case of public contracts for services listed in Annex IIB, the contracting authorities shall indicate in the notice whether they agree to its publication. For such services contracts the Commission shall draw up the rules for establishing statistical reports on the basis of such notices and for the publication of such reports in accordance with the procedure laid down in *Article 80(2)*.

Certain information on the contract award or the conclusion of the framework agreement may be withheld from publication where release of such information would impede law enforcement or otherwise be contrary to the public interest, would harm the legitimate commercial interests of economic operators, public or private, or might prejudice fair competition between them.

Article 38

Form and manner of publication of notices

1. The notices shall include the information mentioned in Annex VIIA and, where appropriate, any other information deemed useful by the contracting authority in the format of standard forms adopted by the Commission in accordance with the procedure referred to in *Article 80(2)*.

2. Notices sent by contracting authorities to the Commission shall be sent either by electronic means in accordance with the format and modalities of transmission indicated in Annex VIII, paragraph 3, or by other means. In the event of recourse to the accelerated procedure set out in *Article 40(8)*, notices must be sent either by telefax or by electronic means, in accordance with the format and modalities of transmission indicated in point 3 of Annex VIII.

The notices shall be published in accordance with the technical characteristics for publication set out in point 1(a) and (b) of Annex VIII.

3. Notices drawn up and transmitted by electronic means in accordance with the format and modalities of transmission indicated in point 3 of Annex VIII, shall be published no later than five days after they are sent.

Wednesday 2 July 2003

Notices which are not transmitted by electronic means in accordance with the format and modalities of transmission indicated in point 3 of Annex VIII, shall be published not later than twelve days after they are sent, or in the case of accelerated procedure referred to in *Article 40(8)*, not later than five days after they are sent.

4. Contract notices shall be published in full in an official language of the Community as chosen by the contracting authority, this original language version constituting the sole authentic text. A summary of the important elements of each notice shall be published in the other official languages.

The costs of publication of such notices by the Commission shall be borne by the Community.

5. The notices and their contents may not be published at national level before the date on which they are sent to the Commission.

Notices published at national level shall not contain information other than that contained in the notices dispatched to the Commission or published on a buyer profile in accordance with the first subparagraph of *Article 37(1)*, but shall mention the date of dispatch of the notice to the Commission or its publication on the buyer profile.

Prior information notices may not be published on a buyer profile before the dispatch to the Commission of the notice of their publication in that form; they shall mention the date of that dispatch.

6. The content of notices not sent by electronic means in accordance with the format and modalities of transmission indicated in point 3 of Annex VIII, shall be limited to approximately 650 words.

7. The contracting authorities shall be able to supply proof of the dates on which notices are dispatched.

8. The Commission shall give the contracting authority confirmation of the publication of the information sent, mentioning the date of that publication. Such confirmation shall constitute proof of publication.

Article 39

Non-mandatory publication

Contracting authorities may publish in accordance with *Article 38* notices of public contracts which are not subject to the publication requirement laid down in this Directive.

SECTION 2

Time-limits

Article 40

Time-limits for receipt of requests to participate and for receipt of tenders

1. When fixing the time-limits for the receipt of tenders and requests to participate, contracting authorities shall take account in particular of the complexity of the contract and the time required for drawing up tenders, without prejudice to the minimum time-limits set by this Article.

Wednesday 2 July 2003

2. In the case of open procedures, the minimum time-limit for the receipt of tenders shall be 52 days from the date on which the contract notice was sent.

3. In the case of restricted procedures, negotiated procedures with publication of a contract notice referred to in *Article 32* and the competitive dialogue

a) the minimum time-limit for receipt of requests to participate shall be 37 days from the date on which the contract notice was sent;

b) in the case of restricted procedures, the minimum time-limit for the receipt of tenders shall be 40 days from the date on which the invitation was sent.

4. When contracting authorities have published a prior information notice, the minimum time-limit for the receipt of tenders under paragraphs 2 and 3(b) may, as a general rule, be shortened to 36 days, but under no circumstances to less than 22 days.

The time-limit shall run from the date on which the contract notice was sent in open procedures, and from the date on which the invitation to tender was sent in restricted procedures.

The shortened time-limits referred to in the first subparagraph shall be permitted, provided that the prior information notice has included all the information required for the contract notice in Annex VII A, insofar as that information is available at the time the notice is published and that prior information notice was sent for publication between no less than 52 days and no more than twelve months before the date on which the contract notice was sent.

5. Where notices are drawn up and transmitted by electronic means in accordance with the format and modalities of transmission indicated in point 3 of Annex VIII, the time-limits for the receipt of tenders referred to in paragraphs 2 and 4 in open procedures, and the time-limit for the receipt of the requests to participate referred to in paragraph 3(a), in restricted and negotiated procedures and the competitive dialogue, may be shortened by seven days.

6. The time-limits for receipt of tenders referred to in paragraphs 2 and 3(b) may be reduced by five days where the contracting authority offers unrestricted and full direct access by electronic means to the contract documents and any supplementary documents from the date of publication of the notice in accordance with Annex VIII, specifying in the text of the notice the internet address at which this documentation is accessible.

This reduction may be added to that referred to in paragraph 5.

7. If, for whatever reason, the specifications and the supporting documents or additional information, although requested in good time, are not supplied within the time-limits set in *Articles 41 and 42*, or where tenders can be made only after a visit to the site or after on-the-spot inspection of the documents supporting the contract documents, the time-limits for the receipt of tenders shall be extended so that all economic operators concerned may be aware of all the information needed to produce tenders.

8. In the case of restricted procedures and negotiated procedures with publication of a contract notice referred to in *Article 32*, where urgency renders impracticable the time-limits laid down in this Article, contracting authorities may fix:

a) a time-limit for the receipt of requests to participate which may not be less than 15 days from the date on which the contract notice was sent, or less than 10 days if the notice was sent by electronic means, in accordance with the format and procedure for sending notices indicated in point 3 of Annex VIII;

Wednesday 2 July 2003

- b) and, in the case of restricted procedures, a time-limit for the receipt of tenders which shall be not less than 10 days from the date of the invitation to tender.

Article 41

Open procedures: Specifications, additional documents and information

1. In open procedures, where contracting authorities do not offer free and full direct access by electronic means in accordance with *Article 40(6)* to the specifications and any supporting documents, the specifications and supplementary documents shall be sent to economic operators within six days of receipt of the request to participate, provided that the request was made in good time before the deadline for submission of tenders.
2. Provided that it has been requested in good time, additional information relating to the specifications and any supporting documents shall be supplied by the contracting authorities or competent departments not later than six days before the deadline fixed for receipt of tenders.

SECTION 3

Information content and means of transmission

Article 42

Invitations to submit a tender, participate in the dialogue or negotiate

1. In restricted procedures, competitive dialogue procedures and negotiated procedures with publication of a contract notice within the meaning of *Article 32*, the contracting authorities shall simultaneously and in writing invite the selected candidates to submit their tenders or to negotiate or, in the case of a competitive dialogue, to take part in the dialogue.
2. The invitation to the candidates shall include either:
 - a copy of the specifications or of the descriptive document and any supporting documents, or
 - a reference to accessing the specifications and the other documents indicated in the first indent, when they are made directly available by electronic means in accordance with *Article 40(6)*.
3. Where an entity other than the contracting authority responsible for the award procedure has the specifications, the descriptive document and/or any supporting documents, the invitation shall state the address from which those specifications, that descriptive document and those documents may be requested and, if appropriate, the deadline for requesting such documents, and the sum payable for obtaining them and any payment procedures. The competent department shall send that documentation to the economic operator without delay once the request has been received.
4. The additional information on the specifications, the descriptive document or the supporting documents shall be sent by the contracting authority or the competent department not less than six days before the deadline fixed for the receipt of tenders, provided that they were requested in good time. In the event of a restricted or an accelerated procedure, that period shall be four days.
5. In addition, the invitation to submit a tender, to participate in the dialogue or to negotiate must contain at least:
 - a) a reference to the contract notice published;
 - b) the deadline for the receipt of the tenders, the address to which the tenders must be sent and the language or languages in which the tenders must be drawn up;

Wednesday 2 July 2003

- c) in the case of competitive dialogue the date and the address set for the start of consultation and the language or languages used;
- d) a reference to any possible adjoining documents to be submitted, either in support of verifiable declarations by the tenderer in accordance with *Article 46*, or to supplement the information referred to in that Article, and under the conditions laid down in *Articles 50 and 51*;
- e) the relative weighting of criteria for the award of the contract or, where appropriate, the descending order of importance for such criteria, if they are not given in the contract notice, the specifications or the descriptive document.

However, in the case of contracts awarded in accordance with the rules laid down in *Article 31*, the information referred to in (b) above shall not appear in the invitation to participate in the dialogue but it shall appear in the invitation to submit a tender.

Article 43

Informing candidates and tenderers

1. The contracting authorities shall as soon as possible inform candidates and tenderers of decisions reached concerning the conclusion of a framework agreement, the award of the contract or admittance to a dynamic purchasing system, including the grounds for any decision not to conclude a framework agreement or award a contract for which there has been a call for competition or to recommence the procedure or implement a dynamic purchasing system; that information shall be given in writing upon request to the contracting authorities.
2. The contracting authority shall as quickly as possible inform any eliminated candidate or tenderer so requesting of the reasons for the rejection of his application or his tender, and any tenderer who has made an admissible tender of the characteristics and relative advantages of the tender selected as well as the name of the successful tenderer or the parties to the framework agreement. Those time-limits may in no circumstances exceed fifteen days from the receipt of the written request.
3. However, contracting authorities may decide to withhold certain information referred to in paragraph 1, regarding the contract award, the conclusion of framework agreements or admittance to a dynamic purchasing system where release of such information would impede law enforcement, would otherwise be contrary to the public interest, would prejudice the legitimate commercial interests of economic operators, whether public or private, or might prejudice fair competition between them.

SECTION 4

Communication

Article 44

Rules applicable to communication

1. All communication and information exchange referred to in this Title may be performed by post, by fax, by electronic means in accordance with *paragraphs 5, 6 and 7*, by telephone in the cases and circumstances referred to in *paragraph 8*, or by a combination of those means, according to the choice of the contracting authority.
2. The means of communication chosen must be generally available and thus not restrict economic operators' access to the tendering procedure.

Wednesday 2 July 2003

3. Contracting authorities shall provide to tenderers on request a certificate from an accredited third party certifying that they have taken the necessary steps to safeguard the confidentiality of tenderers' information during transmission and after receipt.

4. Communication and the exchange and storage of information shall be carried out in such a way as to ensure that the integrity of data and the confidentiality of tenders and requests to participate are preserved, and that the contracting authorities examine the content of tenders and requests to participate only after the time-limit set for submitting them has expired.

5. A tender may be submitted by electronic means only if an advanced electronic signature within the meaning of Directive 1999/93/EC and a reliable means of encrypting the contents are used.

6. The tools to be used for communicating by electronic means, as well as their technical characteristics, must be non-discriminatory, generally available and interoperable with the information and communication technology products in general use.

7. The following rules are applicable to devices for the electronic receipt of tenders and requests to participate:

- a) information regarding the specifications necessary for the electronic submission of tenders and requests to participate, including encryption, must be available to interested parties. Moreover, the devices for the electronic receipt of tenders and requests to participate must conform to the requirements of Annex X;
- (b) Member States may introduce or maintain voluntary accreditation schemes aiming at enhanced levels of certification service provision for these devices;
- c) tenderers or candidates shall undertake to submit, before expiry of the time-limit laid down for submission of tenders or requests to participate, the documents, certificates, attestations and declarations referred to in Articles 48 to 53 and Article 55 if they do not exist in electronic format.

8. The following rules shall apply to the transmission of requests to participate:

- a) requests to participate in procedures for the award of public contracts may be made in writing or by telephone;
- b) where requests to participate are made by telephone, a written confirmation must be sent before expiry of the time-limit set for their receipt;
- c) contracting authorities may require that requests for participation made by fax must be confirmed by post or by electronic means, where this is necessary for the purposes of legal proof. Any such requirement, together with the time-limit for sending confirmation by post or electronic means, must be stated by the contracting authority in the contract notice.

SECTION 5

Reports

Article 45

Content of reports

For every contract, framework agreement, and every establishment of a dynamic purchasing system, the contracting authorities shall draw up a written report which shall include at least the following:

- a) the name and address of the contracting authority, the subject-matter and value of the contract, framework agreement or dynamic purchasing system;
- b) the names of the successful candidates or tenderers and the reasons for their selection;

Wednesday 2 July 2003

- c) the names of the candidates or tenderers rejected and the reasons for their rejection;
- d) the reasons for the rejection of tenders found to be abnormally low;
- e) the name of the successful tenderer and the reasons why his tender was selected and, if known, the share of the contract or framework agreement which the successful tenderer intends to subcontract to third parties;
- f) for negotiated procedures, the circumstances referred to in *Articles 32 and 33* which justify the use of these procedures;
- g) as far as the competitive dialogue is concerned, the circumstances as laid down in *Article 31* justifying the use of this procedure;
- h) if necessary, the reasons why the contracting authority has decided not to award a contract or framework agreement or to establish a dynamic purchasing system.

The contracting authorities shall take appropriate steps to document the progress of award procedures conducted by electronic means.

The report, or the main features of it, shall be communicated to the Commission if it so requests.

CHAPTER VII

Conduct of the procedure

SECTION 1

General provisions

Article 46

Verification of the suitability and choice of participants and award of contracts

1. Contracts shall be awarded on the basis of the criteria laid down in *Articles 56 and 58*, taking into account *Article 26*, after the suitability of the economic operators not excluded under *Articles 48 and 49* has been checked by contracting authorities in accordance with the criteria of economic and financial standing, of professional and technical knowledge or ability referred to in *Articles 50 to 55*, and, where appropriate, with the non-discriminatory rules and criteria referred to in paragraph 3.

2. The contracting authorities may require candidates and tenderers to meet minimum capacity levels in accordance with *Articles 50 and 51*.

The extent of the information referred to in *Articles 50 and 51* and the minimum levels of ability required for a specific contract must be related and proportionate to the subject-matter of the contract.

These minimum levels shall be indicated in the contract notice.

3. In restricted procedures, negotiated procedures with publication of a contract notice and in the competitive dialogue procedure, contracting authorities may limit the number of suitable candidates they will invite to tender, to negotiate or to conduct a dialogue with, provided a sufficient number of suitable candidates is available. The contracting authorities shall indicate in the contract notice the objective and non-discriminatory criteria or rules they intend to apply, the minimum number of candidates they intend to invite and, where appropriate, the maximum number.

In restricted procedure the minimum shall be five. In the negotiated procedure with publication of a contract notice and the competitive dialogue procedure the minimum shall be three. In any event the number of candidates invited shall be sufficient to ensure genuine competition.

Wednesday 2 July 2003

The contracting authorities shall invite a number of candidates at least equal to the minimum number set in advance. Where the number of candidates meeting the selection criteria and the minimum levels of ability is below the minimum number, the contracting authority may continue the procedure by inviting the candidate(s) with the required capabilities. In the context of this same procedure, the contracting authority may not include other economic operators who did not request to participate, or candidates who do not have the required capabilities.

4. Where the contracting authorities exercise the option of reducing the number of solutions to be discussed or of tenders to be negotiated, as provided for in *Articles 31(4) and 32(4)*, they shall do so by applying the award criteria stated in the contract notice, in the specifications or in the descriptive document. In the final stage, the number arrived at shall make for genuine competition insofar as there are enough solutions or suitable candidates.

Article 47

Qualification systems

1. Contracting authorities which so wish may establish and operate a system for qualification of economic operators.

Authorities which establish or operate a qualification system shall ensure that economic operators are at all times able to request qualification.

2. The system under paragraph 1 may involve different qualification stages.

It shall be operated on the basis of objective criteria and rules to be established by the contracting authority.

Where those criteria and rules include technical specifications, the provisions of Article 25 shall apply. The criteria and rules may be updated as required.

3. The criteria and rules for qualification referred to in paragraph 2 shall be made available to economic operators on request. The updating of these criteria and rules shall be communicated to the interested economic operators. Where a contracting authority considers that the qualification system of certain other authorities or bodies meets its requirements, it shall communicate to interested economic operators the names of such other authorities or bodies.

4. A written record of qualified economic operators shall be kept; it may be divided into categories according to the type of contract for which the qualification is valid.

5. When a notice on the existence of a qualification system has been published in accordance with Article 37(2), tenderers in a restricted procedure or participants in a negotiated procedure shall be selected from the qualified candidates in accordance with such a system.

SECTION 2

Criteria for qualitative selection

Article 48

Personal situation of the candidate or tenderer

1. Any candidate or tenderer who has been the subject of a conviction by definitive judgment of which the contracting authority is aware for one or more of the reasons listed below shall be excluded from participation in a public contract:

Wednesday 2 July 2003

- a) participation in a criminal organisation, as defined in Article 2(1) of Council Joint Action 98/733/JHA of 21 December 1998 ⁽¹⁾;
- b) corruption, as defined in Article 3 of the *Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union* ⁽²⁾ and Article 3(1) of Council Joint Action 98/742/JHA of 22 December 1998 ⁽³⁾ respectively;
- c) fraud within the meaning of Article 1 of the Convention relating to the protection of the financial interests of the European Communities ⁽⁴⁾;
- d) money laundering, as defined in Article 1 of Council Directive 91/308/EEC of 10 June 1991 on prevention of the use of the financial system for the purpose of money laundering ⁽⁵⁾.

Member States shall specify, in accordance with their national law and having regard for Community law, the implementing conditions for this paragraph.

They may provide for a derogation from the requirement referred to in the first subparagraph for overriding requirements in the general interest.

For the purposes of this paragraph, the contracting authorities shall, where appropriate, ask candidates or tenderers to supply the documents referred to in paragraph 3 and may, where they have doubts concerning the personal situation of such candidates or tenderers, also apply to the competent authorities to obtain any information they consider necessary on the personal situation of the candidates or tenderers concerned. Where the information concerns a candidate or tenderer established in a State other than that of the contracting authority, the contracting authority may seek the cooperation of the competent authorities. Having regard for the national laws of the Member State where the candidates or tenderers are established, such requests shall relate to legal and/or natural persons, including, if appropriate, company directors and any person having powers of representation, decision or control in respect of the candidate or tenderer.

2. Any economic operator may be excluded from participation in a contract who:

- a) is bankrupt or is being wound up, whose affairs are being administered by the court, who has entered into an arrangement with creditors, who has suspended business activities or who is in any analogous situation arising from a similar procedure under national laws and regulations;
- b) is the subject of proceedings for a declaration of bankruptcy, for an order for compulsory winding up or administration by the court or of an arrangement with creditors or of any other similar proceedings under national laws and regulations;
- c) has been convicted by a judgment which has the force of *res judicata* in accordance with the legal provisions of the country of any offence concerning his professional conduct;
- d) has been guilty of grave professional misconduct proven by any means which the contracting authorities can demonstrate;
- e) has not fulfilled obligations relating to the payment of social security contributions in accordance with the legal provisions of the country in which he is established or with those of the country of the contracting authority;
- f) has not fulfilled obligations relating to the payment of taxes in accordance with the legal provisions of the country in which he is established or with those of the country of the contracting authority;
- g) is guilty of serious misrepresentation in supplying the information required under this Section or has not supplied such information.

⁽¹⁾ OJ L 351, 29.12.1998, p. 1.

⁽²⁾ OJ C 195, 25.6.1997, p. 1.

⁽³⁾ OJ L 358, 31.12.1998, p.2.

⁽⁴⁾ OJ C 316, 27.11.1995, p. 48.

⁽⁵⁾ 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).

Wednesday 2 July 2003

Member States shall specify, in accordance with their national law and having regard for Community law, the implementing conditions for this paragraph.

3. Contracting authorities shall accept the following as sufficient evidence that none of the cases specified in paragraphs 1 or 2(a), (b), (c), (e) or (f) applies to the economic operator:

- a) as regards paragraphs 1 and 2(a), (b) and (c), the production of an extract from the 'judicial record' or, failing that, of an equivalent document issued by a competent judicial or administrative authority in the country of origin or the country whence that person comes showing that these requirements have been met;
- b) as regards paragraph 2(e) and (f), a certificate issued by the competent authority in the Member State concerned.

Where the country in question does not issue such documents or certificates, or where these do not cover all the cases specified in paragraphs 1 and 2(a), (b) and (c), they may be replaced by a declaration on oath or, in Member States where there is no provision for declarations on oath, by a solemn declaration made by the person concerned before a competent judicial or administrative authority, a notary or a competent professional or trade body, in the country of origin or in the country whence that person comes.

4. Member States shall designate the authorities and bodies competent to issue the documents, certificates or declarations referred to in paragraph 3 and shall inform the Commission thereof. Such notification shall be without prejudice to data protection law.

Article 49

Suitability to pursue the professional activity

Any economic operator wishing to take part in a public contract may be requested to prove its enrolment, as prescribed in his Member State of establishment, on one of the professional or trade registers or to provide a declaration on oath or a certificate as described in Annex IX A for public works contracts, in Annex IX B for public supply contracts and in Annex IX C for public service contracts.

In procedures for the award of public service contracts, insofar as candidates or tenderers have to possess a particular authorisation or to be members of a particular organisation in order to be able to perform in their country of origin the service concerned, the contracting authority may require them to prove that they hold such authorisation or membership.

Article 50

Economic and financial standing

1. Proof of the economic operator's economic and financial standing may, as a general rule, be furnished by one or more of the following references:

- a) appropriate statements from banks or, where appropriate, evidence of relevant professional risk indemnity insurance;
- b) the presentation of balance-sheets or extracts from the balance-sheets, where publication of the balance-sheet is required under the law of the country in which the economic operator is established;
- c) a statement of the undertaking's overall turnover and, where appropriate, of turnover in the area covered by the contract for a maximum of the last three financial years available, depending on the date on which the undertaking was set up or the economic operator started trading, as far as the information on these turnovers is available.

Wednesday 2 July 2003

2. An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the contracting authority that it will have at its disposal the resources necessary, for example, by producing an undertaking by those entities to that effect.

3. Under the same conditions, a group of economic operators as referred to Article 4 may rely on the capacities of participants in the group or of other entities.

4. Contracting authorities shall specify, in the contract notice or in the invitation to tender, which reference or references mentioned in paragraph 1 they have chosen and which other references must be provided.

5. If, for any valid reason, the economic operator is unable to provide the references requested by the contracting authority, he may prove his economic and financial standing by any other document which the contracting authority considers appropriate.

Article 51

Technical and/or professional ability

1. The technical and/or professional abilities of the economic operators shall be assessed and examined in accordance with paragraphs 2 and 3.

2. Evidence of the economic operators' technical capability may be furnished by one or more of the following means according to the nature, quantity or importance, and use of the works, supplies or services:

a) i) (i) a list of the works carried out over the past five years, accompanied by certificates of satisfactory execution for the most important works. These certificates shall indicate the value, date and site of the works and shall specify whether they were carried out according to the rules of the trade and properly completed. Where appropriate, the competent authority shall submit these certificates to the contracting authority direct;

ii) a list of the principal deliveries effected or the main services provided in the past three years, with the sums, dates and recipients, whether public or private, involved. Evidence of delivery and services provided shall be given:

— where the recipient was a contracting authority, in the form of certificates issued or countersigned by the competent authority;

— where the recipient was a private purchaser, by the purchaser's certification or, failing this, simply by a declaration by the economic operator;

b) indication of the technicians or technical bodies involved, whether or not belonging directly to the economic operator's undertaking, especially those responsible for quality control and, in the case of public works contracts, which the contractor can call upon for carrying out the work;

c) a description of the technical facilities and measures used by the supplier or service provider for ensuring quality and the undertaking's study and research facilities;

Wednesday 2 July 2003

- d) where the products or services to be supplied are complex or, exceptionally, are required for a special purpose, a check carried out by the contracting authorities or on their behalf by a competent official body of the country in which the supplier or service provider is established, subject to that body's agreement, on the production capacities of the supplier or the technical capacity of the service provider and, if necessary, on the means of study and research which are available to it and the quality control measures it will operate;
- e) the educational and professional qualifications of the service provider or contractor and/or those of the undertaking's managerial staff and, in particular, those of the person or persons responsible for providing the services or managing the work;
- f) for public works contracts and public services contracts, and only in appropriate cases, an indication of the environmental management measures that the economic operator will be able to apply when performing the contract;
- g) a statement of the average annual manpower of the service provider or contractor and the number of managerial staff for the last three years;
- h) a statement of the tools, plant or technical equipment available to the service provider or contractor for carrying out the contract;
- i) an indication of the proportion of the contract which the services provider intends possibly to subcontract;
- j) with regard to the products to be supplied:
 - i) samples, descriptions and/or photographs, the authenticity of which must be certified if the contracting authority so requests;
 - ii) certificates drawn up by official quality control institutes or agencies of recognised competence attesting the conformity of products clearly identified by references to specifications or standards.

3. An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must in that case prove to the contracting authority that it will have at its disposal the resources necessary for the execution of the contract, for example, by producing an undertaking by those entities to place the necessary resources at the disposal of the economic operator.

4. Under the same conditions a group of economic operators as referred to Article 4 may rely on the capacities of participants in the group or in other entities.

5. In the procedures for awarding public contracts having as their object supplies requiring siting or installation work, the provision of services and/or the execution of works, the ability of economic operators to provide the service or to execute the installation or the work may be evaluated in particular with regard to their skills, efficiency, experience and reliability.

6. The contracting authority shall specify, in the notice or in the invitation to tender, which references under paragraph 2 it wishes to receive.

Wednesday 2 July 2003

Article 52

Quality assurance standards

Should they require the production of certificates drawn up by independent bodies attesting the compliance of the economic operator with certain quality assurance standards, contracting authorities shall refer to quality assurance systems based on the relevant European standards series certified by bodies conforming to the European standards series concerning certification. They shall recognise equivalent certificates from bodies established in other Member States. They shall also accept other evidence of equivalent quality assurance measures from economic operators.

Article 53

Environmental management standards

Should contracting authorities, in the cases referred to in *Article 51(2)(f)*, require the production of certificates drawn up by independent bodies attesting the compliance of the economic operator with certain environmental management standards, they shall refer to the Community Eco-Management and Audit Scheme (EMAS) or to environmental management standards based on the relevant European or international standards certified by bodies conforming to Community law or the relevant European or international standards concerning certification. They shall recognise equivalent certificates from bodies established in other Member States. They shall also accept other evidence of equivalent environmental management measures from economic operators.

Article 54

Additional documentation and information

The contracting authority may invite the economic operators to supplement or clarify the certificates and documents submitted pursuant to *Articles 48 to 53*.

Article 55

Official lists of approved economic operators and certification by bodies established in public or private law

1. Member States may introduce either official lists of approved contractors, suppliers or service providers or certification by certification bodies established in public or private law.

Member States shall adapt the conditions for registration on these lists and for the issue of certificates by certification bodies to the provisions of *Article 48(1) and (2)(a) to (d) and (g)*, *Article 49*, *Article 50(1), (4) and (5)*, *Article 51(1), (2), (5) and (6)*, *Article 52* and, where appropriate, *Article 53*.

Member States shall also adapt them to *Article 50(2)* and *Article 51(3)* as regards applications for registration submitted by economic operators belonging to a group and claiming resources made available to them by the other companies in the group. In such case, these operators must prove to the authority establishing the official list that they will have these resources at their disposal throughout the period of validity of the certificate attesting to their being registered in the official list and that throughout the same period these companies continue to fulfil the qualitative selection requirements laid down in the Articles referred to in the second subparagraph on which operators rely for their registration.

Wednesday 2 July 2003

2. Economic operators registered on the official lists or having a certificate may, for each contract, submit to the contracting authority a certificate of registration issued by the competent authority or the certificate issued by the competent certification body. The certificates shall state the references which enabled them to be registered in the list/to obtain certification and the classification given in that list.

3. Certified registration on official lists by the competent bodies or a certificate issued by the certification body shall not, for the purposes of the contracting authorities of other Member States, constitute a presumption of suitability except as regards *Article 48(1) and (2)(a) to (d) and (g)*, *Article 49, Article 50(1)(b) and (c)*, and *Article 51(2)(a)(i)(b), (e), (g) and (h)* in the case of contractors, *Article 51(2)(a)(ii) (b), (c), (d) and (j)* in the case of suppliers and *(2)(a)(ii) and (c)(i)* in the case of service providers.

4. Information which can be deduced from registration on official lists or certification may not be questioned without justification. With regard to the payment of social security contributions and taxes, an additional certificate may be required of any registered economic operator whenever a contract is offered.

The contracting authorities of other Member States shall apply paragraph 3 and the first subparagraph of this paragraph only in favour of economic operators established in the Member State holding the official list.

5. For any registration of economic operators of other Member States in an official list or for their certification by the bodies referred to in paragraph 1, no further proof or statements can be required other than those requested of national economic operators and, in any event, only those provided for under *Articles 48 to 52* and, where appropriate, *Article 53*.

However, economic operators from other Member States may not be obliged to undergo such registration or certification in order to participate in a public contract. The contracting authorities shall recognise equivalent certificates from bodies established in other Member States. They shall also accept other equivalent means of proof.

6. Economic operators may ask at any time to be registered in an official list or for a certificate to be issued. They must be informed within a reasonably short period of time of the decision of the authority drawing up the list or of the competent certification body.

7. The certification bodies referred to in paragraph 1 shall be bodies complying with European certification standards.

8. Member States which have official lists or certification bodies as referred to in paragraph 1 shall be obliged to inform the Commission and the other Member States of the address of the body to which applications should be sent.

SECTION 3

Award of the contract

Article 56

Contract award criteria

1. Without prejudice to national laws, regulations or administrative provisions concerning the remuneration of certain services, the criteria on which the contracting authorities shall base the award of public contracts shall be either:

Wednesday 2 July 2003

a) when award is made to **the most** economically advantageous **tender**, various criteria **linked to** the subject of the public contract in question: for example, quality, price, technical merit, aesthetic and functional characteristics, environmental characteristics, **including those relating to production methods**, running costs, cost-effectiveness, after-sales service and technical assistance, delivery date and delivery period or period of completion, **the tenderer's policy in relation to people with disabilities and its equal treatment policy** or

b) the lowest price only.

2. Without prejudice to the provisions of the third subparagraph, in the case referred to in paragraph 1(a) the contracting authority shall specify in the contract notice or in the contract documents or, in the case of a competitive dialogue, in the descriptive document, the relative weighting which it gives to each of the criteria chosen to determine the most economically advantageous tender.

That weighting can be expressed by providing for a range with an appropriate maximum spread.

Where, in the opinion of the contracting authority, weighting is not possible for demonstrable reasons, it shall indicate in the contract notice or contract documents or, in the case of a competitive dialogue, in the descriptive document, the criteria in descending order of importance .

Article 57

Use of electronic auctions

1. Member States may provide that contracting authorities may use electronic auctions.

2. In open, restricted or negotiated procedures in the case referred to in Article 32(1)(a), the contracting authorities may decide that the award of a public contract shall be preceded by an electronic auction when the contract specifications can be established with precision.

In the same circumstances, an electronic auction may be held on the reopening of competition among the parties to a framework agreement as provided for in the second indent of the second subparagraph of Article 34(4) and on the opening for competition of contracts to be awarded under the dynamic purchasing system referred to in Article 35.

The electronic auction shall be based:

- either solely on prices when the contract is awarded to the lowest price;
- or on prices and/or on the new values of the features of the tenders indicated in the specification when the contract is awarded to the most economically advantageous tender.

3. Contracting authorities which decide to hold an electronic auction shall state that fact in the contract notice.

The specifications shall include, inter alia, the following details:

- a) the features, the values for which will be the subject of electronic auction, provided that such features are quantifiable and can be expressed in figures or percentages;
- b) any limits on the values which may be submitted, as they result from the specifications relating to the subject of the contract;
- c) the information which will be made available to tenderers in the course of the electronic auction and, where appropriate, when it will be made available to them;

Wednesday 2 July 2003

- d) the relevant information concerning the electronic auction process;
- e) the conditions under which the tenderers will be able to bid and, in particular, the minimum differences which will, where appropriate, be required when bidding;
- f) the relevant information concerning the electronic equipment used and the arrangements and technical specifications for connection.

4. Before proceeding with the electronic auction, contracting authorities shall make a full initial evaluation of the tenders in accordance with the award criterion/criteria set and with the weighting fixed for them.

All tenderers who have submitted admissible tenders shall be invited simultaneously by electronic means to submit new prices and/or new values; the invitation shall contain all relevant information concerning individual connection to the electronic equipment being used and shall state the date and time of the start of the electronic auction. The electronic auction may take place in a number of successive phases. The electronic auction may not start sooner than two working days after the date on which invitations are sent out.

5. When the contract is to be awarded on the basis of the most economically advantageous tender, the invitation shall be accompanied by the outcome of the full evaluation of the relevant tenderer, carried out in accordance with the weighting provided for in the first subparagraph of *Article 56(2)*.

The invitation shall also state the mathematical formula to be used in the electronic auction to determine automatic rerankings on the basis of the new prices and/or new values submitted. That formula shall incorporate the weighting of all the criteria fixed to determine the most economically advantageous tender, as indicated in the contract notice or in the specifications; for that purpose, any ranges shall, however, be reduced beforehand to a specified value.

Where variants are authorised, a separate formula shall be provided for each variant.

6. Throughout each phase of an electronic auction the contracting authorities shall instantaneously communicate to all tenderers at least sufficient information to enable them to ascertain their relative rankings at any moment. They may also communicate other information concerning other prices or values submitted, provided that that is stated in the specifications. They may also at any time announce the number of participants in that phase of the auction. In no case, however, may they disclose the identities of the tenderers during any phase of an electronic auction.

7. The contracting authorities shall close an electronic auction in one or more of the following manners:

- a) in the invitation to take part in the auction they shall indicate the date and time fixed in advance;
- b) when they receive no more new prices or new values which meet the requirements concerning minimum differences. In that event, the contracting authorities shall state in the invitation to take part in the auction the time which they will allow to elapse after receiving the last submission before they close the electronic auction;
- c) when the number of phases in the auction, fixed in the invitation to take part in the auction, has been completed.

Wednesday 2 July 2003

When the contracting authorities have decided to close an electronic auction in accordance with subparagraph (c), possibly in combination with the arrangements laid down in subparagraph (b), the invitation to take part in the auction shall indicate the timetable for each phase of the auction.

8. When they have closed an electronic auction the contracting authorities shall award the contract in accordance with *Article 56* on the basis of the results of the electronic auction.

The contracting authorities may not have improper recourse to electronic auctions nor may they use them in such a way as to prevent, restrict or distort competition or to change the subject of the contract, as put up for tender in the published contract notice and defined in the specification.

Article 58

Abnormally low tenders

1. If, for a given contract, tenders appear to be abnormally low in relation to the goods, works or services, the contracting authority shall, before it may reject those tenders, request in writing details of the constituent elements of the tender which it considers relevant.

Those details may relate in particular to:

- a) the economics of the construction method, the manufacturing process or the services provided;
- b) the technical solutions chosen and/or the exceptionally favourable conditions available to the tenderer for the execution of the work, for the supply of the goods or services;
- c) the originality of the work, supplies or services proposed by the tenderer;
- d) compliance with the provisions relating to employment protection and working conditions in force at the place where the work, service or supply is to be performed.
- e) the possibility of the tenderer obtaining State aid.

2. The contracting authority shall verify those constituent elements by consulting the tenderer, taking account of the evidence supplied.

3. Where a contracting authority establishes that a tender is abnormally low on grounds that the tenderer has obtained a State aid, the tender can only be rejected on those grounds alone after consultation with the tenderer where the latter is unable to prove, within a sufficient time-limit fixed by the contracting authority, that the aid in question was granted legally. Where the contracting authority rejects a tender in these circumstances, it shall inform the Commission of that fact.

TITLE III

Rules on public works concessions

CHAPTER I

Rules governing public works concessions

Article 59

Scope

This Chapter shall apply to all public works concession contracts concluded by the contracting authorities where the value of the contracts is equal to or greater than EUR 6 242 000.

The value shall be calculated in accordance with the rules applicable to public works contracts defined in *Article 10*.

Wednesday 2 July 2003

Article 60

Exclusions from the scope

This Title shall not apply to public works concessions which are awarded:

- a) in the same cases referred to in *Articles 15, 16 and 17* of this Directive in respect of public works contracts;
- b) by contracting authorities exercising one or more of the activities referred to in *Articles 3 to 7* of Directive 2003/.../EC [*coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors*] where those concessions are awarded for carrying out those activities.

However, this Directive shall continue to apply to public works concessions awarded by contracting authorities carrying out one or more of the activities referred to in *Article 6* of Directive 2003/.../EC [*coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors*] and awarded for those activities, insofar as the Member State concerned takes advantage of the option referred to in the second subparagraph of *Article 72(1)* thereof to defer its application.

Article 61

Publication of the notice concerning public works concessions

1. Contracting authorities which wish to award a public works concession contract shall make known their intention by means of a notice.
2. Notices of public works concessions shall contain the information referred to in Annex VII C and, where appropriate, any other information deemed useful by the contracting authority, in accordance with the standard forms adopted by the Commission pursuant to the procedure in *Article 80(2)*.
3. Notices shall be published in accordance with *Article 38(2) to (8)*.
4. *Article 39* on the publication of notices shall also apply to public works concessions.

Article 62

Time limit

When contracting authorities resort to a public works concession, the time limit for the presentation of applications for the concession shall be not less than 52 days from the date of dispatch of the notice, except where *Article 40(5)* applies.

Article 40(7) shall apply.

Article 63

Subcontracting

The contracting authority may either:

- a) require the concessionaire to award contracts representing a minimum of 30 % of the total value of the work for which the concession contract is to be awarded, to third parties, at the same time providing the option for candidates to increase this percentage, this minimum percentage being specified in the concession contract, or
- b) request the candidates for concession contracts to specify in their tenders the percentage, if any, of the total value of the work for which the concession contract is to be awarded which they intend to assign to third parties.

Wednesday 2 July 2003

Article 64

Awarding of additional works to the concessionaire

This Directive shall not apply to additional works not included in the concession project initially considered or in the initial contract but which have, through unforeseen circumstances, become necessary for the performance of the work described therein, which the contracting authority has awarded to the concessionaire, on condition that the award is made to the economic operator performing such work:

- when such additional works cannot be technically or economically separated from the initial contract without major inconvenience to the contracting authorities, or
- when such works, although separable from the performance of the initial contract, are strictly necessary for its completion.

However, the aggregate value of contracts awarded for additional works may not exceed 50 % of the amount of the original works concession contract.

CHAPTER II

Rules on contracts awarded by concessionaires which are contracting authorities

Article 65

Rules applicable

Where the concessionaire is a contracting authority as referred to in Article 1(9), it shall comply with the provisions laid down by this Directive for public works contracts in the case of works to be carried out by third parties.

CHAPTER III

Rules applicable to contracts awarded by concessionaires which are not contracting authorities

Article 66

Advertising rules: threshold and exceptions

1. The Member States shall take the necessary measures to ensure that public works concessionaires which are not contracting authorities apply the advertising rules defined in *Article 67* when awarding works contracts to third parties where the value of such contracts is equal to or greater than EUR 6 242 000.

Advertising shall not, however, be required where a works contract satisfies the conditions listed in *Article 33*.

The values of contracts shall be calculated in accordance with the rules applicable to public works contracts laid down in *Article 10*.

2. Groups of undertakings which have been formed to obtain the concession or undertakings related to them shall not be considered third parties.

'Related undertaking' shall mean any undertaking over which the concessionaire can exert a dominant influence, whether directly or indirectly, or any undertaking which can exert a dominant influence on the concessionaire or which, as the concessionaire, is subject to the dominant influence of another undertaking as a result of ownership, financial participation or the rules which govern it. A dominant influence on the part of an undertaking is presumed when, directly or indirectly in relation to another undertaking, it:

Wednesday 2 July 2003

- a) holds a majority of the undertaking's subscribed capital,
- b) controls a majority of the votes attached to the shares issued by the undertaking, or
- c) can appoint more than half of the undertaking's administrative, management or supervisory body.

The exhaustive list of such undertakings shall be included in the application for the concession. That list shall be brought up to date following any subsequent changes in the relationship between the undertakings.

Article 67

Publication of the notice

1. Works concessionaires which are not contracting authorities and which wish to award works contracts to a third party shall make known their intention by way of a notice.
2. Notices shall contain the information referred to in Annex VII C and, where appropriate, any other information deemed useful by the works concessionaire, in accordance with the standard form adopted by the Commission in accordance with the procedure in *Article 80(2)*.
3. The notice shall be published in accordance with *Article 38(2)* to (8).
4. *Article 39* on the voluntary publication of notices shall also apply.

Article 68

Time limit for the receipt of requests to participate and receipt of tenders

In works contracts awarded by a works concessionaire which is not a contracting authority, the time limit for the receipt of requests to participate, fixed by the concessionaire, shall be not less than 37 days from the date on which the contract notice was dispatched and the time limit for the receipt of tenders not less than 40 days from the date on which the contract notice or the invitation to tender was dispatched.

Article 40(5), (6) and (7) shall apply.

TITLE IV

Rules governing design contests

Article 69

General provisions

1. The rules for the organisation of design contests shall be in conformity with *Articles 69 to 77* and shall be communicated to those interested in participating in the contest.
2. The admission of participants to design contests shall not be limited:
 - a) by reference to the territory or part of the territory of a Member State;
 - b) on the grounds that, under the law of the Member State in which the contest is organised, they would have been required to be either natural or legal persons.

Wednesday 2 July 2003

Article 70

Scope

1. In accordance with this Title, design contests shall be organised by:
 - a) contracting authorities which are listed as central government authorities in Annex IV, starting from a threshold equal to or greater than EUR 162 000;
 - b) contracting authorities not listed in Annex IV, starting from a threshold equal to or greater than EUR 249 000;
 - c) by all the contracting authorities, starting from a threshold equal to or greater than EUR 249 000 where contests concern services in category 8 of Annex IIA, category 5 telecommunications services, the positions of which in the CPV are equivalent to reference Nos CPC 7524, 7525 and 7526 and/or services listed in Annex IIB.
2. This Title shall apply to:
 - a) design contests organised as part of a procedure leading to the award of a public service contract;
 - b) design contests with prizes and/or payments to participants.

In the cases referred to in (a) the threshold refers to the estimated value net of VAT of the public services contract, including any possible prizes and/or payments to participants.

In the cases referred to in (b), the threshold refers to the total amount of the prizes and payments, including the estimated value net of VAT of the public services contract which might subsequently be concluded under *Article 33(3)* if the contracting authority does not exclude such an award in the contest notice.

Article 71

Exclusions from the scope

This Title shall not apply to:

- a) design contests within the meaning of Directive 2003/.../EC [*coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors*] which are organised by contracting authorities exercising one or more of the activities referred to in Articles 3 to 7 of that Directive and are organised for the pursuit of such activities; nor shall it apply to contests excluded from the scope of this Directive;

However, this Directive shall continue to apply to design contests awarded by contracting authorities carrying out one or more of the activities referred to in Article 6 of Directive 2003/.../EC [*coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors*] and awarded for those activities, insofar as the Member State concerned takes advantage of the option referred to in the second subparagraph of *Article 72(1)* thereof to defer its application.

- b) contests which are organised in the same cases as those referred to in *Articles 15, 16 and 17* of this Directive for public service contracts.

Article 72

Notices

1. Contracting authorities which wish to carry out a design contest shall make known their intention by means of a contest notice.

Wednesday 2 July 2003

2. Contracting authorities which have held a design contest shall send a notice of the results of the contest in accordance with *Article 38* and must be able to prove the date of dispatch.

Where the release of information on the outcome of the contest would impede law enforcement, be contrary to the public interest, prejudice the legitimate commercial interests of a particular enterprise, whether public or private, or might prejudice fair competition between service providers, such information need not be published.

3. *Article 39* concerning publication of notices shall also apply to contests.

Article 73

Form and manner of publication of notices of contests

1. The notices referred to in *Article 72* shall contain the information referred to in Annex VII D in accordance with the standard model notices adopted by the Commission in accordance with the procedure in *Article 80(2)*.

2. The notices shall be published in accordance with *Article 38(2)* to (8).

Article 74

Means of communication

1. *Article 44(1)*, (2) and (4) shall apply to all communications relating to contests.

2. Communications, exchanges and the storage of information shall be such as to ensure that the integrity and the confidentiality of all information communicated by the participants in a contest are preserved and that the jury ascertains the contents of plans and projects only after the expiry of the time limit for their submission.

3. The following rules shall apply to the devices for the electronic receipt of plans and projects:

- a) the information relating to the specifications which is necessary for the presentation of plans and projects by electronic means, including encryption, shall be available to the parties concerned. In addition, the devices for the electronic receipt of plans and projects shall comply with the requirements of Annex X;
- b) the Member States may introduce or maintain voluntary arrangements for accreditation intended to improve the level of the certification service provided for such devices.

Article 75

Selection of competitors

Where design contests are restricted to a limited number of participants, the contracting authorities shall lay down clear and non-discriminatory selection criteria. In any event, the number of candidates invited to participate shall be sufficient to ensure genuine competition.

Article 76

Composition of the jury

The jury shall be composed exclusively of natural persons who are independent of participants in the contest. Where a particular professional qualification is required from participants in a contest, at least a third of the members of the jury shall have that qualification or an equivalent qualification.

Wednesday 2 July 2003

Article 77

Decisions of the jury

1. The jury shall be autonomous in its decisions or opinions.
2. It shall examine the plans and projects submitted by the candidates anonymously and solely on the basis of the criteria indicated in the contest notice.
3. It shall record its ranking of projects in a report, signed by its members, made according to the merits of each project, together with its remarks and any points which may need clarification.
4. Anonymity must be observed until the jury has reached its opinion or decision.
5. Candidates may be invited, if need be, to answer questions which the jury has recorded in the minutes to clarify any aspects of the projects.
6. Complete minutes shall be drawn up of the dialogue between jury members and candidates.

TITLE V

Statistical obligations, executory powers and final provisions

Article 78

Statistical obligations

In order to permit assessment of the results of applying this Directive, Member States shall forward to the Commission a statistical report, prepared in accordance with *Article 79* separately addressing public supply, services and works contracts awarded by contracting authorities during the preceding year, by no later than 31 October of each year.

Article 79

Content of statistical report

1. For each contracting authority listed in Annex IV, the statistical report shall detail at least:
 - a) the number and value of awarded contracts covered by this Directive;
 - b) the number and total value of contracts awarded pursuant to derogations to the Agreement.

As far as possible, the data referred to in point (a) of the first subparagraph shall be broken down by:

- a) the contract award procedures used, and
- b) for each of these procedures, works as given in Annex I and products and services as given in Annex II identified by category of the CPV nomenclature.
- c) the nationality of the economic operator to which the contract was awarded.

Where the contracts have been concluded according to the negotiated procedure, the data referred to in point (a) of the first subparagraph shall also be broken down according to the circumstances referred to in *Articles 32 and 33* and shall specify the number and value of contracts awarded, by Member State and third country of the successful contractor.

Wednesday 2 July 2003

2. For each category of contracting authority which is not given in Annex IV, the statistical report shall detail at least:

- a) the number and value of the contracts awarded, broken down in accordance with the second subparagraph of paragraph 1;
- b) the total value of contracts awarded pursuant to derogations to the Agreement.

3. The statistical report shall set out any other statistical information which is required under the Agreement.

The information referred to in the first subparagraph shall be determined pursuant to the procedure under Article 80(2).

Article 80

Advisory Committee

1. The Commission shall be assisted by the Advisory Committee for Public Contracts set up by Article 1 of Decision 71/306/EEC⁽¹⁾ (hereinafter referred to as 'the Committee').

2. Where reference is made to this paragraph, Articles 3 and 7 of Decision 1999/468/EC shall apply, in compliance with Article 8 thereof.

3. The Committee shall adopt its rules of procedure.

Article 81

Revision of the thresholds

1. The Commission shall verify the thresholds established in Article 8 every two years from the entry into force of this Directive and shall, if necessary, revise them in accordance with the procedure laid down in Article 80(2).

The calculation of the value of these thresholds shall be based on the average daily value of the euro, expressed in SDRs, over the 24 months terminating on the last day of August preceding the revision with effect from 1 January. The value of the thresholds thus revised shall, where necessary, be rounded down to the nearest thousand euro so as to ensure that the thresholds in force provided for by the Agreement, expressed in SDRs, are observed.

2. At the same time as the revision under paragraph 1, the Commission, in accordance with the procedure under Article 80(2), shall align:

- a) the thresholds established in (a) of the first subparagraph of Article 9, in Article 59 and in the first subparagraph of Article 66(1) on the revised threshold applying to public works contracts;
- b) the thresholds established in (b) of the first subparagraph of Article 9, and in Article 70(1)(a) on the revised threshold applying to public service contracts concluded by the contracting authorities referred to in Annex IV;
- c) the threshold established in Article 70(1)(b) and (c) on the revised threshold applying to public service contracts awarded by the contracting authorities not included in Annex IV.

⁽¹⁾ OJ L 185, 16.8.1971, p. 15. Decision as amended by Decision 77/63/EEC (OJ L 13, 15.1.1977, p. 15).

Wednesday 2 July 2003

3. The value of the thresholds set pursuant to paragraph 1 in the national currencies of the Member States which are not participating in monetary union is normally to be adjusted every two years from 1 January 2004 onwards. The calculation of such value shall be based on the average daily values of those currencies expressed in euro over the 24 months terminating on the last day of August preceding the revision with effect from 1 January.

4. The revised thresholds referred to in paragraph 1 and their corresponding values in the national currencies referred to in paragraph 3 shall be published by the Commission in the Official Journal of the European Communities at the beginning of the month of November following their revision.

Article 82
Amendments

In accordance with the procedure referred to in *Article 80(2)*, the Commission may amend:

- a) the technical procedures for the calculation methods set out in the second subparagraph of *Article 81(1)* and (3);
- b) the procedures for the drawing-up, transmission, receipt, translation, collection and distribution of the notices referred to in *Articles 37, 61, 67 and 72* and the statistical reports provided for in the fourth subparagraph of *Article 37(4)*, and in *Articles 78 and 79*;
- c) procedures for specific reference to specific positions in the CPV nomenclature in the notices;
- d) the lists of bodies and categories of bodies governed by public law in Annex III, when, on the basis of the notifications from the Member States, these prove necessary;
- e) the lists of central government authorities in Annex IV, following the adaptations necessary to give effect to the Agreement;
- f) the reference numbers in the nomenclature set out in Annex I, insofar as this does not change the material scope of this Directive, and the procedures for reference to particular positions of this nomenclature in the notices;
- g) the reference numbers in the nomenclature set out in Annex II, insofar as this does not change the material scope of this Directive, and the procedures for reference in the notices to particular positions in this nomenclature within the categories of services listed in the Annex;
- h) the procedure for sending and publishing data referred to in Annex VIII, on grounds of technical progress or for administrative reasons;
- i) the technical details and characteristics of the devices for electronic receipt referred to in points (a), (f) and (g) of Annex X.

Article 83
Implementation

1. The Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive no later than ... (*). They shall forthwith inform the Commission thereof.

(*) 21 months after the entry into force of this Directive.

Wednesday 2 July 2003

When Member States adopt these measures, they shall contain a reference to this Directive or be accompanied by such reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 84

Monitoring mechanisms

Member States shall establish effective, open and transparent mechanisms to ensure implementation of this Directive by contracting authorities operating on their territory.

These mechanisms may include, inter alia, the establishment of an independent Public Procurement Agency with the powers to monitor contracting processes, to ensure that all stages of a contract award are properly completed and to intervene, as appropriate, where the procedures required by this Directive are not being followed. The independent agency should be given powers to enforce compliance, including, inter alia, the setting aside of contract awards or the re-opening of a contracting process. These powers should be subject to an independent appeals procedure open to contracting authorities and potential suppliers and should not preclude the right of contracting parties to take legal action.

Article 85

Repeals

Directive 92/50/EEC, except for Article 43 thereof, and Directives 93/36/EEC and 93/37/EEC shall be repealed with effect from the date shown in Article 83, without prejudice to the obligations of the Member States concerning the deadlines for transposition and application set out in Annex XI.

References to the repealed Directives shall be construed as references to this Directive and shall be read in accordance with the correlation table in Annex XII.

Article 86

Entry into force

This Directive shall enter into force on the day of its publication in the Official Journal of the European Union.

Article 87

Addressees

This Directive is addressed to the Member States.

Done at

For the European Parliament
The President

For the Council
The President

Wednesday 2 July 2003

ANNEX ILIST OF THE ACTIVITIES REFERRED TO IN ARTICLE 1(2), POINT (b) ⁽¹⁾

NACE ⁽²⁾					CPV code
SECTION F			CONSTRUCTION		
Division	Group	Class	Subject	Notes	
45			Construction	This division includes: construction of new buildings and works, restoring and common repairs	45000000
	45.1		Site preparation		45100000
		45.11	Demolition and wrecking of buildings; earth moving	This class includes: — demolition of buildings and other structures — clearing of building sites — earth moving: excavation, land-fill, levelling and grading of construction sites, trench digging, rock removal, blasting, etc. — site preparation for mining: — overburden removal and other development and preparation of mineral properties and sites This class also includes: — building site drainage — drainage of agricultural or forestry land	45110000
		45.12	Test drilling and boring	This class includes: — test drilling, test boring and core sampling for construction, geophysical, geological or similar purposes This class excludes: — drilling of production oil or gas wells, see 11.20 — water well drilling, see 45.25 — shaft sinking, see 45.25 — oil and gas field exploration, geophysical, geological and seismic surveying, see 74.20	45120000

⁽¹⁾ In the event of any difference of interpretation between the CPV and the NACE, the NACE nomenclature will apply.
⁽²⁾ Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Community (OJ L 293, 24.10.1990, p. 1), as amended by Commission Regulation (EC) No 29/2002 (OJ L 6, 10.1.2002, p. 3).

Wednesday 2 July 2003

NACE ⁽¹⁾					CPV code
SECTION F			CONSTRUCTION		
Division	Group	Class	Subject	Notes	
	45.2		Building of complete constructions or parts thereof; civil engineering		45200000
		45.21	General construction of buildings and civil engineering works	<p>This class includes:</p> <ul style="list-style-type: none"> — construction of all types of buildings — construction of civil engineering constructions: — bridges, including those for elevated highways, viaducts, tunnels and subways — long-distance pipelines, communication and power lines urban pipelines, urban communication and powerlines; ancillary urban works — assembly and erection of prefabricated constructions on the site <p>This class excludes:</p> <ul style="list-style-type: none"> — service activities incidental to oil and gas extraction, see 11.20 — erection of complete prefabricated constructions from self-manufactured parts not of concrete, see divisions 20, 26 and 28 — construction work, other than buildings, for stadiums, swimming pools, gymnasiums, tennis courts, golf courses and other sports installations, see 45.23 — building installation, see 45.3 — building completion, see 45.4 — architectural and engineering activities, see 74.20 — project management for construction, see 74.20 	45210000
		45.22	Erection of roof covering and frames	<p>This class includes:</p> <ul style="list-style-type: none"> — erection of roofs — roof covering — waterproofing 	45220000

⁽¹⁾ Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Community (OJ L 293, 24.10.1990, p. 1), as amended by Commission Regulation (EC) No 29/2002 (OJ L 6, 10.1.2002, p. 3).

Wednesday 2 July 2003

NACE ⁽¹⁾					CPV code
SECTION F		CONSTRUCTION			
Division	Group	Class	Subject	Notes	
		45.23	Construction of highways, roads, airfields and sport facilities	<p>This class includes:</p> <ul style="list-style-type: none"> — construction of highways, streets, roads, other vehicular and pedestrian ways — construction of railways — construction of airfield runways — construction work, other than buildings, for stadiums, swimming pools, gymnasiums, tennis courts, golf courses and other sports installations — painting of markings on road surfaces and car parks <p>This class excludes:</p> <ul style="list-style-type: none"> — preliminary earth moving, see 45.11 	45230000
		45.24	Construction of water projects	<p>This class includes:</p> <ul style="list-style-type: none"> — construction of: — waterways, harbour and river works, pleasure ports (marinas), locks, etc. — dams and dykes — dredging — subsurface work 	45240000
		45.25	Other construction work involving special trades	<p>This class includes:</p> <ul style="list-style-type: none"> — construction activities specialising in one aspect common to different kinds of structures, requiring specialised skill or equipment: — construction of foundations, including pile driving — water well drilling and construction, shaft sinking — erection of non-self-manufactured steel elements — steel bending — bricklaying and stone setting — scaffolds and work platform erecting and dismantling, including renting of scaffolds and work platforms — erection of chimneys and industrial ovens <p>This class excludes:</p> <ul style="list-style-type: none"> — renting of scaffolds without erection and dismantling, see 71.32 	45250000

⁽¹⁾ Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Community (OJ L 293, 24.10.1990, p. 1), as amended by Commission Regulation (EC) No 29/2002 (OJ L 6, 10.1.2002, p. 3).

Wednesday 2 July 2003

NACE ⁽¹⁾					CPV code
SECTION F		CONSTRUCTION			
Division	Group	Class	Subject	Notes	
	45.3		Building installation		45300000
		45.31	Installation of electrical wiring and fittings	This class includes: — installation in buildings or other construction projects of: — electrical wiring and fittings — telecommunications systems — electrical heating systems — residential antennas and aerials — fire alarms — burglar alarm systems — lifts and escalators — lightning conductors, etc.	45310000
		45.32	Insulation work activities	This class includes: — installation in buildings or other construction projects of thermal, sound or vibration insulation This class excludes: — waterproofing, see 45.22	45320000
		45.33	Plumbing	This class includes: — installation in buildings or other construction projects of: — plumbing and sanitary equipment — gas fittings — heating, ventilation, refrigeration or air-conditioning equipment and ducts — sprinkler systems This class excludes: — installation of electrical heating systems, see 45.31	45330000

⁽¹⁾ Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Community (OJ L 293, 24.10.1990, p. 1), as amended by Commission Regulation (EC) No 29/2002 (OJ L 6, 10.1.2002, p. 3).

Wednesday 2 July 2003

NACE ⁽¹⁾					CPV code
SECTION F	CONSTRUCTION				
Division	Group	Class	Subject	Notes	
		45.34	Other building installation	This class includes: — installation of illumination and signalling systems for roads, railways, airports and harbours — installation in buildings or other construction projects of fittings and fixtures n.e.c.	45340000
	45.4		Building completion		45400000
		45.41	Plastering	This class includes: — application in buildings or other construction projects of interior and exterior plaster or stucco, including related lathing materials	45410000
		45.42	Joinery installation	This class includes: — installation of non self-manufactured doors, windows, door and window frames, fitted kitchens, staircases, shop fittings and the like, of wood or other materials — interior completion such as ceilings, wooden wall coverings, movable partitions, etc. This class excludes: — laying of parquet and other wood floor coverings, see 45.43	45420000

⁽¹⁾ Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Community (OJ L 293, 24.10.1990, p. 1), as amended by Commission Regulation (EC) No 29/2002 (OJ L 6, 10.1.2002, p. 3).

Wednesday 2 July 2003

NACE ⁽¹⁾					CPV code
SECTION F			CONSTRUCTION		
Division	Group	Class	Subject	Notes	
		45.43	Floor and wall covering	<p>This class includes:</p> <ul style="list-style-type: none"> — laying, tiling, hanging or fitting in buildings or other construction projects of: — ceramic, concrete or cut stone wall or floor tiles — parquet and other wood floor coverings — carpets and linoleum floor coverings, including of rubber or plastic — terrazzo, marble, granite or slate floor or wall coverings — wallpaper 	45430000
		45.44	Painting and glazing	<p>This class includes:</p> <ul style="list-style-type: none"> — interior and exterior painting of buildings — painting of civil engineering structures — installation of glass, mirrors, etc <p>This class excludes:</p> <ul style="list-style-type: none"> — Installation of windows, see 45.42 	45440000
		45.45	Other building completion	<p>This class includes:</p> <ul style="list-style-type: none"> — installation of private swimming pools — steam cleaning, sand blasting and similar activities for building exteriors — other building completion and finishing work n.e.c <p>This class excludes:</p> <ul style="list-style-type: none"> — interior cleaning of buildings and other structures, see 74.70 	45450000

⁽¹⁾ Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Community (OJ L 293, 24.10.1990, p. 1), as amended by Commission Regulation (EC) No 29/2002 (OJ L 6, 10.1.2002, p. 3).

Wednesday 2 July 2003

NACE ⁽¹⁾					CPV code
SECTION F			CONSTRUCTION		
Division	Group	Class	Subject	Notes	
	45.5		Renting of construction or demolition equipment with operator		45500000
		45.50	Renting of construction or demolition equipment with operator	This class excludes: — renting of construction or demolition machinery and equipment without operators, see 71.32	

ANNEX II

SERVICES REFERRED TO IN ARTICLE 1(2)(d)

ANNEX II A ⁽²⁾

Category No	Subject	CPC Reference No ⁽³⁾	CPV Reference No
1	Maintenance and repair services	6112, 6122, 633, 886	From 50100000 to 50982000 (except for 50310000 to 50324200 and 50116510-9, 50190000-3, 50229000-6, 50243000-0)
2	Land transport services ⁽⁴⁾ , including armoured car services, and courier services, except transport of mail	712 (except 71235), 7512, 87304	From 60112000-6 to 60129300-1 (except 60121000 to 60121600, 60122200-1, 60122230-0), and from 64120000-3 to 64121200-2
3	Air transport services of passengers and freight, except transport of mail	73 (except 7321)	From 62100000-3 to 62300000-5 (except 62121000-6, 62221000-7)
4	Transport of mail by land ⁽⁴⁾ and by air	71235, 7321	60122200-1, 60122230-0 62121000-6, 62221000-7

⁽¹⁾ Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Community (OJ L 293, 24.10.1990, p. 1), as amended by Commission Regulation (EC) No 29/2002 (OJ L 6, 10.1.2002, p. 3).

⁽²⁾ In the event of any difference of interpretation between the CPV and the CPC, the CPC nomenclature will apply.

⁽³⁾ CPC Nomenclature (provisional version), used to define the scope of Directive 92/50/EEC.

⁽⁴⁾ Except for rail transport services covered by category 18.

Wednesday 2 July 2003

Category No	Subject	CPC Reference No ⁽¹⁾	CPV Reference No
5	Telecommunications services	752	From 64200000-8 to 64228200-2, 72318000-7, and from 72530000-9 to 72532000-3
6	Financial services: (a) Insurances services (b) Banking and investment services ⁽²⁾	ex 81, 812, 814	From 66100000-1 to 66430000-3 and From 67110000-1 to 67262000-1 ¹
7	Computer and related services	84	From 50300000-8 to 50324200-4, From 72100000-6 to 72591000-4 (except 72318000-7 and from 72530000-9 to 72532000-3)
8	Research and development services ⁽³⁾	85	From 73000000-2 to 73300000-5 (except 73200000-4, 73210000-7, 7322000-0)
9	Accounting, auditing and bookkeeping services	862	From 74121000-3 to 74121250-0
10	Market research and public opinion polling services	864	From 74130000-9 to 74133000-0, and 74423100-1, 74423110-4
11	Management consulting services ⁽⁴⁾ and related services	865, 866	From 73200000-4 to 73220000-0, From 74140000-2 to 74150000-5 (except 74142200-8), and 74420000-9, 74421000-6, 74423000-0, 74423200-2, 74423210-5, 74871000-5, 93620000-0

⁽¹⁾ CPC Nomenclature (provisional version), used to define the scope of Directive 92/50/EEC.

⁽²⁾ Except financial services in connection with the issue, sale, purchase or transfer of securities or other financial instruments, and central bank services.

Also excluded: services involving the acquisition or rental, by whatever financial procedures, of land, existing buildings, or other immovable property or concerning rights thereon; nevertheless, financial services supplied at the same time as, before or after the contract of acquisition or rental, in whatever form, shall be subject to this Directive.

⁽³⁾ Except research and development services other than those where the benefits accrue exclusively to the contracting authority for its use in the conduct of its own affairs on condition that the service provided is wholly remunerated by the contracting authority.

⁽⁴⁾ Except arbitration and conciliation services

Wednesday 2 July 2003

Category No	Subject	CPC Reference No ⁽¹⁾	CPV Reference No
12	Architectural services; engineering services and integrated engineering services; urban planning and landscape engineering services; related scientific and technical consulting services; technical testing and analysis services	867	From 74200000-1 to 74276400-8, and From 74310000-5 to 74323100-0, and 74874000-6
13	Advertising services	871	From 74400000-3 to 74422000-3 (except 74420000-9 and 74421000-6)
14	Building-cleaning services and property management services	874, 82201 to 82206	From 70300000-4 to 70340000-6, and From 74710000-9 to 74760000-4
15	Publishing and printing services on a fee or contract basis	88442	From 78000000-7 to 78400000-1
16	Sewage and refuse disposal services; sanitation and similar services	94	From 90100000-8 to 90320000-6, and 50190000-3, 50229000-6, 50243000-0

ANNEX II B

Category No	Subject	CPC Reference No	CPV Reference No
17	Hotel and restaurant services	64	From 55000000-0 to 55524000-9, and From 93400000-2 to 93411000-2
18	Rail transport services	711	60111000-9, and from 60121000-2 to 60121600-8
19	Water transport services	72	From 61000000-5 to 61530000-9, and From 63370000-3 to 63372000-7
20	Supporting and auxiliary transport services	74	62400000-6, 62440000-8, 62441000-5, 62450000-1, From 63000000-9 to 63600000-5 (except 63370000-3, 63371000-0, 63372000-7), and 74322000-2, 93610000-7
21	Legal services	861	From 74110000-3 to 74114000-1

⁽¹⁾ CPC Nomenclature (provisional version), used to define the scope of Directive 92/50/EEC.

Wednesday 2 July 2003

Category No	Subject	CPC Reference No	CPV Reference No
22	Personnel placement and supply services ⁽¹⁾	872	From 74500000-4 to 74540000-6 (except 74511000-4), and from 95000000-2 to 95140000-5
23	Investigation and security services, except armoured car services	873 (except 87304)	From 74600000-5 to 74620000-1
24	Education and vocational education services	92	From 80100000-5 to 80430000-7
25	Health and social services	93	74511000-4, and from 85000000-9 to 85323000-9 (except 85321000-5 and 85322000-2)
26	Recreational, cultural and sporting services	96	From 74875000-3 to 74875200-5, and From 92000000-1 to 92622000-7 (except 92230000-2)
27	Other services ⁽²⁾		

⁽¹⁾ Except employment contracts.

⁽²⁾ Except contracts for the acquisition, development, production or co-production of programmes by broadcasting organisations and contracts for broadcasting time.

ANNEX III

LIST OF BODIES AND CATEGORIES OF BODIES GOVERNED BY PUBLIC LAW AS REFERRED TO IN THE SECOND SUBPARAGRAPH OF ARTICLE 1(9)

I. BELGIUM

Bodies

A

- Agence fédérale pour l'Accueil des demandeurs d'Asile — Federaal Agentschap voor Opvang van Asielzoekers
- Agence fédérale pour la Sécurité de la Chaîne alimentaire — Federaal Agentschap voor de Veiligheid van de Voedselketen
- Agence fédérale de Contrôle nucléaire — Federaal Agentschap voor nucleaire Controle
- Agence wallonne à l'Exportation
- Agence wallonne des Télécommunications
- Agence wallonne pour l'Intégration des Personnes handicapées
- Aquafin
- Arbeitsamt der Deutschsprachigen Gemeinschaft

Wednesday 2 July 2003

- Archives générales du Royaume et Archives de l'État dans les Provinces — Algemeen Rijksarchief en Rijksarchief in de Provinciën

Astrid

B

- Banque nationale de Belgique — Nationale Bank van België
- Belgisches Rundfunk- und Fernsehzentrum der Deutschsprachigen Gemeinschaft
- Berlaymont 2000
- Bibliothèque royale Albert Ier — Koninklijke Bibliotheek Albert I
- Bruxelles-Propreté — Agence régionale pour la Propreté — Net—Brussel — Gewestelijke Agentschap voor Netheid
- Bureau d'Intervention et de Restitution belge — Belgisch Interventie — en Restitutiebureau
- Bureau fédéral du Plan — Federaal Planbureau

C

- Caisse auxiliaire de Paiement des Allocations de Chômage — Hulpkas voor Werkloosheidsuitkeringen
- Caisse auxiliaire d'Assurance Maladie-Invalidité — Hulpkas voor Ziekte — en Invaliditeitsverzekeringen
- Caisse de Secours et de Prévoyance en Faveur des Marins — Hulp — en Voorzorgskas voor Zeevarenden
- Caisse de Soins de Santé de la Société Nationale des Chemins de Fer Belges — Kas der geneeskundige Verzorging van de Nationale Maatschappij der Belgische Spoorwegen
- Caisse nationale des Calamités — Nationale Kas voor Rampenschade
- Caisse spéciale de Compensation pour Allocations familiales en Faveur des Travailleurs occupés dans les Entreprises de Batellerie — Bijzondere Verrekenkas voor Gezinsvergoedingen ten Bate van de Arbeiders der Ondernemingen voor Binnenscheepvaart.
- Caisse spéciale de Compensation pour Allocations familiales en Faveur des Travailleurs occupés dans les Entreprises de Chargement, Déchargement et Manutention de Marchandises dans les Ports, Débarcadères, Entrepôts et Stations (appelée habituellement 'Caisse spéciale de Compensation pour Allocations familiales des Régions maritimes') — Bijzondere Verrekenkas voor Gezinsvergoedingen ten Bate van de Arbeiders gebezigd door Ladings — en Lossingsondernemingen en door de Stuwadoors in de Havens, Losplaatsen, Stapelplaatsen en Stations (gewoonlijk genoemd 'Bijzondere Compensatiekas voor Kindertoeslagen van de Zeevaartgewesten')
- Centre d'Etude de l'Énergie nucléaire — Studiecentrum voor Kernenergie
- Centre de recherches agronomiques de Gembloux
- Centre hospitalier de Mons
- Centre hospitalier de Tournai
- Centre hospitalier universitaire de Liège
- Centre informatique pour la Région de Bruxelles-Capitale — Centrum voor Informatica voor het Brusselse Gewest
- Centre pour l'Égalité des Chances et la Lutte contre le Racisme — Centrum voor Gelijkheid van Kansen en voor Racismebestrijding
- Centre régional d'Aide aux Communes
- Centrum voor Bevolkings- en Gezinsstudien
- Centrum voor landbouwkundig Onderzoek te Gent

Wednesday 2 July 2003

- Comité de Contrôle de l'Electricité et du Gaz — Controlecomité voor Elektriciteit en Gas
- Comité national de l'Énergie — Nationaal Comité voor de Energie
- Commissariat général aux Relations internationales
- Commissariaat-Generaal voor de Bevordering van de lichamelijke Ontwikkeling, de Sport en de Openluchtrecreatie
- Commissariat général pour les Relations internationales de la Communauté française de Belgique
- Conseil central de l'Economie — Centrale Raad voor het Bedrijfsleven
- Conseil économique et social de la Région wallonne
- Conseil national du Travail — Nationale Arbeidsraad
- Conseil supérieur de la Justice — Hoge Raad voor de Justitie
- Conseil supérieur des Indépendants et des petites et moyennes Entreprises — Hoge Raad voor Zelfstandigen en de kleine en middelgrote Ondernemingen
- Conseil supérieur des Classes moyennes
- Coopération technique belge — Belgische technische Coöperatie

D

- Dienststelle der Deutschsprachigen Gemeinschaft für Personen mit einer Behinderung
- Dienst voor de Scheepvaart
- Dienst voor Infrastructuurwerken van het gesubsidieerd Onderwijs
- Domus Flandria

E

- Entreprise publique des Technologies nouvelles de l'Information et de la Communication de la Communauté française
- Export Vlaanderen

F

- Financieringsfonds voor Schuldafbouw en Eenmalige Investeringsuitgaven
- Financieringsinstrument voor de Vlaamse Visserij- en Aquicultuursector
- Fonds bijzondere Jeugdbijstand
- Fonds communautaire de Garantie des Bâtiments scolaires
- Fonds culturele Infrastructuur
- Fonds de Participation
- Fonds de Vieillessement — Zilverfonds
- Fonds d'Aide médicale urgente — Fonds voor dringende geneeskundige Hulp
- Fonds de Construction d'Institutions hospitalières et médico-sociales de la Communauté française
- Fonds de Pension pour les Pensions de Retraite du Personnel statutaire de Belgacom — Pensioenfondsen voor de Rustpensioenen van het statutair Personeel van Belgacom
- Fonds des Accidents du Travail — Fonds voor Arbeidsongevallen
- Fonds des Maladies professionnelles — Fonds voor Beroepsziekten

Wednesday 2 July 2003

- Fonds d'Indemnisation des Travailleurs licenciés en cas de Fermeture d'Entreprises — Fonds tot Vergoeding van de in geval van Sluiting van Ondernemingen ontslagen Werknemers
- Fonds du Logement des Familles nombreuses de la Région de Bruxelles-Capitale — Woningfonds van de grote Gezinnen van het Brusselse hoofdstedelijk Gewest
- Fonds du Logement des Familles nombreuses de Wallonie
- Fonds Film in Vlaanderen
- Fonds national de Garantie des Bâtiments scolaires — Nationaal Waarborgfonds voor Schoolgebouwen
- Fonds national de Garantie pour la Réparation des Dégâts houillers — Nationaal Waarborgfonds inzake Kolenmijnenschade
- Fonds piscicole de Wallonie
- Fonds pour le Financement des Prêts à des États étrangers — Fonds voor Financiering van de Leningen aan Vreemde Staten
- Fonds pour la Rémunération des Mousses — Fonds voor Scheepsjongens
- Fonds régional bruxellois de Refinancement des Trésoreries communales — Brussels gewestelijk Herfinancieringsfonds van de gemeentelijke Thesaurieën
- Fonds voor flankerend economisch Beleid
- Fonds wallon d'Avances pour la Réparation des Dommages provoqués par des Pompages et des Prises d'Eau souterraine

G

- Garantiefonds der Deutschsprachigen Gemeinschaft für Schulbauten
- Grindfonds

H

- Herplaatsingfonds
- Het Gemeenschapsonderwijs
- Hulpfonds tot financieel Herstel van de Gemeenten

I

- Institut belge de Normalisation — Belgisch Instituut voor Normalisatie
- Institut belge des Services postaux et des Télécommunications — Belgisch Instituut voor Postdiensten en Telecommunicatie
- Institut bruxellois francophone pour la Formation professionnelle
- Institut bruxellois pour la Gestion de l'Environnement — Brussels Instituut voor Milieubeheer
- Institut d'Aéronomie spatiale — Instituut voor Ruimte — aëronomie
- Institut de Formation permanente pour les Classes moyennes et les petites et moyennes Entreprises
- Institut des Comptes nationaux — Instituut voor de nationale Rekeningen
- Institut d'Expertise vétérinaire — Instituut voor veterinaire Keuring
- Institut du Patrimoine wallon
- Institut für Aus-und Weiterbildung im Mittelstand und in kleinen und mittleren Unternehmen
- Institut géographique nationale — Nationaal geografisch Instituut

Wednesday 2 July 2003

- Institution pour le Développement de la Gazéification souterraine — Instelling voor de Ontwikkeling van -ondergrondse Vergassing-
 - Institution royale de Messine — Koninklijke Gesticht van Mesen
 - Institutions universitaires de droit public relevant de la Communauté flamande — Universitaire instellingen van publiek recht afhangende van de Vlaamse Gemeenschap
 - Institutions universitaires de droit public relevant de la Communauté française — Universitaire instellingen van publiek recht afhangende van de Franse Gemeenschap
 - Institut national d'Assurance Maladie-Invalidité — Rijksinstituut voor Ziekte — en Invaliditeitsverzekering
 - Institut national d'Assurances sociales pour Travailleurs indépendants — Rijksinstituut voor de sociale Verzekeringen der Zelfstandigen
 - Institut national des Industries extractives — Nationaal Instituut voor de Extractiebedrijven
 - Institut national de Recherche sur les Conditions de Travail — Nationaal Onderzoeksinstituut voor Arbeidsomstandigheden
 - Institut national des Invalides de Guerre, anciens Combattants et Victimes de Guerre — Nationaal Instituut voor Oorlogsinvaliden, Oudstrijders en Oorlogsslachtoffers
 - Institut national des Radioéléments — Nationaal Instituut voor Radio-Elementen
 - Institut national pour la Criminalistique et la Criminologie — Nationaal Instituut voor Criminalistiek en Criminologie
 - Institut pour l'Amélioration des Conditions de Travail — Instituut voor Verbetering van de Arbeidsvoorwaarden
 - Institut royal belge des Sciences naturelles — Koninklijk Belgisch Instituut voor Natuurwetenschappen
 - Institut royal du Patrimoine culturel — Koninklijk Instituut voor het Kunstpatrimonium
 - Institut royal météorologique de Belgique — Koninklijk meteorologisch Instituut van België
 - Institut scientifique de Service public en Région wallonne
 - Institut scientifique de la Santé publique — Louis Pasteur — Wetenschappelijk Instituut Volksgezondheid — Louis Pasteur
 - Instituut voor de Aanmoediging van Innovatie door Wetenschap en Technologie in Vlaanderen
 - Instituut voor Bosbouw en Wildbeheer
 - Instituut voor het archeologisch Patrimonium
 - Investeringsdienst voor de Vlaamse autonome Hogescholen
 - Investeringsfonds voor Grond- en Woonbeleid voor Vlaams-Brabant
- J
- Jardin botanique national de Belgique — Nationale Plantentuin van België
- K
- Kind en Gezin
 - Koninklijk Museum voor schone Kunsten te Antwerpen
- L
- Loterie nationale — Nationale Loterij

Wednesday 2 July 2003

M

- Mémorial national du Fort de Breendonk — Nationaal Gedenkteken van het Fort van Breendonk
- Musée royal de l'Afrique centrale — Koninklijk Museum voor Midden-Afrika
- Musées royaux d'Art et d'Histoire — Koninklijke Musea voor Kunst en Geschiedenis
- Musées royaux des Beaux-Arts de Belgique — Koninklijke Musea voor schone Kunsten van België

O

- Observatoire royal de Belgique — Koninklijke Sterrenwacht van België
- Office central d'Action sociale et culturelle du Ministère de la Défense — Centrale Dienst voor sociale en culturele Actie van het Ministerie van Defensie
- Office communautaire et régional de la Formation professionnelle et de l'Emploi
- Office de Contrôle des Assurances — Controledienst voor de Verzekeringen
- Office de Contrôle des Mutualités et des Unions nationales de Mutualités — Controledienst voor de Ziekenfondsen en de Landsbonden van Ziekenfondsen
- Office de la Naissance et de l'Enfance
- Office de Promotion du Tourisme
- Office de Sécurité sociale d'Outre-Mer — Dienst voor de overzeese sociale Zekerheid
- Office for Foreign Investors in Wallonia
- Office national d'Allocations familiales pour Travailleurs salariés — Rijksdienst voor Kinderbijslag voor Werknemers
- Office national de l'Emploi — Rijksdienst voor Arbeidsvoorziening
- Office national de Sécurité sociale — Rijksdienst voor sociale Zekerheid
- Office national de Sécurité sociale des Administrations provinciales et locales — Rijksdienst voor sociale Zekerheid van de provinciale en plaatselijke Overheidsdiensten
- Office national des Pensions — Rijksdienst voor Pensioenen
- Office national des Vacances annuelles — Rijksdienst voor jaarlijkse Vakantie
- Office national du Ducroire — Nationale Delcrederedienst
- Office régional bruxellois de l'Emploi — Brusselse gewestelijke Dienst voor Arbeidsbemiddeling
- Office régional de Promotion de l'Agriculture et de l'Horticulture
- Office régional pour le Financement des Investissements communaux
- Office wallon de la Formation professionnelle et de l'Emploi
- Openbaar psychiatrisch Ziekenhuis-Geel
- Openbaar psychiatrisch Ziekenhuis-Rekem
- Openbare Afvalstoffenmaatschappij voor het Vlaams Gewest
- Orchestre national de Belgique — Nationaal Orkest van België
- Organisme national des Déchets radioactifs et des Matières fissiles — Nationale Instelling voor radioactief Afval en Spleijstoffen

P

- Palais des Beaux-Arts — Paleis voor schone Kunsten
- Participatiemaatschappij Vlaanderen
- Pool des Marins de la Marine marchande — Pool van de Zeelieden der Koopvaardij

R

- Radio et Télévision belge de la Communauté française
- Régie des Bâtiments — Regie der Gebouwen
- Reproductiefonds voor de Vlaamse Musea

S

- Service d'Incendie et d'Aide médicale urgente de la Région de Bruxelles-Capitale — Brusselse hoofdstedelijk Dienst voor Brandweer en dringende medische Hulp
 - Société belge d'Investissement pour les pays en développement — Belgische Investeringsmaatschappij voor Ontwikkelingslanden
 - Société d'Assainissement et de Rénovation des Sites industriels dans l'Ouest du Brabant wallon
 - Société de Garantie régionale
 - Sociaal economische Raad voor Vlaanderen
 - Société du Logement de la Région bruxelloise et sociétés agréées — Brusselse Gewestelijke Huisvestingsmaatschappij en erkende maatschappijen
 - Société publique d'Aide à la Qualité de l'Environnement
 - Société publique d'Administration des Bâtiments scolaires bruxellois
 - Société publique d'Administration des Bâtiments scolaires du Brabant wallon
 - Société publique d'Administration des Bâtiments scolaires du Hainaut
 - Société publique d'Administration des Bâtiments scolaires de Namur
 - Société publique d'Administration des Bâtiments scolaires de Liège
 - Société publique d'Administration des Bâtiments scolaires du Luxembourg
 - Société publique de Gestion de l'Eau
 - Société wallonne du Logement et sociétés agréées
 - Sofibail
 - Sofibru
 - Sofico
- T
- Théâtre national
 - Théâtre royal de la Monnaie — De Koninklijke Muntchouwburg
 - Toerisme Vlaanderen
 - Tunnel Liefkenshoek

Wednesday 2 July 2003

U

— Universitair Ziekenhuis Gent

V

— Vlaams Commissariaat voor de Media

— Vlaamse Dienst voor Arbeidsbemiddeling en Beroepsopleiding

— Vlaams Egalisatie Rente Fonds

— Vlaamse Hogescholenraad

— Vlaamse Huisvestingsmaatschappij en erkende maatschappijen

— Vlaamse Instelling voor technologisch Onderzoek

— Vlaamse interuniversitaire Raad

— Vlaamse Landmaatschappij

— Vlaamse Milieuholding

— Vlaamse Milieumaatschappij

— Vlaamse Onderwijsraad

— Vlaamse Opera

— Vlaamse Radio — en Televisieomroep

— Vlaamse Reguleringsinstantie voor de Elektriciteit — en Gasmarkt

— Vlaamse Stichting voor Verkeerskunde

— Vlaams Fonds voor de Lastendelging

— Vlaams Fonds voor de Letteren

— Vlaams Fonds voor de sociale Integratie van Personen met een Handicap

— Vlaams Informatiecentrum over Land — en Tuinbouw

— Vlaams Infrastructuurfonds voor Persoonsgebonden Aangelegenheden

— Vlaams Instituut voor de Bevordering van het wetenschappelijk- en technologisch Onderzoek in de Industrie

— Vlaams Instituut voor Gezondheidspromotie

— Vlaams Instituut voor het Zelfstandig ondernemen

— Vlaams Landbouwinvesteringsfonds

— Vlaams Promotiecentrum voor Agro — en Visserijmarketing

— Vlaams Zorgfonds

— Vlaams Woningfonds voor de grote Gezinnen

II. DENMARK

Bodies

— Danmarks Radio

— Det landsdækkende TV2

Wednesday 2 July 2003

- Danmarks Nationalbank
- Sund og Bælt Holding A/S
- A/S Storebælt
- A/S Øresund
- Øresundskonsortiet
- Ørestadsselskabet I/S
- Byfornyelsesselskabet København
- Hovedstadsområdets Sygehusfællesskab
- Statens og Kommunernes Indkøbsservice
- Post Danmark
- Arbejdsmarkedets Tillægspension
- Arbejdsmarkedets Feriefond
- Lønmodtagernes Dyrtidsfond
- Naviair

Categories

- De Almene Boligorganisationer (social housing organisations),
- Lokale kirkelige myndigheder (local church administrations),
- Andre forvaltningssubjekter (other public administrative bodies).

III. GERMANY

1. Categories

Authorities, establishments and foundations governed by public law and created by Federal, State or local authorities particularly in the following fields:

1.1. Authorities

- Wissenschaftliche Hochschulen und verfasste Studentenschaften (universities and established student bodies),
- berufsständige Vereinigungen (Rechtsanwalts-, Notar-, Steuerberater-, Wirtschaftsprüfer-, Architekten-, Ärzte- und Apothekerkammern) [professional associations representing lawyers, notaries, tax consultants, accountants, architects, medical practitioners and pharmacists],
- Wirtschaftsvereinigungen (Landwirtschafts-, Handwerks-, Industrie- und Handelskammern, Handwerksinnungen, Handwerkerschaften) [business and trade associations: agricultural and craft associations, chambers of industry and commerce, craftsmen's guilds, tradesmen's associations],
- Sozialversicherungen (Krankenkassen, Unfall- und Rentenversicherungsträger) [social security institutions: health, accident and pension insurance funds],
- kassenärztliche Vereinigungen (associations of panel doctors),
- Genossenschaften und Verbände (cooperatives and other associations).

Wednesday 2 July 2003

1.2. Establishments and foundations

Non-industrial and non-commercial establishments subject to State control and operating in the general interest, particularly in the following fields:

- Rechtsfähige Bundesanstalten (Federal institutions having legal capacity),
- Versorgungsanstalten und Studentenwerke (pension organisations and students' unions),
- Kultur-, Wohlfahrts- und Hilfsstiftungen (cultural, welfare and relief foundations).

2. Legal persons governed by private law

Non-industrial and non-commercial establishments subject to State control and operating in the general interest, including kommunale Versorgungsunternehmen (municipal utilities), particularly in the following fields:

- Gesundheitswesen (Krankenhäuser, Kurmittelbetriebe, medizinische Forschungseinrichtungen, Untersuchungs- und Tierkörperbeseitigungsanstalten) [health: hospitals, health resort establishments, medical research institutes, testing and carcass-disposal establishments],
- Kultur (öffentliche Bühnen, Orchester, Museen, Bibliotheken, Archive, zoologische und botanische Gärten) [culture: public theatres, orchestras, museums, libraries, archives, zoological and botanical gardens],
- Soziales (Kindergärten, Kindertagesheime, Erholungseinrichtungen, Kinder- und Jugendheime, Freizeiteinrichtungen, Gemeinschafts- und Bürgerhäuser, Frauenhäuser, Altersheime, Obdachlosenunterkünfte) [social welfare: nursery schools, children's playschools, rest-homes, children's homes, hostels for young people, leisure centres, community and civic centres, homes for battered wives, old people's homes, accommodation for the homeless],
- Sport (Schwimmbäder, Sportanlagen und -einrichtungen) [sport: swimming baths, sports facilities],
- Sicherheit (Feuerwehren, Rettungsdienste) [safety: fire brigades, other emergency services],
- Bildung (Umschulungs-, Aus-, Fort- und Weiterbildungseinrichtungen, Volkshochschulen) [education: training, further training and retraining establishments, adult evening classes],
- Wissenschaft, Forschung und Entwicklung (Großforschungseinrichtungen, wissenschaftliche Gesellschaften und Vereine, Wissenschaftsförderung) [science, research and development: large-scale research institutes, scientific societies and associations, bodies promoting science],
- Entsorgung (Straßenreinigung, Abfall- und Abwasserbeseitigung) [refuse and garbage disposal services: street cleaning, waste and sewage disposal],
- Bauwesen und Wohnungswirtschaft (Stadtplanung, Stadtentwicklung, Wohnungsunternehmen, Wohnraumvermittlung) [building, civil engineering and housing: town planning, urban development, housing enterprises (insofar as they operate in the general interest), housing agency services],
- Wirtschaft (Wirtschaftsförderungsgesellschaften) (economy: organizations promoting economic development),
- Friedhofs- und Bestattungswesen (cemeteries and burial services),
- Zusammenarbeit mit den Entwicklungsländern (Finanzierung, technische Zusammenarbeit, Entwicklungshilfe, Ausbildung) [cooperation with developing countries: financing, technical cooperation, development aid, training].

IV. GREECE

Categories

1. Public enterprises and public entities

2. Legal persons governed by private law which are State-owned or which regularly receive at least 50 % of their annual budget in the form of State subsidies, pursuant to the rules applicable, or in which the State has a capital holding of at least 51 %.

3. Legal persons governed by private law which are owned by legal persons governed by public law, by local authorities of any level, including the Greek Central Association of Local Authorities (K.E.Δ.K.E.), by local associations of 'communes', (local administrative areas) or by public enterprises or entities, or by legal persons as referred to in b) or which regularly receive at least 50 % of their annual budget in the form of subsidies from such legal persons, pursuant to the rules applicable or to their own articles of association, or legal persons as referred to above which have a capital holding of at least 51 % in such legal persons governed by public law.

V. SPAIN

Categories

- Bodies and entities governed by public law which are subject to the 'Ley de Contratos de las Administraciones Públicas', [Spanish State legislation on procurement] other than those which are part of the Administración General del Estado (general national administration).
- Bodies and entities governed by public law which are subject to the 'Ley de Contratos de las Administraciones Públicas', other than those which are part of the Administración de las Comunidades Autónomas (administration of the autonomous regions).
- Bodies and entities governed by public law which are subject to the 'Ley de Contratos de las Administraciones Públicas', other than those which are part of the Corporaciones Locales (local authorities).
- Entidades Gestoras y los Servicios Comunes de la Seguridad Social (administrative entities and common services of the health and social services)

VI. FRANCE

Bodies

- Collège de France
- Conservatoire national des arts et métiers
- Observatoire de Paris
- Institut national d'histoire de l'art (INHA)
- Centre national de la recherche scientifique (CNRS)
- Institut national de la recherche agronomique (INRA)
- Institut national de la santé et de la recherche médicale (INSERM)
- Institut de recherche pour le développement (IRD)
- Agence nationale pour l'emploi (ANPE)
- Caisse nationale des allocations familiales (CNAF)
- Caisse nationale d'assurance maladie des travailleurs salariés (CNAMTS)
- Caisse nationale d'assurance vieillesse des travailleurs salariés (CNAVTS)
- Compagnies et établissements consulaires: chambres de commerce et d'industrie (CCI), chambres des métiers et chambres d'agriculture
- Office national des anciens combattants et victimes de guerre (ONAC)

Categories

1. National public bodies

- Agences de l'eau (water supply agencies)
- Écoles d'architecture (schools of architecture)
- Universités (universities)
- Instituts universitaires de formation des maîtres (IUFM) (Higher Education Teacher Training Institutes)

Wednesday 2 July 2003

2. Administrative public bodies at regional, departmental and local level

- collèges (secondary schools)
- lycées (secondary schools)
- établissements publics hospitaliers (public hospitals)
- offices publics d'habitations à loyer modéré (OPHLM) (public offices for low-cost housing)

3. Groupings of territorial authorities

- établissements publics de coopération intercommunale (public establishments for cooperation between local authorities)
- institutions interdépartementales et interrégionales (institutions common to more than one Département and interregional institutions).

VII. IRELAND

Bodies

- Enterprise Ireland [Marketing, technology and enterprise development]
- Forfás [Policy and advice for enterprise, trade, science, technology and innovation]
- Industrial Development Authority
- Enterprise Ireland
- FÁS [Industrial and employment training]
- Health and Safety Authority
- Bord Fáilte Éireann [Tourism development]
- CERT [Training in hotel, catering and tourism industries]
- Irish Sports Council
- National Roads Authority
- Údarás na Gaeltachta [Authority for Gaelic speaking regions]
- Teagasc [Agricultural research, training and development]
- An Bord Bia [Food industry promotion]
- An Bord Glas [Horticulture industry promotion]
- Irish Horseracing Authority
- Bord na gCon [Greyhound racing support and development]
- Marine Institute
- Bord Iascaigh Mhara [Fisheries Development]
- Equality Authority
- Legal Aid Board

Wednesday 2 July 2003

Categories

- Regional Health Boards
- Hospitals and similar institutions of a public character
- Vocational Education Committees
- Colleges and educational institutions of a public character
- Central and Regional Fisheries Boards
- Regional Tourism Organisations
- National Regulatory and Appeals bodies [such as in the telecommunications, energy, planning etc. areas]
- Agencies established to carry out particular functions or meet needs in various public sectors [e.g. Healthcare Materials Management Board, Health Sector Employers Agency, Local Government Computer Services Board, Environmental Protection Agency, National Safety Council, Institute of Public Administration, Economic and Social Research Institute, National Standards Authority etc.]
- Other public bodies falling within the definition of a body governed by public law in accordance with Article 1 (7) of this Directive.

VIII. ITALY

Bodies

- Società 'Stretto di Messina'
- Ente autonomo mostra d'oltremare e del lavoro italiano nel mondo
- Ente nazionale per l'aviazione civile — ENAC
- Ente nazionale per l'assistenza al volo — ENAV
- **ANAS S.p.a.**

Categories

- Enti portuali e aeroportuali (port and airport authorities),
- Consorzi per le opere idrauliche (consortia for water engineering works),
- Università statali, gli istituti universitari statali, i consorzi per i lavori interessanti le università (State universities, State university institutes, consortia for university development work),
- Istituzioni pubbliche di assistenza e di beneficenza (public welfare and benevolent institutions),
- Istituti superiori scientifici e culturali, osservatori astronomici, astrofisici, geofisici o vulcanologici (higher scientific and cultural institutes, astronomical, astrophysical, geophysical or vulcanological observatories),

Wednesday 2 July 2003

- Enti di ricerca e sperimentazione (organizations conducting research and experimental work),
- Enti che gestiscono forme obbligatorie di previdenza e di assistenza (agencies administering compulsory social security and welfare schemes),
- Consorzi di bonifica (land reclamation consortia),
- Enti di sviluppo e di irrigazione (development and irrigation agencies),
- Consorzi per le aree industriali (associations for industrial areas),
- Comunità montane (groupings of municipalities in mountain areas),
- Enti preposti a servizi di pubblico interesse (organisations providing services in the public interest),
- Enti pubblici preposti ad attività di spettacolo, sportive, turistiche e del tempo libero (public bodies engaged in entertainment, sport, tourism and leisure activities),
- Enti culturali e di promozione artistica (organisations promoting culture and artistic activities).

IX. LUXEMBOURG

Categories

- Établissements publics de l'État placés sous la surveillance d'un membre du gouvernement (public establishments of the State placed under the supervision of a member of the Government),
- Établissements publics placés sous la surveillance des communes (public establishments placed under the supervision of the 'communes') (local authorities),

Syndicats de communes créés en vertu de la loi du 23 février 2001 concernant les syndicats de communes (associations of local authorities created under the law of 23 February 2001 on associations of 'communes').

X. NETHERLANDS

Bodies

Ministerie van Binnenlandse Zaken en Koninkrijksrelaties (Ministry of the Interior and Kingdom Relations)

- Nederlands Instituut voor Brandweer en rampenbestrijding (NIBRA) (Netherlands Institute for the Fire Service and for Combating Emergencies)
- Nederlands Bureau Brandweer Examens (NBBE) (Netherlands Fire Service Examination Board)
- Landelijk Selectie- en Opleidingsinstituut Politie (LSOP) (National Institute for Selection and Education of Policemen)
- 25 afzonderlijke politieregio's (25 individual police regions)
- Stichting ICTU (ICTU Foundation)

Ministry of Economic Affairs

- Stichting Syntens (Syntens)
- Van Swinden Laboratorium B.V. (NMI van Swinden Laboratory)
- Nederlands Meetinstituut B.V. (NMI Institute for Metrology and Technology)

Wednesday 2 July 2003

- Nederlands Instituut voor Vliegtuigontwikkeling en Ruimtevaart (NIVR) (Netherlands Agency for Aerospace Programmes)
- Stichting Toerisme Recreatie Nederland (TRN) (Netherlands Board of Tourism)
- Samenwerkingsverband Noord Nederland (SNN) (Cooperative Body of the provincial governments of the Northern Netherlands)
- Gelderse Ontwikkelingsmaatschappij (GOM) (Gelderland Development Company)
- Overijsselse Ontwikkelingsmaatschappij (OOM) (OOM International Business Development)
- LIOF (Limburg Investment Development Company LIOF)
- Noordelijke Ontwikkelingsmaatschappij (NOM) (NOM Investment Development)
- Brabantse Ontwikkelingsmaatschappij (BOM) (Brabant Development Agency)
- Onafhankelijke Post en Telecommunicatie Autoriteit (Independent Post and Telecommunications Authority)

Ministry of Finance

- De Nederlandse Bank N.V. (Netherlands Central Bank)
- Autoriteit Financiële Markten (Netherlands Authority for the Financial Markets)
- Pensioen- & Verzekeringskamer (Pensions and Insurance Supervisory Authority of the Netherlands)

Ministry of Justice

- Stichting Reclassering Nederland (SRN) (Netherlands Rehabilitation Agency)
- Stichting VEDIVO (VEDIVO Agency, Association for Managers in the (Family) Guardianship)
- Voogdij- en gezinsvoogdij instellingen (Guardianship and Family Guardianship Institutions)
- Stichting Halt Nederland (SHN) (Netherlands Halt (the alternative) Agency)
- Particuliere Internaten (Private Boarding Institutions)
- Particuliere Jeugdinstellingen (Penal Institutions for Juvenile Offenders)
- Schadefonds Gewelddadigheden (Damages Fund for Violent Crimes)
- Centraal orgaan Opvang Asielzoekers (COA) (Agency for the Reception of Asylum Seekers)
- Landelijk Bureau Inning Onderhoudsbijdragen (LBIO) (National Support and Maintenance Agency)
- Landelijke organisaties slachtofferhulp (National Victim Compensation Organisations)
- College Bescherming Persoonsgegevens (Netherlands Data Protection Authority)
- Stichting Studiecentrum Rechtspleging (SSR) (Administration of Justice Study Centre Agency)
- Raden voor de Rechtsbijstand (Legal Assistance Councils)
- Stichting Rechtsbijstand Asiel (Asylum Seekers Legal Advice Centres)

Wednesday 2 July 2003

- Stichtingen Rechtsbijstand (Legal Assistance Agencies)
- Landelijk Bureau Racisme bestrijding (LBR) (National Bureau against Racial Discrimination)
- Clara Wichman Instituut (Clara Wichman Institute)
- Tolkencentra (Interpreting Centres)

Ministry of Agriculture, Nature Management and Fisheries

- Bureau Beheer Landbouwgronden (Land Management Service)
- Faunafonds (Fauna Fund)
- Staatsbosbeheer (National Forest Service)
- Stichting Voorlichtingsbureau voor de Voeding (Netherlands Bureau for Food and Nutrition Education)
- Universiteit Wageningen (Wageningen University and Research Centre)
- Stichting DLO (Agricultural Research Department)
- (Hoofd) productschappen (Commodity Boards)

Ministry of Education, Cultural Affairs and Science

A. General descriptions

- public schools or publicly funded private schools for primary education within the meaning of the Wet op het primair onderwijs (Law on Primary Education)
- public or publicly funded schools for special education, secondary special education or institutions for special and secondary education within the meaning of the Wet op de expertisecentra (Law on Resource Centres)
- public schools or publicly funded private schools or institutions for secondary education within the meaning of the Wet op het Voortgezet Onderwijs (Law on Secondary Education)
- public institutions or publicly funded private institutions within the meaning of the Wet Educatie en Beroepsonderwijs (Law on Education and Vocational Education)
- public schools or publicly funded private schools within the meaning of the Experimentenwet Onderwijs (Law on Experimental Education)
- publicly funded universities and higher education institutions, the Open University, and the university hospitals, within the meaning of the Wet op het hoger onderwijs en wetenschappelijk onderzoek (Law on Higher Education and Scientific Research), and institutions for international education where more than 50 % of their budget comes from public funds.
- schools advisory services within the meaning of the Wet op het primair onderwijs (Law on Primary Education) or the Wet op de expertisecentra (Law on Resource Centres)
- national teachers' centres within the meaning of the Wet subsidiëring landelijke onderwijsondersteunende activiteiten (Law on Subsidies for National Educational Support Activities)
- broadcasting organisations within the meaning of the Mediawet (Media Law)

Wednesday 2 July 2003

- funds within the meaning of the Wet op het Specifiek Cultuurbeleid (Law on Specific Cultural Policy)
- national bodies for vocational education
- foundations within the meaning of the Wet Verzelfstandiging Rijksmuseum Diensten (Law on Privatisation of National Museum Services)
- other museums which receive more than 50 % of their funds from the Ministry of Education, Cultural Affairs and Science
- other organisations and institutions in the field of education, culture and science which receive more than 50 % of their funds from Ministry of Education, Cultural Affairs and Science

B. List of names

- Informatie Beheer Groep
- Stichting Participatiefonds voor het Onderwijs
- Stichting Uitvoering Kinderopvangregelingen/Kintent
- Stichting voor Vluchteling-Studenten UAF
- Koninklijke Nederlandse Academie van Wetenschappen
- Nederlandse organisatie voor internationale samenwerking in het hoger onderwijs (Nuffic)
- Stichting Nederlands Interdisciplinair Demografisch Instituut
- Nederlandse Organisatie voor Wetenschappelijk Onderzoek
- Nederlandse Organisatie voor toegepast-natuurwetenschappelijk onderzoek
- College van Beroep voor het hoger Onderwijs
- Vereniging van openbare bibliotheken NBLC
- Koninklijke Bibliotheek
- Stichting Muziek Centrum van de Omroep
- Stichting Ether Reclame
- Stichting Radio Nederland Wereldomroep
- Nederlandse Programma Stichting
- Nederlandse Omroep Stichting
- Commissariaat voor de Media
- Stichting Stimuleringsfonds Nederlandse Culturele Omroepproducties
- Stichting Lezen
- Dienst Omroepbijdragen
- Centrum voor innovatie en opleidingen
- Bedrijfsfonds voor de Pers
- Centrum voor innovatie van opleidingen
- Instituut voor Toetsontwikkeling (Cito)
- Instituut voor Leerplanontwikkeling

Wednesday 2 July 2003

- Landelijk Dienstverlenend Centrum voor Studie- en Beroepskeuzevoorlichting
- Max Goote Kenniscentrum voor Beroepsonderwijs en Volwasseneneducatie
- Stichting Vervangingsfonds en Bedrijfsgezondheidszorg voor het Onderwijs
- BVE-Raad
- Colo, Vereniging kenniscentra beroepsonderwijs bedrijfsleven
- Stichting kwaliteitscentrum examinering beroepsonderwijs
- Vereniging Jongerenorganisatie Beroepsonderwijs
- Combo Stichting Combinatie Onderwijsorganisatie
- Stichting Financiering Struktureel Vakbondsverlof Onderwijs
- Stichting Samenwerkende Centrales in het COPWO
- Stichting SoFoKles
- Europees Platform
- Stichting mobiliteitsfonds HBO
- Nederlands Audiovisueel Archiefcentrum
- Stichting minderheden Televisie Nederland
- Stichting omroep allochtonen
- Stichting multiculturele Activiteiten Utrecht
- School der Poëzie
- Nederlands Perscentrum
- Nederlands Letterkundig Museum en documentatiecentrum
- Bibliotheek voor varenden
- Christelijke bibliotheek voor blinden en slechtzienden
- Federatie van Nederlandse Blindenbibliotheken
- Nederlandse luister- en braillebibliotheek
- Federatie Slechtzienden- en Blindenbelang
- Bibliotheek Le Sage Ten Broek
- Doe Maar Dicht Maar
- ElHizra
- Fonds Bijzondere Journalistieke Projecten
- Fund for Central and East European Book Projects
- Jongeren Onderwijs Media

Ministry of Social Affairs and Employment

- Sociale Verzekeringsbank (Social Insurance Bank)
- Arbeidsvoorzieningsorganisatie (Employment Service)

Wednesday 2 July 2003

- Stichting Silicose Oud Mijnwerkers (Foundation for Former Miners suffering from Silicosis)
- Stichting Pensioen- & Verzekeringskamer (Pensions and Insurance Supervisory Authority of the Netherlands)
- Sociaal Economische Raad (SER) (Social and Economic Council in the Netherlands)
- Raad voor Werk en Inkomen (RWI) (Council for Work and Income)
- Centrale organisatie voor werk en inkomen (Central Organisation for Work and Income)
- Uitvoeringsinstituut werknemersverzekeringen (Implementing body for employee insurance schemes)

Ministry of Transport, Communications and Public Works

- RDW Voertuig informatie en toelating (Vehicle information and administration service)
- Luchtverkeersbeveiligingsorganisatie (LVB) (Air Traffic Control Agency)
- Nederlandse Loodsencorporatie (NLC) (Netherlands maritime pilots association)
- Regionale Loodsencorporatie (RLC) (Regional maritime pilots association)

Ministry of Housing, Planning and the Environment

- Kadaster (Public Registers Agency)
- Centraal Fonds voor de Volkshuisvesting (Central Housing Fund)
- Stichting Bureau Architectenregister (Architects Register)

Ministry of Health, Welfare and Sport

- Commissie Algemene Oorlogsongevallenregeling Indonesië (COAR)
- College ter beoordeling van de Geneesmiddelen (CBG) (Medicines Evaluation Board)
- Commissies voor gebiedsaanwijzing
- College sanering Ziekenhuisvoorzieningen (National Board for Redevelopment of Hospital Facilities)
- Zorgonderzoek Nederland (ZON) (Health Research and Development Council)
- Inspection bodies under the Wet medische hulpmiddelen (Law on Medical Appliances)
 - N.V. KEMA/Stichting TNO Certification (KEMA/TNO Certification)
 - College Bouw Ziekenhuisvoorzieningen (CBZ) (National Board for Hospital Facilities)
- College voor Zorgverzekeringen (CVZ) (Health Care Insurance Board)
- Nationaal Comité 4 en 5 mei (National 4 and 5 May Committee)
- Pensioen- en Uitkeringsraad (PUR) (Pension and Benefit Board)
- College Tarieven Gezondheidszorg (CTG) (Health Service Tariff Tribunal)
- Stichting Uitvoering Omslagregeling Wet op de Toegang Ziektekostenverzekering (SUO)
- Stichting tot bevordering van de Volksgezondheid en Milieuhygiëne (SVM) (Foundation for the Advancement of Public Health and Environment)

Wednesday 2 July 2003

- Stichting Facilitair Bureau Gemachtigden Bouw VWS
- Stichting Sanquin Bloedvoorziening (Sanquin Blood Supply Foundation)
- College van Toezicht op de Zorgverzekeringen organen ex artikel 14, lid 2c, Wet BIG (Supervisory Board of Health Care Insurance Committees for registration of professional health care practices)
- Ziekenfondsen (Health Insurance Funds)
- Nederlandse Transplantatiestichting (NTS) Netherlands Transplantation Foundation)
- Regionale Indicatieorganen (RIO's) (Regional bodies for Need Assessment).

XI. AUSTRIA

All bodies under the budgetary control of the 'Rechnungshof' (Court of Auditors) except those of an industrial or commercial nature.

XII. PORTUGAL

Categories

- Institutos públicos sem carácter comercial ou industrial (public institutions without commercial or industrial character),
- Serviços públicos personalizados (public services having legal personality)
- Fundações públicas (public foundations),
- Estabelecimentos públicos de ensino, investigação científica e saúde (public institutions for education, scientific research and health),

XIII. FINLAND

Public or publicly controlled bodies and undertakings except those of an industrial or commercial nature.

XIV. SWEDEN

All non-commercial bodies whose public contracts are subject to supervision by the National Board for Public Procurement.

XV. UNITED KINGDOM

Bodies

- Design Council
- Health and Safety Executive
- National Research Development Corporation
- Public Health Laboratory Service Board
- Advisory, Conciliation and Arbitration Service
- Commission for the New Towns
- National Blood Authority
- National Rivers Authority
- Scottish Enterprise

Wednesday 2 July 2003

- Scottish Homes
- Welsh Development Agency

Categories

- Maintained schools
- Universities and colleges financed for the most part by other contracting authorities
- National Museums and Galleries
- Research Councils
- Fire Authorities
- National Health Service Strategic Health Authorities
- Police Authorities
- New Town Development Corporations
- Urban Development Corporations

ANNEX IV

CENTRAL GOVERNMENT AUTHORITIES ⁽¹⁾

BELGIUM

l'État	de Staat	the State
les communautés	de gemeenschappen	the communities
les commissions communautaires	de gemeenschapscommissies	the community commissions
les régions	de gewesten	the regions
les provinces	de provincies	the provinces
les communes	de gemeenten	the communes
les centres publics d'aide sociale	de openbare centra voor maatschappelijk welzijn	public centres for social assistance
les fabriques d'églises et les organismes chargés de la gestion du temporel des autres cultes reconnus	de kerkfabrieken en de instellingen die belast zijn met het beheer van de temporalien van de erkende erediensten	church councils and organisations responsible for managing the assets of other recognised religious orders
les sociétés de développement régional	de gewestelijke ontwikkelingsmaatschappijen	regional development companies
les polders et wateringues	de polders en wateringues	the polders and water boards

⁽¹⁾ For the purposes of this Directive 'central government authorities' means the authorities that are listed by way of indication in this Annex and, insofar as corrections or amendments have been made at national level, their successor entities.

Wednesday 2 July 2003

les comités de remembrement des biens ruraux	de ruilverkavelingscomités	land-consolidation committees
les zones de police	de politiezones	police zones
les associations formées par plusieurs des pouvoirs adjudicateurs ci-dessus.	de verenigenen gevormd door een of meerdere aanbestedende overheden hierboven.	associations formed by several of the above awarding authorities.

DENMARK

1. Folketinget — The Danish Parliament	Rigsrevisionen — The National Audit Office
2. Statsministeriet — The Prime Minister's Office	
3. Udenrigsministeriet — Ministry of Foreign Affairs	
4. Beskæftigelsesministeriet — Ministry of Employment	5 styrelser og institutioner — 5 agencies and institutions
5. Domstolsstyrelsen — The Court Administration	
6. Finansministeriet — Ministry of Finance	5 styrelser og institutioner — 5 agencies and institutions
7. Forsvarsministeriet — Ministry of Defence	Adskillige institutioner — Several institutions
8. Indenrigs- og Sundhedsministeriet — Ministry of the Interior and Health	Adskillige styrelser og institutioner, herunder Statens Serum Institut — Several agencies and institutions, including Statens Serum Institut
9. Justitsministeriet — Ministry of Justice	Rigspolitichefen, 2 direktorater samt et antal styrelser — Commissioner of Police, 2 directorates and a number of agencies
10. Kirkeministeriet — Ministry of Ecclesiastical Affairs	10 stiftsøvrigheder — 10 diocesan authorities
11. Kulturministeriet — Ministry of Culture	Departement samt et antal statsinstitutioner — A department and a number of institutions
12. Miljøministeriet — Ministry of the Environment	6 styrelser — 6 agencies
13. Ministeriet for Flygtninge, Indvandrere og Integration — Ministry for Refugee, Immigration and Integration Affairs	1 styrelse — 1 agency
14. Ministeriet for Fødevarer, Landbrug og Fiskeri — Ministry of Food, Agriculture and Fisheries	9 direktorater og institutioner — 9 directorates and institutions
15. Ministeriet for Videnskab, Teknologi og herunder Udvikling — Ministry of Science, Technology and Innovation	Adskillige styrelser og institutioner, Forskningscenter Risø og Statens uddannelsesbygninger — Several agencies and institutions, including Risø National Laboratory and Danish National Research and Education Buildings
16. Skatteministeriet — Ministry of Taxation	1 styrelse og institutioner — 1 agency and several institutions
17. Socialministeriet — Ministry of Social Affairs	3 styrelser og institutioner — 3 agencies and several institutions
18. Trafikministeriet — Ministry of Transport	12 styrelser og institutioner, herunder Øresundsbrokonsortiet — 12 agencies and institutions, including Øresundsbrokonsortiet

Wednesday 2 July 2003

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| 19. Undervisningsministeriet — Ministry of Education | 3 styrelser, 4 undervisningsinstitutioner og 5 andre institutioner — 3 agencies, 4 educational establishments, 5 other institutions |
| 20. Økonomi- og Erhvervsministeriet — Ministry of Economic and Business Affairs | Adskillige styrelser og institutioner — Several agencies and institutions |

GERMANY

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| Auswärtiges Amt | Federal Ministry for Foreign Affairs (Federal Foreign Office) |
| Bundesministerium des Innern (nur zivile Güter) | Federal Ministry of the Interior (only civil goods) |
| Bundesministerium der Justiz | Federal Ministry of Justice |
| Bundesministerium der Finanzen | Federal Ministry of Finance |
| Bundesministerium für Wirtschaft und Technologie | Federal Ministry of Economics and Technology |
| Bundesministerium für Verbraucherschutz, Ernährung und Landwirtschaft | Federal Ministry of Consumer Protection, Food and Agriculture |
| Bundesministerium für Arbeit und Sozialordnung | Federal Ministry of Labour and Social Affairs |
| Bundesministerium der Verteidigung (keine militärischen Güter) | Federal Ministry of Defence (no military goods) |
| Bundesministerium für Familie, Senioren, Frauen und Jugend | Federal Ministry for Family Affairs, Senior Citizens, Women and Youth |
| Bundesministerium für Gesundheit | Federal Ministry for Health |
| Bundesministerium für Verkehr, Bau- und Wohnungswesen | Federal Ministry of Transport, Building and Housing |
| Bundesministerium für Umwelt, Naturschutz und Reaktorsicherheit | Federal Ministry for the Environment, Nature Conservation and Nuclear Safety |
| Bundesministerium für Bildung und Forschung | Federal Ministry of Education and Research |
| Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung | Federal Ministry for Economic Cooperation and Development |

GREECE

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| 1. Υπουργείο Εσωτερικών, Δημόσιας Διοίκησης και Αποκέντρωσης | Ministry of the Interior, Public Administration and Decentralization |
| 2. Υπουργείο Εξωτερικών | Ministry of Foreign Affairs |
| 3. Υπουργείο Οικονομίας και Οικονομικών | Ministry of Economy and Finance |
| 4. Υπουργείο Ανάπτυξης | Ministry of Development |
| 5. Υπουργείο Δικαιοσύνης | Ministry of Justice |
| 6. Υπουργείο Εθνικής Παιδείας και Θρησκευμάτων | Ministry of Education and Religion |
| 7. Υπουργείο Πολιτισμού | Ministry of Culture |
| 8. Υπουργείο Υγείας — Πρόνοιας | Ministry of Health and Welfare |
| 9. Υπουργείο Περιβάλλοντος, Χωροταξίας και Δημοσίων Έργων | Ministry of Environment, Physical Planning and Public Works |

Wednesday 2 July 2003

10. Υπουργείο Εργασίας και Κοινωνικών Ασφαλίσεων	Ministry of Labour and Social Security
11. Υπουργείο Μεταφορών και Επικοινωνιών	Ministry of Transport and Communications
12. Υπουργείο Γεωργίας	Ministry of Agriculture
13. Υπουργείο Εμπορικής Ναυτιλίας	Ministry of Merchant Marine
14. Υπουργείο Μακεδονίας- Θράκης	Ministry of Macedonia and Thrace
15. Υπουργείο Αιγαίου	Ministry of the Aegean
16. Υπουργείο Τύπου και Μέσων Μαζικής Ενημέρωσης	Ministry of Press
17. Γενική Γραμματεία Νέας Γενιάς	General Secretariat for Youth
18. Γενική Γραμματεία Ισότητας	General Secretariat of Equality
19. Γενική Γραμματεία Κοινωνικών Ασφαλίσεων	General Secretariat for Social Security
20. Γενική Γραμματεία Απόδημου Ελληνισμού	General Secretariat for Greeks Living Abroad
21. Γενική Γραμματεία Βιομηχανίας	General Secretariat for Industry
22. Γενική Γραμματεία Έρευνας και Τεχνολογίας	General Secretariat for Research and Technology
23. Γενική Γραμματεία Αθλητισμού	General Secretariat for Sports
24. Γενική Γραμματεία Δημοσίων Έργων	General Secretariat for Public Works
25. Γενική Γραμματεία Εθνικής Στατιστικής Υπηρεσίας Ελλάδος	National Statistical Service
26. Εθνικός Οργανισμός Κοινωνικής Φροντίδας	National Welfare Organisation
27. Οργανισμός Εργατικής Κατοικίας	Workers' Housing Organisation
28. Εθνικό Τυπογραφείο	National Printing Office
29. Γενικό Χημείο του Κράτους	General State Laboratory
30. Ταμείο Εθνικής Οδοποιίας	Greek Highway Fund
31. Εθνικό Καποδιστριακό Πανεπιστήμιο Αθηνών	University of Athens
32. Αριστοτέλειο Πανεπιστήμιο Θεσσαλονίκης	University of Thessaloniki
33. Δημοκρίτειο Πανεπιστήμιο Θράκης	University of Thrace
34. Πανεπιστήμιο Αιγαίου	University of Aegean
35. Πανεπιστήμιο Ιωαννίνων	University of Ioannina
36. Πανεπιστήμιο Πατρών	University of Patras
37. Πανεπιστήμιο Μακεδονίας	University of Macedonia
38. Πολυτεχνείο Κρήτης	Polytechnic School of Crete
39. Σιβιτανίδειος Δημόσια Σχολή Τεχνών και Επαγγελματιών	Sivitanidios Technical School

Wednesday 2 July 2003

40. Αιγινήτειο Νοσοκομείο	Eginitio Hospital
41. Αρεταίειο Νοσοκομείο	Areteio Hospital
42. Εθνικό Κέντρο Δημόσιας Διοίκησης	National Centre of Public Administration
43. Οργανισμός Διαχείρισης Δημοσίου Υλικού Α.Ε.	Public Material Management Organisation
44. Οργανισμός Γεωργικών Ασφαλίσεων	Farmers' Insurance Organisation
45. Οργανισμός Σχολικών Κτιρίων	School Building Organisation
46. Γενικό Επιτελείο Στρατού ⁽¹⁾	Army General Staff
47. Γενικό Επιτελείο Ναυτικού ⁽¹⁾	Navy General Staff
48. Γενικό Επιτελείο Αεροπορίας ⁽¹⁾	Airforce General Staff
49. Ελληνική Επιτροπή Ατομικής Ενέργειας	Greek Atomic Energy Commission
50. Γενική Γραμματεία Εκπαίδευσης Ενηλίκων	General Secretariat for Further Education

SPAIN

Presidencia del Gobierno	Office of the Prime Minister
Ministerio de Asuntos Exteriores	Ministry of Foreign Affairs
Ministerio de Justicia	Ministry of Justice
Ministerio de Defensa	Ministry of Defence
Ministerio de Hacienda	Ministry of Finance
Ministerio de Interior	Ministry of the Interior
Ministerio de Fomento	Ministry of Internal Development
Ministerio de Educación, Cultura y Deportes	Ministry of Education, Culture and Sport
Ministerio de Trabajo y Asuntos Sociales	Ministry of Labour and Social Affairs
Ministerio de Agricultura, Pesca y Alimentación	Ministry of Agriculture, Fisheries and Food
Ministerio de la Presidencia	Ministry of the Office of the Prime Minister
Ministerio de Administraciones Públicas	Ministry of Public Administration
Ministerio de Sanidad y Consumo	Ministry of Health and Consumer Affairs
Ministerio de Economía	Ministry of Economic Affairs
Ministerio de Medio Ambiente	Ministry of the Environment
Ministerio de Ciencia y Tecnología	Ministry of Science and Technology

⁽¹⁾ Non-warlike materials covered by Annex V.

Wednesday 2 July 2003

FRANCE

1. Ministries

Services du Premier ministre	Office of the Prime Minister
Ministère des affaires étrangères	Ministry of Foreign Affairs
Ministère des affaires sociales, du travail et de la solidarité	Ministry of Social Affairs, Labour and Solidarity
Ministère de l'agriculture, de l'alimentation, de la pêche et des affaires rurales	Ministry of Agriculture, Food, Fisheries and Rural Affairs
Ministère de la culture et de la communication	Ministry of Culture and Communication
Ministère de la défense ⁽¹⁾	Ministry of Defence
Ministère de l'écologie et du développement durable	Ministry of Ecology and Sustainable Development
Ministère de l'économie, des finances et de l'industrie	Ministry of Economic Affairs, Finance and Industry
Ministère de l'équipement, des transports, du logement, du tourisme et de la mer	Ministry of Infrastructure, Transport, Housing, Tourism and the Sea
Ministère de la fonction publique, de la réforme de l'État et de l'aménagement du territoire	Ministry of the Civil Service, State Reform and Regional Planning
Ministère de l'intérieur, de la sécurité intérieure et des libertés locales	Ministry of the Interior, Internal Security and Local Freedoms
Ministère de la justice	Ministry of Justice
Ministère de la jeunesse, de l'éducation nationale et de la recherche	Ministry of Youth, Education and Research
Ministère de l'outre-mer	Ministry of Overseas Territories
Ministère de la santé, de la famille et des personnes handicapées	Ministry of Health, the Family and Disabled Persons
Ministère des sports	Ministry of Sport

2. National public establishments

Académie de France à Rome	Academy of France in Rome
Académie de marine	Naval Academy
Académie des sciences d'outre-mer	Overseas Academy of Sciences
Agence centrale des organismes de sécurité sociale (ACOSS)	Central Agency for Social Security Bodies
Agence nationale pour l'amélioration des conditions de travail (ANACT)	National Agency for the Improvement of Working Conditions

⁽¹⁾ Non-warlike materials.

Wednesday 2 July 2003

Agence nationale pour l'amélioration de l'habitat (ANAH)	National Agency for the Improvement of the Habitat
Agence nationale pour l'indemnisation des français d'outre-mer (ANIFOM)	National Agency for Compensation of French Overseas Nationals
Assemblée permanente des chambres d'agriculture (APCA)	Permanent Assembly of the Regional Chambers of Agriculture
Bibliothèque nationale de France	National Library of France
Bibliothèque nationale et universitaire de Strasbourg	National and University Library of Strasbourg
Bibliothèque publique d'information	Public Information Library
Caisse des dépôts et consignations	Deposits and Consignments Fund
Caisse nationale des autoroutes (CNA)	National Highways Fund
Caisse nationale militaire de sécurité sociale (CNMSS)	National Social Security Fund for the Military
Centre des monuments nationaux (CMN)	National Monuments Centre
Caisse de garantie du logement locatif social	Social Housing Guarantee Fund
Casa de Velasquez	Casa de Velázquez
Centre d'enseignement zootechnique	Centre for Zootechnical Studies
Centre d'études du milieu et de pédagogie appliquée du ministère de l'agriculture	Ministry of Agriculture's Centre for Environmental Studies and Applied Teaching
Centre d'études supérieures de sécurité sociale	Centre for Higher Social Security Studies
Centres de formation professionnelle agricole	Agricultural Training Centres
Centre national d'art et de culture Georges Pompidou	Georges Pompidou National Centre of Art and Culture
Centre national de la cinématographie	National Cinematography Centre
Centre national d'études et de formation pour l'enfance inadaptée	National Study and Training Centre for Professionals working with Children with Adaptation Difficulties
Centre national d'études et d'expérimentation du machinisme agricole, du génie rural, des eaux et des forêts (CEMAGREF)	National Institute for Agricultural and Environmental Engineering
Centre national des lettres	National Literary Arts Centre
Centre national de documentation pédagogique	National Teaching Documentation Centre
Centre national des oeuvres universitaires et scolaires (CNOUS)	National Centre for Assistance to School and University Students
Centre hospitalier des Quinze-Vingts	Quinze-Vingts Hospital

Wednesday 2 July 2003

Centre national de promotion rurale de Marmilhat	Marmilhat National Rural Development Centre
Centres d'éducation populaire et de sport (CREPS)	Adult Education and Sports Centres
Centres régionaux des œuvres universitaires (CROUS)	Regional Centres for Assistance to University Students
Centres régionaux de la propriété forestière	Regional Forest Property Centres
Centre de sécurité sociale des travailleurs migrants	Social Security Centre for Migrant Workers
Commission des opérations de bourse	Stock Exchange Operations Commission
Conseil supérieur de la pêche	Fisheries Council
Conservatoire de l'espace littoral et des rivages lacustres	Coast and Lakeshore Conservation Agency
Conservatoire national supérieur de musique de Paris	Paris Higher National Music Conservatoire
Conservatoire national supérieur de musique de Lyon	Lyon Higher National Music Conservatoire
Conservatoire national supérieur d'art dramatique	National Drama School
École centrale — Lyon	National College of Engineering and Research, Lyon
École centrale des arts et manufactures	National College of Engineering and Science, Paris
École du Louvre	Ecole du Louvre Art
École française d'archéologie d'Athènes	French School of Archaeology in Athens
École française d'Extrême-Orient	French School of Far East Studies
École française de Rome	French School in Rome
École des hautes études en sciences sociales	College of Advanced Studies in Social Sciences
École nationale d'administration	National Public Administration College
École nationale de l'aviation civile (ENAC)	National Civil Aviation College
École nationale des Chartres	Chartres National College
École nationale d'équitation	National Equitation College
École nationale du génie rural des eaux et des forêts (ENGREF)	National College of Rural, Water and Forestry Engineering
Écoles nationales d'ingénieurs	National Engineering Colleges
École nationale d'ingénieurs des techniques des industries agricoles et alimentaires	National College for Agro-Food Industry Engineers
Écoles nationales d'ingénieurs des travaux agricoles	National College of Agricultural Engineers

Wednesday 2 July 2003

École nationale du génie de l'eau et de l'environnement de Strasbourg	Strasbourg National College of Water and Environmental Engineering
École nationale de la magistrature	National College for the Judiciary
Écoles nationales de la marine marchande	National Merchant Navy Colleges
École nationale de la santé publique (ENSP)	National Public Health College
École nationale de ski et d'alpinisme	National Skiing and Mountaineering College
École nationale supérieure agronomique — Montpellier	Montpellier National Higher College of Agronomy
École nationale supérieure agronomique — Rennes	National Higher College of Agronomy, Rennes
École nationale supérieure des arts décoratifs	National Higher College of the Decorative Arts
École nationale supérieure des arts et industries — Strasbourg	National Higher College of Arts and Industries, Strasbourg
École nationale supérieure des arts et industries textiles — Roubaix	National Higher College of Arts and Textile Industries, Roubaix
Écoles nationales supérieures d'arts et métiers	National Higher Colleges of Engineering
École nationale supérieure des beaux-arts	National Higher College of Fine Arts
École nationale supérieure des bibliothécaires	National Higher College for Librarians
École nationale supérieure de céramique industrielle	National Higher College of Industrial Ceramics
École nationale supérieure de l'électronique et de ses applications (ENSEA)	National Higher College of Electronics and Electrical Engineering
École nationale supérieure des industries agricoles alimentaires	National Higher College for the Agri-Food Industries
École nationale supérieure du paysage	National Higher College of Landscape Design
Écoles nationales vétérinaires	National Colleges of Veterinary Medicine
École nationale de voile	National Sailing College
Écoles normales nationales d'apprentissage	National Teacher Training Colleges
Écoles normales supérieures	Higher Teacher Training Colleges
École polytechnique	Polytechnical College
École technique professionnelle agricole et forestière de Meymac (Corrèze)	Meymac Agricultural and Forestry Training College (Corrèze)
École de sylviculture — Croigny (Aube)	Croigny Forestry College (Aube)
École de viticulture et d'oenologie de la Tour-Blanche (Gironde)	Tour Blanche College of Viticulture and Oenology (Gironde)
École de viticulture — Avize (Marne)	Avize Viticulture College (Marne)
Hôpital national de Saint-Maurice	Saint-Maurice National Hospital

Wednesday 2 July 2003

Établissement national des invalides de la marine (ENIM)	National Social Security Institute for Disabled Sea Workers
Établissement national de bienfaisance Koenigswarter	Koenigswarter National Charitable Organisation
Établissement de maîtrise d'ouvrage des travaux culturels (EMOC)	Corporation for Supervision of Work on State-Owned Buildings of Cultural or Educational Interest
Établissement public du musée et du domaine national de Versailles	Public Corporation for the Museum and National Domain of Versailles
Fondation Carnegie	Carnegie Foundation
Fondation Singer-Polignac	Singer-Polignac Foundation
Fonds d'action et de soutien pour l'intégration et la lutte contre les discriminations	Action and Support Fund for Integration and the Fight against Discrimination
Institut de l'élevage et de médecine vétérinaire des pays tropicaux (IEMVPT)	Institute for Stockfarming and Veterinary Medicine in Tropical Countries
Institut français d'archéologie orientale du Caire	French Eastern Archaeology Institute in Cairo
Institut français de l'environnement	French Environmental Institute
Institut géographique national	National Geographical Institute
Institut industriel du Nord	Industrial Institute of the Nord Region
Institut national agronomique de Paris-Grignon	Paris-Grignon National Agronomics Institute,
Institut national des appellations d'origine (INAO)	National Institute for Designations of Origin
Institut national d'astronomie et de géophysique (INAG)	National Astronomy and Geophysics Institute
Institut national de la consommation (INC)	National Consumption Institute
Institut national d'éducation populaire (INEP)	National Adult Education Institute
Institut national d'études démographiques (INED)	National Institute of Demographic Studies
Institut national des jeunes aveugles — Paris	National Institute for Young Blind People, Paris
Institut national des jeunes sourds — Bordeaux	National Institute for Young Deaf People, Bordeaux
Institut national des jeunes sourds — Chambéry	National Institute for Young Deaf People, Chambéry
Institut national des jeunes sourds — Metz	National Institute for Young Deaf People, Metz
Institut national des jeunes sourds — Paris	National Institute for Young Deaf People, Paris
Institut national du patrimoine	French National Heritage Institute
Institut national de physique nucléaire et de physique des particules (I.N2.P3)	National Institute of Nuclear Physics and Particle Physics
Institut national de la propriété industrielle	National Intellectual Property Institute

Wednesday 2 July 2003

Institut national de recherches archéologiques préventives	National Institute for Preventive Archaeological Research
Institut national de recherche pédagogique (INRP)	National Institute for Educational Research
Institut national des sports et de l'éducation physique	National Institute for Sport and Physical Education
Instituts nationaux polytechniques	National Polytechnical Colleges
Instituts nationaux des sciences appliquées	National Institutes of Applied Sciences
Institut national supérieur de chimie industrielle de Rouen	Rouen Higher National Institute of Industrial Chemistry
Institut national de recherche en informatique et en automatique (INRIA)	National Institute for Computer Science and Control Research
Institut national de recherche sur les transports et leur sécurité (INRETS)	National Institute for Transport and Safety Research
Instituts régionaux d'administration	Regional Public Administration Colleges
Institut supérieur des matériaux et de la construction mécanique de Saint-Ouen	Saint-Ouen Higher Institute of Materials and Mechanical Construction
Musée Auguste-Rodin	Auguste-Rodin Museum
Musée de l'armée	Military Museum
Musée Gustave-Moreau	Gustave-Moreau Museum
Musée du Louvre	Louvre Museum
Musée du quai Branly	Quai Branly Museum
Musée national de la marine	Naval Museum
Musée national J.-J.-Henner	National J.J. Henner Museum
Musée national de la Légion d'honneur	National Museum of the Legion of Honour
Muséum national d'histoire naturelle	National Natural History Museum
Office de coopération et d'accueil universitaire	University Cooperation and Reception Office
Office français de protection des réfugiés et apatrides	French Office for the Protection of Refugees and Stateless Persons
Office national de la chasse et de la faune sauvage	National Office for Hunting and Wild Fauna
Office national d'information sur les enseignements et les professions (ONISEP)	National Office for Information on Higher Education and Careers
Office des migrations internationales (OMI)	International Migration Office
Office universitaire et culturel français pour l'Algérie	French University and Cultural Office for Algeria
Palais de la découverte	Discovery Museum

Wednesday 2 July 2003

Parcs nationaux	National Parks
Syndicat des transports parisiens d'Ile-de-France	Ile-de-France and Paris Transport Authority
Thermes nationaux — Aix-les-Bains	National Thermal Baths at Aix-les-Bains

3. Autre organisme public national (3. Other national public bodies)

Union des groupements d'achats publics (UGAP)	Public Procurement Department
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IRELAND

President's Establishment

Houses of the Oireachtas [Parliament] and European Parliament

Department of the Taoiseach [Prime Minister]

Central Statistics Office

Department of Finance

Office of the Comptroller and Auditor General

Office of the Revenue Commissioners

Office of Public Works

State Laboratory

Office of the Attorney General

Office of the Director of Public Prosecutions

Valuation Office

Civil Service Commission

Office of the Ombudsman

Chief State Solicitor's Office

Department of Justice, Equality and Law Reform

Courts Service

Prisons Service

Office of the Commissioners of Charitable Donations and Bequests

Department of the Environment and Local Government

Department of Education and Science

Department of Communications, Marine and Natural Resources

Department of Agriculture and Food

Wednesday 2 July 2003

Department of Transport
 Department of Health and Children
 Department of Enterprise, Trade and Employment
 Department of Arts, Sports and Tourism
 Department of Defence
 Department of Foreign Affairs
 Department of Social and Family Affairs
 Department of Community, Rural and Gaeltacht
 [Gaelic speaking regions] Affairs
 Arts Council
 National Gallery.

ITALY

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| 1. Purchasing bodies | |
| 1. Presidenza del Consiglio dei Ministri | Presidency of the Council of Ministers |
| 2. Ministero degli Affari Esteri | Ministry of Foreign Affairs |
| 3. Ministero dell'Interno | Ministry of Interior |
| 4. Ministero della Giustizia | Ministry of Justice |
| 5. Ministero della Difesa | Ministry of Defence ⁽¹⁾ |
| 6. Ministero dell'Economia e delle Finanze | Ministry of Economy and Finance (former Ministry of Treasury and Ministry of Finance) |
| 7. Ministero delle Attività Produttive | Ministry of Productive Activities (former Ministry of Industry, trade, handicraft tourism and Ministry of foreign trade) |
| 8. Ministero delle Comunicazioni | Ministry of Communications (former Ministry of posts and telecommunications) |
| 9. Ministero delle Politiche agricole e forestali | Ministry of Agricultural and Forestal Policies (former Ministry of agricultural resources) |
| 10. Ministero dell'Ambiente e tutela del Territorio | Ministry of Environment and defence of Territory (former Ministry of environment) |
| 11. Ministero delle Infrastrutture e Trasporti | Ministry of Infrastructures and Transports (former Ministry of transports and Ministry of Public works) |
| 12. Ministero del Lavoro e delle politiche sociali | Ministry of Employment and social policies (former Ministry of employment and social security) |
| 13. Ministero della Salute | Ministry of Health |
| 14. Ministero dell'Istruzione, Università e Ricerca | Ministry of Education, University and scientific Research |

⁽¹⁾ Non-warlike materials.

Wednesday 2 July 2003

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| 15. Ministero per i Beni e le attività culturali | Ministry for Cultural heritage and activities |
| 2. Other national public body: | |
| CONSIP SPA (Concessionaire of Public Informatic Services) ⁽¹⁾ | CONSIP (Concessionaria Servizi Informatici Pubblici) |

LUXEMBOURG

- | | |
|---|---|
| 1. Ministère de l'Agriculture, de la Viticulture et du Développement rural: Administration des services techniques de l'agriculture. | Ministry of Agriculture, Viticulture and Rural Development: Administration of Agricultural Technical Departments |
| 2. Ministère des Affaires étrangères, du Commerce extérieur, de la Coopération et de la Défense: Armée. | Ministry of Foreign Affairs, Foreign Trade, Cooperation and Defence: Army |
| 3. Ministère de l'Education nationale, de la Formation professionnelle et des Sports: Lycées d'enseignement secondaire et d'enseignement secondaire technique. | Ministry of Education, Vocational Training and Sport: Secondary Schools and Secondary Technical Schools |
| 4. Ministère de l'Environnement: Administration de l'environnement. | Ministry of the Environment: Environment Administration |
| 5. Ministère d'État, département des Communications: Entreprise des P et T (Postes seulement). | Ministry of the State, Communications Department: Postal Services and Telecommunications Company (Post division only) |
| 6. Ministère de la Famille, de la Solidarité sociale et de la Jeunesse: Maisons de retraite de l'État, Homes d'enfants. | Ministry of the Family, Social Solidarity and Youth: State retirement homes, children's homes |
| 7. Ministère de la Fonction publique et de la Réforme administrative: Centre informatique de l'État, Service central des imprimés et des fournitures de bureau de l'État. | Ministry of the Civil Service and Administrative Reform: State Computer Science Centre, Central Department for State Printed Matter and Office Supplies |
| 8. Ministère de la Justice: Etablissements pénitentiaires. | Ministry of Justice: Penitentiary Institutions |
| 9. Ministère de l'Intérieur: Police grand-ducale, Service national de la protection civile. | Ministry of the Interior: National Police Service, National Civil Protection Office |
| 10. Ministère des Travaux publics: Administration des bâtiments publics; Administration des ponts et chaussées. | Ministry of Public Works: Public Buildings Administration; Bridges and Roads Administration |

NETHERLANDS

Ministerie van Algemene Zaken (Ministry of General Affairs)

- Bestuursdepartement (Central policy and staff departments)
- Bureau van de Wetenschappelijke Raad voor het Regeringsbeleid (Advisory Council on Government Policy)
- Rijksvoorlichtingsdienst: (The Netherlands Government Information Service)

⁽¹⁾ Acts as the central purchasing entity for all the Ministries and, at request, for other public entities on the basis of a concession or framework agreement.

Wednesday 2 July 2003

Ministerie van Binnenlandse Zaken en Koninkrijksrelaties (Ministry of the Interior)

- Bestuursdepartement (Central policy and staff departments)
- Agentschap Informatievoorziening Overheidspersoneel (IVOP) (Agency for Government Personnel Information)
- Centrale Archiefselectiedienst (CAS) (Central Records Selection Service)
- Algemene Inlichtingen- en Veiligheidsdienst (AIVD) (General Intelligence and Security Service)
- Beheerorganisatie GBA (Personnel Records and Travel Documents Agency)
- Organisatie Informatie- en communicatietechnologie OOV (ITO) (Information and Communication Technology Organisation)
- Korps Landelijke Politiediensten (National Police Services Agency)

Ministerie van Buitenlandse Zaken (Ministry of Foreign Affairs)

- Directoraat Generaal Regiobeleid en Consulaire Zaken (DGRC) (Directorate-General for Regional Policy and Consular Affairs)
- Directoraat Generaal Politieke Zaken (DGPZ) (Directorate-General for Political Affairs)
- Directoraat Generaal Internationale Samenwerking (DGIS) (Directorate-General for International Cooperation)
- Directoraat Generaal Europese Samenwerking (DGES) (Directorate-General for European Cooperation)
- Centrum tot Bevordering van de Import uit Ontwikkelingslanden (CBI) (Centre for the Promotion of Imports from Developing Countries)
- Centrale diensten ressorterend onder P/PlvS (support services falling under the Secretary-General and Deputy Secretary-General)
- Buitenlandse Posten (ieder afzonderlijk) (the various Foreign Missions)

Ministerie van Defensie (Ministry of Defence)

- Bestuursdepartement (Central policy and staff departments)
- Staf Defensie Interservice Commando (DICO) (Staff Defence Interservice Command for Support Services)
- Defensie Telematica Organisatie (DTO) (Defence Telematics Organisation)
- Centrale directie van de Dienst Gebouwen, Werken en Terreinen (Defence Infrastructure Agency, Central Directorate)
- De afzonderlijke regionale directies van de Dienst Gebouwen, Werken en Terreinen (Defence Infrastructure Agency, Regional Directorates)
- Directie Materieel Koninklijke Marine (Directorate of Material Royal Netherlands Navy)
- Directie Materieel Koninklijke Landmacht (Directorate of Material Royal Netherlands Army)
- Directie Materieel Koninklijke Luchtmacht (Directorate of Material Royal Netherlands Air Force)
- Landelijk Bevoorradingsbedrijf Koninklijke Landmacht (LBBKL) (Royal Netherlands Army National Supply Agency)
- Defensie Pijpleiding Organisatie (DPO) (Defence Pipeline Organisation)

Wednesday 2 July 2003

- Logistiek Centrum Koninklijke Luchtmacht (Logistic Centre Royal Netherlands Air Force)
 - Koninklijke Marine, Marinebedrijf (Royal Netherlands Navy, Maintenance Establishment)
- Ministerie van Economische Zaken (Ministry of Economic Affairs)
- Bestuursdepartement (Central policy and staff departments)
 - Centraal Bureau voor de Statistiek (CBS) (Netherlands Central Bureau of Statistics)
 - Centraal Planbureau (CPB) (Central Plan Bureau)
 - Bureau voor de Industriële Eigendom (BIE) (Industrial Property Office)
 - Senter (Senter)
 - Staatstoezicht op de Mijnen (SodM) (State Supervision of Mines)
 - Nederlandse Mededingingsautoriteit (NMa) (Netherlands Competition Authority)
 - Economische Voorlichtingsdienst (EVD) (Netherlands Foreign Trade Agency)
 - Nederlandse Onderneming voor Energie en Milieu BV (Novem) (Agency for Energy and Environment)
 - Agentschap Telecom (Telecom Agency)
- Ministerie van Financiën (Ministry of Finance)
- Bestuursdepartement (Central policy and staff departments)
 - Belastingdienst Automatiseringscentrum (Tax and Custom Computer and Software Centre)
 - Belastingdienst (Tax and Customs Administration):
 - de afzonderlijke Directies der Rijksbelastingen (the various Divisions of the Tax and Customs Administration throughout the Netherlands)
 - Fiscale Inlichtingen- en Opsporingsdienst (incl. Economische Controle dienst (ECD) (Fiscal Information and Investigation Service (the Economic Investigation Service included))
 - Belastingdienst Opleidingen (Tax and Customs Training Centre)
 - Dienst der Domeinen (State Property Service)
- Ministerie van Justitie (Ministry of Justice)
- Bestuursdepartement (Central policy and staff departments)
 - Dienst Justitiële Inrichtingen (Correctional Institutions Agency)
 - Raad voor de Kinderbescherming (Child Care and Protection Agency)
 - Centraal Justitie Incasso Bureau (Central Fine Collection Agency)
 - Openbaar Ministerie (Public Prosecution Service)
 - Immigratie en Naturalisatiedienst (Immigration and Naturalisation Service)
 - Nederlands Forensisch Instituut (Netherlands Forensic Institute)
 - Raad voor de Rechtspraak (Judicial Management and Advisory Board)

Wednesday 2 July 2003

Ministerie van Landbouw, Natuurbeheer en Visserij (Ministry of Agriculture, Nature Management and Fisheries)

- Bestuursdepartement (Central policy and staff departments)
- Agentschap Landelijke Service bij Regelingen (LASER) (National Service for the Implementation of Regulations (Agency))
- Agentschap Plantenziekte kundige Dienst (PD) (Plant Protection Service (Agency))
- Algemene Inspectiedienst (AID) (General Inspection Service)
- De afzonderlijke Regionale Beleidsdirecties (Regional Policy departments)
- Agentschap Bureau Heffingen (Levies Office (Agency))
- Dienst Landelijk Gebied (DLG) (Government Service for Sustainable Rural Development)

Ministerie van Onderwijs, Cultuur en Wetenschappen (Ministry of Education, Culture and Science)

- Bestuursdepartement (Central policy and staff departments)
- Inspectie van het Onderwijs (Inspectorate of Education)
- Inspectie Cultuurbezit (Inspectorate of cultural heritage)
- Centrale Financiën Instellingen (Central Funding of Institutions Agency)
- Nationaal archief (National Archives)
- Rijksdienst voor de archeologie (State inspectorate for archaeology)
- Rijksarchiefinspectie (Public Records Inspectorate)
- Adviesraad voor Wetenschaps- en Technologiebeleid (Advisory Council for Science and Technology Policy)
- Onderwijsraad (Education Council)
- Rijksinstituut voor Oorlogsdocumentatie
- Instituut Collectie Nederland (Netherlands Institute for Cultural Heritage)
- Raad voor Cultuur (Council for Culture)
- Rijksdienst voor de Monumentenzorg (Netherlands Department for Conservation of Monuments)
- Rijksdienst Oudheidkundig Bodemonderzoek (National Service for archaeological heritage)

Ministerie van Sociale Zaken en Werkgelegenheid (Ministry of Social Affairs and Employment)

- Bestuursdepartement (Central policy and staff departments)

Ministerie van Verkeer en Waterstaat (Ministry of Transport, Public Works and Watermanagement)

- Bestuursdepartement (Central policy and staff departments)
- Directoraat-Generaal Luchtvaart (Directorate-General for Civil Aviation)
- Directoraat-Generaal Goederenvervoer (Directorate-General for Freight Transport)
- Directoraat-Generaal Personenvervoer (Directorate-General for Passenger Transport)
- Directoraat-Generaal Rijkswaterstaat (Directorate-General of Public Works and Water Management)

Wednesday 2 July 2003

- Hoofdkantoor Directoraat-Generaal Rijks Waterstaat (Public Works and Water Management Head Office)
 - De afzonderlijke regionale directies van Rijkswaterstaat (Each individual regional department of the Directorate-General of Public Works and Water Management)
 - De afzonderlijke specialistische diensten van Rijkswaterstaat (Each individual specialist service of the Directorate-General of Public Works and Water Management)
 - Directoraat-Generaal Water (Directorate-General for Water Affairs)
 - Inspecteur-Generaal, Inspectie Verkeer en Waterstaat (Inspector-General, Transport and Water Management Inspectorate)
 - Divisie Luchtvaart van de Inspecteur-Generaal, Inspectie Verkeer en Waterstaat (Civil Aviation Authority of the Inspector-General, Transport and Water Management Inspectorate)
 - Divisie Vervoer van de Inspecteur-Generaal, Inspectie Verkeer en Waterstaat (Transport Inspectorate of the Inspector-General, Transport and Water Management Inspectorate)
 - Divisie Scheepvaart van de Inspecteur-Generaal, Inspectie Verkeer en Waterstaat (Shipping Inspectorate Netherlands of the Inspector-General, Transport and Water Management Inspectorate)
 - Centrale Diensten (Central Services)
 - Koninklijk Nederlands Meteorologisch Instituut (KNMI) (Royal Netherlands Meteorological Institute)
- Ministerie van Volkshuisvesting, Ruimtelijke Ordening en Milieubeheer (Ministry for Housing, Spatial Planning and the Environment)
- Bestuursdepartement (Central policy and staff departments)
 - Directoraat-Generaal Wonen (Directorate General for Housing)
 - Directoraat-Generaal Ruimte (Directorate General for Spatial Policy)
 - Directoraat General Milieubeheer (Directorate General for Environmental Protection)
 - Rijksgebouwendienst (Government Buildings Agency)
 - VROM inspectie (Inspectorate)
- Ministerie van Volksgezondheid, Welzijn en Sport (Ministry of Health, Welfare Sports)
- Bestuursdepartement (Central policy and staff departments)
 - Inspectie Gezondheidsbescherming, Waren en Veterinaire Zaken (Inspectorate for Health Protection and Veterinary Public Health)
 - Inspectie Gezondheidszorg (Health Care Inspectorate)
 - Inspectie Jeugdhulpverlening en Jeugdbescherming (Youth Services and Youth Protection Inspectorate)
 - Rijksinstituut voor de Volksgezondheid en Milieu (RIVM) (National Institute of Public Health and Environment)
 - Sociaal en Cultureel Planbureau (Social and Cultural Planning Office)
 - Agentschap t.b.v. het College ter Beoordeling van Geneesmiddelen (Medicines Evaluation Board Agency)

Wednesday 2 July 2003

Tweede Kamer der Staten-Generaal (Second Chamber of the States General)

Eerste Kamer der Staten-Generaal (First Chamber of the States General)

Raad van State (Council of State)

Algemene Rekenkamer (Netherlands Court of Audit)

Nationale Ombudsman (National Ombudsman)

Kanselarij der Nederlandse Orden (Chancellery of the Netherlands Order)

Kabinet der Koningin (Queen's Cabinet)

AUSTRIA

- | | |
|---|--|
| 1. Bundeskanzleramt | Federal Chancellery |
| 2. Bundesministerium für auswärtige Angelegenheiten | Federal Ministry for Foreign Affairs |
| 3. Bundesministerium für Bildung, Wissenschaft und Kultur | Federal Ministry for Education, Science and Culture |
| 4. Bundesministerium für Finanzen | Federal Ministry of Finance |
| 5. Bundesministerium für Inneres | Federal Ministry of Internal Affairs |
| 6. Bundesministerium für Justiz | Federal Ministry of Justice |
| 7. Bundesministerium für Landesverteidigung | Federal Ministry of Defence |
| 8. Bundesministerium für Land- und Forstwirtschaft, Umweltschutz und Wasserwirtschaft | Federal Ministry for Agriculture and Forestry, Environment Protection and Water Management |
| 9. Bundesministerium für öffentliche Leistung und Sport | Federal Ministry for Public Performance and Sports |
| 10. Bundesministerium für soziale Sicherheit und Generationen | Federal Ministry for Social Security and Generations |
| 11. Bundesministerium für Verkehr, Innovation und Technologie | Federal Ministry for Transport, Innovation and Technology |
| 12. Bundesministerium für Wirtschaft und Arbeit | Federal Ministry for Economic Affairs and Employment |
| 13. Bundesamt für Eich- und Vermessungswesen | Federal Office for Calibration and Measurement |
| 14. Österreichische Forschungs- und Prüfzentrum Arsenal Gesellschaft m.b.H | Austrian Research and Test Centre Arsenal Ltd |
| 15. Bundesprüfanstalt für Kraftfahrzeuge | Federal Testing Institute for Automobiles |
| 16. Bundesbeschaffung GmbH | Federal Procurement Ltd |
| 17. Bundesrechenzentrum GmbH | Federal Data Processing Centre Ltd |

PORTUGAL

- | | |
|---|--|
| — Presidência do Conselho de Ministros; | Presidency of the Council of Ministers |
| — Ministério das Finanças; | Ministry of Finance |

Wednesday 2 July 2003

— Ministério da Defesa Nacional; (¹)	Ministry of Defence
— Ministério dos Negócios Estrangeiros e das Comunidades Portuguesas;	Ministry of Foreign Affairs and Portuguese Communities
— Ministério da Administração Interna;	Ministry of Internal Affairs
— Ministério da Justiça;	Ministry of Justice
— Ministério da Economia;	Ministry of Economy
— Ministério da Agricultura, Desenvolvimento Rural e Pescas;	Ministry of Agriculture, Rural Development and Fishing
— Ministério da Educação;	Ministry of Education
— Ministério da Ciência e do Ensino Superior;	Ministry of Science and University Education
— Ministério da Cultura;	Ministry of Culture
— Ministério da Saúde;	Ministry of Health
— Ministério da Segurança Social e do Trabalho;	Ministry of Social Security and Labour
— Ministério das Obras Públicas, Transportes e Habitação;	Ministry of Public Works, Transport and Housing
— Ministério das Cidades, Ordenamento do Território e Ambiente.	Ministry of Cities, Land Management and Environment

FINLAND

OIKEUSKANSLERINVIRASTO — JUSTITIEKANSLERSÄMBETET	OFFICE OF THE CHANCELLOR OF JUSTICE
KAUPPA- JA TEOLLISUUSMINISTERIÖ — HANDELS- OCH INDUSTRIEMINISTERIET	MINISTRY OF TRADE AND INDUSTRY
Kuluttajavirasto — Konsumentverket	Finnish Consumer Agency
Kilpailuvirasto — Konkursverket	Finnish Competition Authority
Kuluttajavalituslautakunta — Konsumentklagenämnden	Consumer Complaint Board
Patenti- ja rekisterihallitus — Patent- och registerstyrelsen	National Board of Patents and Registration
LIKENNE- JA VIESTINTÄMINISTERIÖ — KOMMUNIKATIONSMINISTERIET	MINISTRY OF TRANSPORT AND COMMUNICATIONS
Viestintävirasto — Kommunikationsverket	Finnish Communications Regulatory Authority
MAA- JA METSÄTALOUSMINISTERIÖ — JORD- OCH SKOGSBRUKSMINISTERIET	MINISTRY OF AGRICULTURE AND FORESTRY
Elintarvikevirasto — Livsmedelsverket	National Food Agency
Maanmittauslaitos — Lantmäteriverket	National Land Survey of Finland

(¹) Non-warlike materials covered by Annex V.

Wednesday 2 July 2003

OIKEUSMINISTERIÖ — JUSTITIEMINISTERIET	MINISTRY OF JUSTICE
Tietosuojavaltuutetun toimisto — Dataombudsmannens byrå	Office of the Data Protection Ombudsman
Tuomioistuimet — domstolar	Courts of Law
Korkein oikeus — Högsta domstolen	Supreme Court
Korkein hallinto-oikeus — Högsta förvaltningsdomstolen	Supreme Administrative Court
Hovioikeudet — hovrätter	Courts of Appeal
Käräjäoikeudet — tingsrätter	District Courts
Hallinto-oikeudet —förvaltningsdomstolar	Administrative Courts
Markkinaoikeus — Marknadsdomstolen	Market Court
Työtuomioistuin — Arbetsdomstolen	Labour Court
Vakuutusoiikeus — Försäkringsdomstolen	Insurance Court
Vankeinhoitolaitos — Fångvårdsväsendet	Prison Service
OPETUSMINISTERIÖ — UNDERVISNINGSMINISTERIET	MINISTRY OF EDUCATION
Opetushallitus — Utbildningsstyrelsen	National Board of Education
Valtion elokuvatarkastamo — Statens filmgranskningsbyrå	Finnish Board of Film Classification
PUOLUSTUSMINISTERIÖ — FÖRSVARSMINISTERIET	MINISTRY OF DEFENCE
Puolustusvoimat ⁽¹⁾ — Försvarsmakten	Finnish Defence Forces
SISÄASIAINMINISTERIÖ — INRIKESMINISTERIET	MINISTRY OF THE INTERIOR
Väestörekisterikeskus —Befolkningsregistercentralen	Population Register Centre
Keskusrikospoliisi — Centralkriminalpolisen	National Bureau of Investigation
Liikkuva poliisi — Rörliga polisen	National Traffic Police
Rajavartiolaitos ⁽¹⁾ — Gränsbevakningsväsendet	Frontier Guard
SOSIAALI- JA TERVEYSMINISTERIÖ	MINISTRY OF SOCIAL AFFAIRS AND HEALTH
Työttömyysturvalautakunta — Arbetslöshetsnämnden	Unemployment Appeal Board
Tarkastuslautakunta — Prövningsnämnden	Appeal Tribunal
Lääkelaitos — Läkemedelsverket	National Agency for Medicines

⁽¹⁾ Non-warlike materials.

Wednesday 2 July 2003

Terveydenhuollon oikeusturvakeskus — Rättsskyddscentralen för hälsovården	National Authority for Medicolegal Affairs
Tapaturmavirasto — Olycksfallsverket	State Accident Compensation Office
Säteilyturvakeskus — Strålsäkerhetscentralen	Radiation and Nuclear Safety Authority
TYÖMINISTERIÖ — ARBETSMINISTERIET	MINISTRY OF LABOUR
Valtakunnansovittelijain toimisto — Riksförlikningsmännens byrå	National Conciliators' Office
Valtion turvapaikanhakijoiden vastaanottokeskukset — Statliga förläggningar för asylsökande	Reception Centres
Työneuvosto — Arbetsrådet i Finland	Labour Council
ULKOASIAINMINISTERIÖ — UTRIKESMINISTERIET	MINISTRY FOR FOREIGN AFFAIRS
VALTIOVARAINMINISTERIÖ — FINANSMINISTERIET	MINISTRY OF FINANCE
Valtiontalouden tarkastusvirasto — Statens revisionsverk	State Audit Office
Valtiokonttori — Statskontoret	State Treasury
Valtion työmarkkinalaitos — Statens arbetsmarknadsverk	State Employer's Office
Verohallinto — Skatteförvaltningen	Tax Administration
Tullilaitos — Tullverket	Customs
Valtion vakuusrahassto — Statsgarantifonden	Government Guarantee Fund
YMPÄRISTÖMINISTERIÖ — MILJÖMINISTERIET	MINISTRY OF ENVIRONMENT

SWEDEN

A

Akademien för de fria konsterna	Royal Academy of Fine Arts
Alkoholinspektionen	National Alcohol Board
Alkoholsortimentsnämnden	Alcoholic Beverages Product Range Board
Allmänna pensionsfonden	National Swedish Pension Fund
Allmänna reklamationsnämnd	National Board for Consumer Complaints
Ambassader	Embassies
Arbetsdomstolen	Labour Court
Arbetsgivarverk, statens	National Agency for Government Employers
Arbetslivsfonden	Working Lives Fund
Arbetslivsinstitutet	National Institute for Working Life
Arbetsmarknadsstyrelsen	National Labour Market Board

Wednesday 2 July 2003

Arbetsmiljöfonden	Work Environment Fund
Arbetsmiljöinstitutet	National Institute of Occupational Health
Arbetsmiljönämnd, statens	Board of Occupational Safety and Health for Government Employees
Arbetsmiljöverket	Swedish Work Environment Authority
Arkitekturmuseet	Swedish Museum of Architecture
Arrendenämnder (12)	Regional Tenancies Tribunals (12)
<u>B</u>	
Banverket	National Rail Administration
Barnombudsmannen	Office of the Children's Ombudsman
Beredning för utvärdering av medicinsk metodik, statens	Swedish Council on Technology Assessment in Health Care
Besvärsnämnden för rättshjälp	Legal Aid Appeals Commission
Biografbyrå, statens	National Board of Film Censors
Biografiskt lexikon, svenskt	Dictionary of Swedish Biography
Birgittaskolan	Birgitta School
Blekinge tekniska högskola	Blekinge Institute of Technology
Bokföringsnämnden	Swedish Accounting Standards Board
Bostadskreditnämnd, statens (BKN)	National Housing Credit Guarantee Board
Boverket	National Board of Housing, Building and Planning
Brottsförebyggande rådet	National Council for Crime Prevention
Brottsoffermyndigheten	Criminal Victim Compensation and Support Authority
Brottsskadenämnden	Criminal Injuries Compensation Board
Byggforskningsrådet	Council for Building Research
<u>C</u>	
Centrala försöksdjursnämnden	Central Committee for Laboratory Animals
Centrala studiestödsnämnden	National Board of Student Aid
Centralnämnden för fastighetsdata	Central Board for Real-Estate Data
<u>D</u>	
Danshögskolan	University Collage of Dance
Datainspektionen	Data Inspection Board

Wednesday 2 July 2003

Delegationen för utländska investeringar Sverige, ISA	Invest in Sweden Agency
Departementen	Ministries (Government Departments)
Domstolsverket	National Courts Administration
Dramatiska institutet	University Collage of Film, Radio, Television and Theatre
<u>E</u>	
Ekeskolan	Eke School
Ekobrottsmyndigheten	Economic Crimes Bureau
Ekonomistyrningsverket	National Financial Management Authority
Elsäkerhetsverket	National Electrical Safety Board
Energimyndigheten, statens	Swedish National Energy Administration
EU/FoU-rådet	Swedish EU-R&D Council
Exportkreditnämnden	Export Credits Guarantee Board
Exportråd, Sveriges	Swedish Trade Council
<u>F</u>	
Fastighetsmäklarnämnden	Board of Supervision of Estate Agents
Fastighetsverk, statens	National Property Board
Fideikommissnämnden	Entailed Estates Council
Finansinspektionen	Financial Supervisory Authority
Fiskeriverket	National Board of Fisheries
Flygmedicincentrum	Aero Medical Centre
Flygtekniska försöksanstalten	Aeronautical Research Institute
Folkhälsoinstitut,statens	Institute of Public Health
Fonden för fukt- och mögelskador	National Organisation for Aid to Owners of Private Small Houses
Forskningsrådet för miljö, areella näringar och samhällsbyggande, Formas	Swedish Research Council for Environment, Agricultural Sciences and Spatial Planning
Fortifikationsverket	National Fortifications Administration
Förlikningsmannaexpedition, statens	National Conciliators' Office
Försvarets forskningsanstalt	National Defence Research Establishment
Försvarets materielverk	Defence Matériel Administration

Wednesday 2 July 2003

Försvarets radioanstalt	National Defence Radio Establishment
Försvarshistoriska museer, statens	National Swedish Museums of Military History
Försvarshögskolan	National Defence College
Försvarsmakten	Swedish Armed Forces
Försäkringskassorna (21)	Social Insurance Offices (21)
<u>G</u>	
Gentekniknämnden	Swedish Gene Technology Advisory Board
Geologiska undersökning, Sveriges	Geological Survey of Sweden
Geotekniska institut, statens	Swedish Geotechnical Institute
Giftinformationscentralen	Swedish Poisons Information Centre
Glesbygdsverket	National Rural Area Development Agency
Grafiska institutet och institutet för högre kommunikation- och reklamutbildning	Graphic Institute and the Graduate School of Communications
Granskningsnämnden för radio och TV	Swedish Broadcasting Commission
Göteborgs universitet	Göteborg University
<u>H</u>	
Handelsflottans kultur- och fritidsråd	Swedish Government Seamen's Service
Handelsflottans pensionsanstalt	Merchant Pensions Institute
Handikappombudsmannen	Office of the Disability Ombudsman
Handikappråd, statens	National Council for the Disabled
Haverikommission, statens	Board of Accident Investigation
Historiska museer, statens	National Historical Museums
Hjälpmiddelsinstitutet	Swedish Handicap Institute
Hovrätterna (6)	Courts of Appeal (6)
Hyresnämnder (12)	Regional Rent Tribunals (12)
Häktena (30)	Remand Prisons (30)
Hälso- och sjukvårdens ansvars- nämnd	Committee on Medical Responsibility
Högskolan Dalarna	Dalarna University College
Högskolan i Borås	University College of Borås
Högskolan i Gävle	University College of Gävle

Wednesday 2 July 2003

Högskolan i Halmstad	University College of Halmstad
Högskolan i Kalmar	University College of Kalmar
Högskolan i Karlskrona/Ronneby	University College of Karlskrona/Ronneby
Högskolan i Kristianstad	Kristianstad University College
Högskolan i Skövde	University College of Skövde
Högskolan i Trollhättan/Uddevalla	University College of Trollhättan/Uddevalla
Högskolan på Gotland	Gotland University College
Högskoleverket	National Agency for Higher Education
Högsta domstolen	Supreme Court
I	
Idrottshögskolan i Stockholm	Stockholm University College of Physical Education and Sports
Inspektionen för strategiska produkter	National Inspectorate of Strategic Products
Institut för byggnadsforskning, statens	Council for Building Research
Institut för ekologisk hållbarhet, statens	Swedish Institute for Ecological Sustainability
Institut för kommunikationsanalys, statens	Swedish Institute for Transport and Communications Analysis
Institut för psykosocial miljömedicin, statens	National Institute for Psycho-Social Factors and Health
Institut för särskilt utbildningsstöd	Swedish National Attendants' Service
Institutet för arbetsmarknadspolitisk utvärdering	Office of Labour Market Policy Evaluation
Institutet för rymdfysik	Swedish Institute of Space Physics
Institutionsstyrelse, Statens	National Board of Institutional Care
Insättningsgarantinämnden	Deposit Guarantee Board
Integrationsverket	Swedish Integration Board
Internationella adoptionsfrågor, Statens nämnd för	National Board for Intercountry Adoptions
Internationella programkontoret för utbildningsområdet	International Programme Office for Education and Training
J	
Jordbruksverk, statens	Swedish Board of Agriculture
Justitiekanslern	Office of the Chancellor of Justice
Jämställdhetsombudsmannen	Office of the Equal Opportunities Ombudsman

K

Kammarkollegiet	Legal, Financial and Administrative Services Agency
Kammarrätterna (4)	Administrative Courts of Appeal (4)
Karlstads universitet	Karlstad University
Karolinska Institutet	Karolinska Institutet
Kemikalieinspektionen	National Chemicals Inspectorate
Kommerskollegium	National Board of Trade
Koncessionsnämnden för miljöskydd	National Franchise Board for Environment Protection
Konjunkturinstitutet	National Institute of Economic Research
Konkurrensverket	Swedish Competition Authority
Konstfack	College of Arts, Crafts and Design
Konsthögskolan	College of Fine Arts
Konstmuseer, statens	National Art Museums
Konstnärsnämnden	Arts Grants Committee
Konstråd, statens	National Art Council
Konsulat	Consulates
Konsumentverket	Swedish Consumer Agency
Kriminaltekniska laboratorium, statens	National Laboratory of Forensic Science
Kriminalvårdens regionkanslier (4)	Correctional Region Offices (4)
Kriminalvårdsanstalterna (35)	National/Local Institutions (35)
Kriminalvårdsstyrelsen	National Prison and Probation Administration
Kristinaskolan	Kristina School
Kronofogdemyndigheterna (10)	Enforcement Services (10)
Kulturråd, statens	National Council for Cultural Affairs
Kungl. Biblioteket	Royal Library
Kungl. Konsthögskolan	Royal University Collage of Fine Arts
Kungl. Musikhögskolan	Royal University Collage of Music in Stockholm
Kungl. Tekniska högskolan	Royal Institute of Technology
Kustbevakningen	Swedish Coast Guard
Kvalitets- och kompetensråd, statens	National Council for Quality and Development
Kärnkraftinspektion, statens	Swedish Nuclear Power Inspectorate

Wednesday 2 July 2003

L

Lagrådet	Council on Legislation
Lantbruksuniversitet, Sverige	Swedish University of Agricultural Sciences
Lantmäteriverket	National Land Survey
Linköpings universitet	Linköping University
Livruskammaren, Skoklosters slott och Hallwylska museet	Royal Armoury
Livsmedelsverk, statens	National Food Administration
Ljud- och bildarkiv, statens	National Archive of Recorded Sound and Moving Images
Lotteriinspektionen	National Gaming Board
Luffartsverket	Civil Aviation Administration
Luleå tekniska universitet	Luleå University of Technology
Lunds universitet	Lund University
Läkemedelsverket	Medical Products Agency
Länsarbetsnämnderna (20)	County Labour Boards (20)
Länsrätterna (23)	County Administrative Courts (23)
Länsstyrelserna (21)	County Administrative Boards (21)
Lärarhögskolan i Stockholm	Stockholm Institute of Education

M

Malmö högskola	Malmö University
Manillaskolan	Manilla School, Special School for Deaf and Hard-of-Hearing Children
Marknadsdomstolen	Market Court
Medlingsinstitutet	National Mediation Office
Meteorologiska och hydrologiska institut, Sveriges	Swedish Meteorological and Hydrological Institute
Migrationsverket	Swedish Migration Board
Militärhögskolor	Military Academies
Mitthögskolan	Mid Sweden University
Moderna museet	Modern Museum
Museer för världskultur, statens	National Museums of World Culture
Musiksamlingar, statens	Music Library of Sweden
Myndigheten för kvalificerad yrkesutbildning	Swedish Agency for Advanced Vocational Education
Myndigheten för Sveriges nätuniversitet	Swedish Agency for Distance Education
Mälardalens högskola	University Collage of Mälardalen

N

Nationalmuseum	National Museum of Fine Arts
Nationellt centrum för flexibelt lärande	National Agency for Flexible Learning
Naturhistoriska riksmuseet	Museum of Natural History
Naturvårdsverket	Swedish Environmental Protection Agency
Nordiska Afrikainstitutet	Nordic Africa Institute
Notarienämnden	Recorders Committee
Nämnden för offentlig upphandling	National Board for Public Procurement

O

Ombudsmannen mot diskriminering på grundav sexuell läggning	Office of the Ombudsman against Discrimination on the grounds of Sexual Orientation
Ombudsmannen mot etnisk diskriminering	Office of the Ethnic Discrimination Ombudsman
Operahögskolan i Stockholm	University Collage of Opera, Stockholm

P

Patent- och registreringsverket	Patents and Registration Office
Patentbesvärsträtten	Court of Patent Appeals
Pensionsverk, statens	The National Government Employee Pensions Board
Person- och adressregisternämnd, statens	Co-ordinated Population and Address Register
Pliktverk, Totalförsvarets	National Service Administration
Polarforskningssekretariatet	Swedish Polar Research Secretariat
Polismyndigheter (21)	Police authorities (21)
Post- och telestyrelsen	National Post and Telecoms Agency
Premiepensionsmyndigheten	Premium Pension Authority
Presstödsnämnden	Press Subsidies Council

R

Radio- och TV—verket	Radio and TV Authority
Regeringskansliet	Government Offices
Regeringsrätten	Supreme Administrative Court
Revisorsnämnden	Supervisory Board of Public Accountants
Riksantikvarieämbetet	Central Board of National Antiquities

Wednesday 2 July 2003

Riksarkivet	National Archives
Riksbanken	Bank of Sweden
Riksdagens förvaltningskontor	Administration Department of the Swedish Parliament
Riksdagens ombudsmän	The Parliamentary Ombudsmen
Riksdagens revisorer	The Parliamentary Auditors
Riksförsäkringsverket	National Social Insurance Board
Riksgäldskontoret	National Debt Office
Rikspolisstyrelsen	National Police Board
Riksrevisionsverket	National Audit Bureau
Riksskatteverket	National Tax Board
Rikstrafiken	The National Public Transport Agency
Riksutställningar, Stiftelsen	Travelling Exhibitions Service
Riksåklagaren	Office of the Prosecutor-General
Rymdstyrelsen	National Space Board
Råd för byggnadsforskning, statens	Council for Building Research
Rådet för grundläggande högskoleutbildning	Council for Renewal of Undergraduate Education
Räddningsverk, statens	Swedish Rescue Services Agency
Rättshjälpsmyndigheten	National Legal Aid Authority
Rättsmedicinalverket	National Board of Forensic Medicine
<u>S</u>	
Sameskolstyrelsen och sameskolor	Sami School Board and Sami Schools
Sametinget	Sami Parliament
Sjöfartsverket	Swedish Maritime Administration
Sjöhistoriska museer, statens	National Maritime Museums
Skattemyndigheterna (10)	Tax Offices (10)
Skogsstyrelsen	National Board of Forestry
Skolverk, statens	National Agency for Education
Smittskyddsinstitutet	Swedish Institute for Infectious Disease Control
Socialstyrelsen	National Board of Health and Welfare
Specialpedagogiska institutet	Swedish Institute for Special Needs Education
Specialskolemyndigheten	National Agency for Special Schools for the Deaf and Hard-of-Hearing
Språk- och folkminnesinstitutet	Institute for Dialectology, Onomastics and Folklore Research

Wednesday 2 July 2003

Sprängämnesinspektionen	National Inspectorate of Explosives and Flammables
Statens personregisternämnd, SPAR-nämnden	Swedish Population Address Register Board
Statistiska centralbyrån	Statistics Sweden
Statskontoret	The Swedish Agency for Public Management
Stockholms universitet	Stockholm University
Strålskyddsinstitut, statens	Swedish Radiation Protection Authority
Styrelsen för ackreditering och teknisk kontroll	Swedish Board for Accreditation and Conformity Assessment
Styrelsen för internationell utvecklings- samarbete, SIDA	Swedish International Development Cooperation Authority
Styrelsen för psykologiskt försvar	National Board of Psychological Defence
Svenska institutet	Swedish Institute
Säkerhetspolisen	Swedish Security Service
Södertörns högskola	University College of South Stockholm
<u>I</u>	
Talboks- och punktskriftsbiblioteket	Library of Talking Books and Braille Publications
Teaterhögskolan	University College of Acting
Tekniska museet, stiftelsen	National Museum of Science and Technology
Tingsrätterna (72)	District and City Courts (72)
Tjänsteförslagsnämnden för domstolsväsendet	Judges Nomination Proposal Committee
Totalförsvarets forskningsinstitut	Swedish Defence Research Agency
Transportforskningsberedningen	Transport Research Board
Transportrådet	Board of Transport
Tullverket	Customs Administration
Turistdelegationen	Swedish Tourist Authority
<u>U</u>	
Umeå universitet	Umeå University
Ungdomsstyrelsen	National Board for Youth Affairs
Uppsala universitet	Uppsala University
Utlänningsnämnden	Aliens Appeals Board
Utsädeskontroll, statens	Swedish Seed Testing and Certification Institute

Wednesday 2 July 2003

V

Valmyndigheten	Election Authority
Vatten- och avloppsnämnd, statens	National Water Supply and Sewage Tribunal
Vattenöverdomstolen	Water Rights Court of Appeal
Verket för högskoleservice (VHS)	National Agency for Higher Education
Verket för innovationssystem (VINNOVA)	Swedish Agency for Innovation Systems
Verket för näringslivsutveckling (NUTEK)	Swedish Business Development Agency
Vetenskapsrådet	Swedish Research Council
Veterinärmedicinska anstalt, statens	National Veterinary Institute
Vägverket	Swedish National Road Administration
Vänerskolan	Väner School
Växjö universitet	Växjö University
Växsortsnämnd, statens	National Plant Variety Board

Å

Åklagarmyndigheterna	Regional Public Prosecution Offices (6)
Åsbackaskolan	Åsbacka School

Ö

Örebro universitet	Örebro University
Östervångsskolan	Östervång School
Överbefälhavaren	Supreme Commander of the Armed Forces
Överstyrelsen för civil beredskap	Swedish Agency for Civil Emergency Planning

UNITED KINGDOM

Cabinet Office

Civil Service College

Office of the Parliamentary Counsel

Central Office of Information

Charity Commission

Crown Prosecution Service

Crown Estate Commissioners (Vote Expenditure Only)

HM Customs and Excise

Department for Culture, Media and Sport

British Library

British Museum

Historic Buildings and Monuments Commission for England (English Heritage)

Imperial War Museum

Museums and Galleries Commission

National Gallery

National Maritime Museum

National Portrait Gallery

Natural History Museum

Royal Commission on Historical Manuscripts

Royal Commission on Historical Monuments of England

Royal Fine Art Commission (England)

Science Museum

Tate Gallery

Victoria and Albert Museum

Wallace Collection

Department for Education and Skills

Higher Education Funding Council for England

Department for Environment, Food and Rural Affairs

Agricultural Dwelling House Advisory Committees

Agricultural Land Tribunals

Agricultural Wages Board and Committees

Cattle Breeding Centre

Countryside Agency

Plant Variety Rights Office

Royal Botanic Gardens, Kew

Royal Commission on Environmental Pollution

Wednesday 2 July 2003

Department of Health

Central Council for Education and Training
in Social Work

Dental Practice Board

National Board for Nursing, Midwifery and
Health Visiting for England

National Health Service Strategic Health
Authorities and Trusts

Prescription Pricing Authority

Public Health Service Laboratory Board

UK Central Council for Nursing, Midwifery
and Health Visiting

Department for International Development

Department for National Savings

Department for Transport

Maritime and Coastguard Agency

Department for Work and Pensions

Disability Living Allowance Advisory Board

Independent Tribunal Service

Medical Boards and Examining Medical Offi-
cers (War Pensions)

Occupational Pensions Regulatory Authority

Regional Medical Service

Social Security Advisory Committee

Department of the Procurator General and
Treasury Solicitor

Legal Secretariat to the Law Officers

Department of Trade and Industry

Central Transport Consultative Committees

Competition Commission

Electricity Committees

Employment Appeal Tribunal

Employment Tribunals

Gas Consumers' Council

National Weights and Measures Laboratory

Office of Manpower Economics

Patent Office

Export Credits Guarantee Department

Foreign and Commonwealth Office

Wilton Park Conference Centre

Government Actuary's Department

Government Communications Headquarters

Home Office

Boundary Commission for England

Gaming Board for Great Britain

Inspectors of Constabulary

Parole Board and Local Review Committees

House of Commons

House of Lords

Inland Revenue, Board of

Lord Chancellor's Department

Circuit Offices and Crown, County and
Combined Courts (England and Wales)

Combined Tax Tribunal

Council on Tribunals

Court of Appeal - Criminal

Immigration Appellate Authorities

Immigration Adjudicators

Immigration Appeals Tribunal

Lands Tribunal

Wednesday 2 July 2003

Law Commission

Legal Aid Fund (England and Wales)

Office of the Social Security Commissioners

Pensions Appeal Tribunals

Public Trust Office

Supreme Court Group (England and Wales)

Transport Tribunal

Ministry of Defence

Meteorological Office

Defence Procurement Agency

National Assembly for Wales

Higher Education Funding Council for Wales

Local Government Boundary Commission
for Wales

Royal Commission for Ancient and Historical
Monuments in Wales

Valuation Tribunals (Wales)

Welsh National Health Service Authorities
and Trusts

Welsh Rent Assessment Panels

Welsh National Board for Nursing,
Midwifery and Health Visiting

National Audit Office

National Investment and Loans Office

Northern Ireland Assembly Commission

Northern Ireland Court Service

Coroners Courts

County Courts

Court of Appeal and High Court of Justice
in Northern Ireland

Crown Court

Enforcement of Judgements Office

Legal Aid Fund

Magistrates Courts

Pensions Appeals Tribunals

Northern Ireland, Department for Employment and Learning

Northern Ireland, Department for Regional Development

Northern Ireland, Department for Social Development

Northern Ireland, Department of Agriculture and Rural Development

Northern Ireland, Department of Culture, Arts and Leisure

Northern Ireland, Department of Education

Northern Ireland, Department of Enterprise, Trade and Investment

Northern Ireland, Department of the Environment

Northern Ireland, Department of Finance and Personnel

Northern Ireland, Department of Health, Social Services and Public Safety

Northern Ireland, Department of Higher and Further Education, Training and Employment

Northern Ireland, Office of the First Minister and Deputy First Minister

Northern Ireland Office

Crown Solicitor's Office

Department of the Director of Public Prosecutions for Northern Ireland

Forensic Science Agency of Northern Ireland

Office of Chief Electoral Officer for Northern Ireland

Police Service of Northern Ireland

Wednesday 2 July 2003

Probation Board for Northern Ireland

State Pathologist Service

Office of Fair Trading

Office for National Statistics

National Health Service Central Register

Office of the Parliamentary Commissioner
for Administration and Health Service
Commissioners

Office of the Deputy Prime Minister

Rent Assessment Panels

Paymaster General's Office

Postal Business of the Post Office

Privy Council Office

Public Record Office

Royal Commission on Historical Manuscripts

Royal Hospital, Chelsea

Royal Mint

Rural Payments Agency

Scotland, Auditor-General

Scotland, Crown Office and Procurator Fiscal
Service

Scotland, General Register Office

Scotland, Queen's and Lord Treasurer's Remem-
brancer

Scotland, Registers of Scotland

The Scotland Office

The Scottish Executive Corporate Services

The Scottish Executive Education Department

National Galleries of Scotland

National Library of Scotland

National Museums of Scotland

Scottish Higher Education Funding Council

The Scottish Executive Development Department

The Scottish Executive Enterprise and Lifelong Learning Department

The Scottish Executive Finance

The Scottish Executive Health Department

Local Health Councils

National Board for Nursing, Midwifery and Health Visiting for Scotland

Scottish Council for Postgraduate Medical Education

Scottish National Health Service Authorities and Trusts

The Scottish Executive Justice Department

Accountant of Court's Office

High Court of Justiciary

Court of Session

HM Inspectorate of Constabulary

Lands Tribunal for Scotland

Parole Board for Scotland and Local Review Committees

Pensions Appeal Tribunals

Scottish Land Court

Scottish Law Commission

Sheriff Courts

Scottish Criminal Record Office

Scottish Crime Squad

Scottish Fire Service Training Squad

Scottish Police College

Social Security Commissioners' Office

Wednesday 2 July 2003

The Scottish Executive Rural Affairs Department

Crofters Commission

Red Deer Commission

Rent Assessment Panel and Committees

Royal Botanic Garden, Edinburgh

Royal Commission on the Ancient and
Historical Monuments of Scotland

Royal Fine Art Commission for Scotland

The Scottish Executive Secretariat

The Scottish Parliamentary Body Corporate

Scottish Record Office

HM Treasury

Office of Government Commerce

The Wales Office (Office of the Secretary of State
for Wales)

ANNEX V

LIST OF PRODUCTS REFERRED TO IN ARTICLE 8 WITH REGARD TO CONTRACTS AWARDED BY
CONTRACTING AUTHORITIES IN THE FIELD OF DEFENCE ⁽¹⁾

Chapter 25: Salt, sulphur, earths and stone, plastering materials, lime and cement

Chapter 26: Metallic ores, slag and ash

Chapter 27: Mineral fuels, mineral oils and products of their distillation, bituminous substances, mineral
waxes

except:

ex 27.10: special engine fuels

Chapter 28: Inorganic chemicals, organic and inorganic compounds of precious metals, of rare-earth
metals, of radioactive elements and of isotopes

except:

ex 28.09: explosives

ex 28.13: explosives

ex 28.14: tear gas

ex 28.28: explosives

⁽¹⁾ The only text applicable for the purpose of this Directive is that within Annex 1, point 3 of the Agreement.

ex 28.32: explosives

ex 28.39: explosives

ex 28.50: toxic products

ex 28.51: toxic products

ex 28.54: explosives

Chapter 29: Organic chemicals

except:

ex 29.03: explosives

ex 29.04: explosives

ex 29.07: explosives

ex 29.08: explosives

ex 29.11: explosives

ex 29.12: explosives

ex 29.13: toxic products

ex 29.14: toxic products

ex 29.15: toxic products

ex 29.21: toxic products

ex 29.22: toxic products

ex 29.23: toxic products

ex 29.26: explosives

ex 29.27: toxic products

ex 29.29: explosives

Chapter 30: Pharmaceutical products

Chapter 31: Fertilisers

Chapter 32: Tanning and dyeing extracts, tannings and their derivatives, dyes, colours, paints and varnishes, putty, fillers and stoppings, inks

Chapter 33: Essential oils and resinoids, parfumery, cosmetic or toilet preparations

Chapter 34: Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing and scouring preparations, candles and similar articles, modelling pastes and 'dental waxes'

Chapter 35: Albuminoidal substances, glues, enzymes

Chapter 37: Photographic and cinematographic goods

Chapter 38: Miscellaneous chemical products,

except:

ex 38.19: toxic products

Wednesday 2 July 2003

- Chapter 39: Artificial resins and plastic materials, celluloses esters and ethers, articles thereof,
except:
ex 39.03: explosives
- Chapter 40: Rubber, synthetic rubber, factice, and articles thereof,
except:
ex 40.11: bullet-proof tyres
- Chapter 41: Raw hides and skins (other than furskins) and leather
- Chapter 42: Articles of leather, saddlery and harness, travel goods, handbags and similar containers,
articles of animal gut (other than silk-worm gut)
- Chapter 43: Furskins and artificial fur, manufactures thereof
- Chapter 44: Wood and articles of wood, wood charcoal
- Chapter 45: Cork and articles of cork
- Chapter 46: Manufactures of straw of esparto and of other plaiting materials, basketware and wickerwork
- Chapter 47: Paper-making material
- Chapter 48: Paper and paperboard, articles of paper pulp, of paper or of paperboard
- Chapter 49: Printed books, newspapers, pictures and other products of the printing industry, manuscripts,
typescripts and plans
- Chapter 65: Headgear and parts thereof
- Chapter 66: Umbrellas, sunshades, walking-sticks, whips, riding-crops and parts thereof
- Chapter 67: Prepared feathers and down and articles made of feathers or of down, artificial flowers,
articles of human hair
- Chapter 68: Articles of stone, of plaster, of cement, of asbestos, of mica and of similar materials
- Chapter 69: Ceramic products
- Chapter 70: Glass and glassware
- Chapter 71: Pearls, precious and semi-precious stones, precious metals, rolled precious metals, and articles
thereof; imitation jewellery
- Chapter 73: Iron and steel and articles thereof
- Chapter 74: Copper and articles thereof
- Chapter 75: Nickel and articles thereof
- Chapter 76: Aluminium and articles thereof
- Chapter 77: Magnesium and beryllium and articles thereof
- Chapter 78: Lead and articles thereof
- Chapter 79: Zinc and articles thereof
- Chapter 80: Tin and articles thereof
- Chapter 81: Other base metals employed in metallurgy and articles thereof

Chapter 82: Tools, implements, cutlery, spoons and forks, of base metal, parts thereof,

except:

ex 82.05: tools

ex 82.07: tools, parts

Chapter 83: Miscellaneous articles of base metal

Chapter 84: Boilers, machinery and mechanical appliances, parts thereof,

except:

ex 84.06: engines

ex 84.08: other engines

ex 84.45: machinery

ex 84.53: automatic data-processing machines

ex 84.55: parts of machines under heading No 84.53

ex 84.59: nuclear reactors

Chapter 85: Electrical machinery and equipment, parts thereof,

except:

ex 85.13: telecommunication equipment

ex 85.15: transmission apparatus

Chapter 86: Railway and tramway locomotives, rolling-stock and parts thereof, railway and tramway tracks fixtures and fittings, traffic signalling equipment of all kinds (not electrically powered),

except:

ex 86.02: armoured locomotives, electric

ex 86.03: other armoured locomotives

ex 86.05: armoured wagons

ex 86.06: repair wagons

ex 86.07: wagons

Chapter 87: Vehicles, other than railway or tramway rolling-stock, and parts thereof,

except:

ex 87.08: tanks and other armoured vehicles

ex 87.01: tractors

ex 87.02: military vehicles

ex 87.03: breakdown lorries

ex 87.09: motorcycles

ex 87.14: trailers

Chapter 89: Ships, boats and floating structures,

except:

ex 89.01A: warships

Wednesday 2 July 2003

Chapter 90: Optical, photographic, cinematographic, measuring, checking, precision, medical and surgical instruments and apparatus, parts thereof,

except:

ex 90.05: binoculars

ex 90.13: miscellaneous instruments, lasers

ex 90.14: telemeters

ex 90.28: electrical and electronic measuring instruments

ex 90.11: microscopes

ex 90.17: medical instruments

ex 90.18: mechano-therapy appliances

ex 90.19: orthopaedic appliances

ex 90.20: X-ray apparatus

Chapter 91: Manufacture of watches and clocks

Chapter 92: Musical instruments, sound recorders or reproducers, television image and sound recorders or reproducers, parts and accessories of such articles

Chapter 94: Furniture and parts thereof, bedding, mattresses, mattress supports, cushions and similar stuffed furnishings,

except:

ex 94.01A: aircraft seats

Chapter 95: Articles and manufactures of carving or moulding material

Chapter 96: Brooms, brushes, powder-puffs and sieves

Chapter 98: Miscellaneous manufactured articles

ANNEX VI

DEFINITION OF CERTAIN TECHNICAL SPECIFICATIONS

For the purposes of this Directive:

1. (a) 'technical specification', in the case of public works contracts, means the totality of the technical prescriptions contained in particular in the tender documents, defining the characteristics required of a material, product or supply, which permits a material, a product or a supply to be described in a manner such that it fulfils the use for which it is intended by the contracting authority. These characteristics shall include levels of environmental performance, design for all requirements (including accessibility for disabled persons) and conformity assessment, performance, safety or dimensions, including the procedures concerning quality assurance, terminology, symbols, testing and test methods, packaging, marking and labelling and production processes and methods. They shall also include rules relating to design and costing, the test, inspection and acceptance conditions for works and methods or techniques of construction and all other technical conditions which the contracting authority is in a position to prescribe, under general or specific regulations, in relation to the finished works and to the materials or parts which they involve;

Wednesday 2 July 2003

- (b) 'technical specification', in the case of public supply or service contracts, means a specification in a document defining the required characteristics of a product or a service, such as quality levels, environmental performance levels, design for all requirements (including accessibility for disabled persons) and conformity assessment, performance, use of the product, safety or dimensions, including requirements relevant to the product as regards the name under which the product is sold, terminology, symbols, testing and test methods, packaging, marking and labelling, user instructions, production processes and methods and conformity assessment procedures;
2. 'standard' means a technical specification approved by a recognised standardising body for repeated or continuous application, compliance with which is not compulsory and which falls into one of the following categories:
- international standard: a standard adapted by an international standards organisation and made available to the general public,
 - European standard: a standard adopted by a European standards organisation and made available to the general public,
 - national standard: a standard adopted by a national standards organisation and made available to the general public;
3. 'European technical approval' means a favourable technical assessment of the fitness for use of a product for a particular purpose, based on the fulfilment of the essential requirements for building works, by means of the inherent characteristics of the product and the defined conditions of application and use. European technical approvals are issued by an approval body designated for this purpose by the Member State;
4. 'Common technical specification' means a technical specification laid down in accordance with a procedure recognised by the Member States which has been published in the Official Journal of the European Union;
5. 'technical reference': any product produced by European standardisation bodies, other than official standards, according to procedures adopted for the development of market needs.

ANNEX VII

INFORMATION TO BE INCLUDED IN NOTICES

ANNEX VII A

INFORMATION WHICH MUST BE INCLUDED IN PUBLIC CONTRACT NOTICES

NOTICE OF THE PUBLICATION OF A PRIOR INFORMATION NOTICE ON A BUYER PROFILE

1. Country of the contracting authority
2. Name of the contracting authority
3. Internet address of the 'buyer profile' (URL)
4. CPV Nomenclature reference No(s)

Wednesday 2 July 2003

PRIOR INFORMATION NOTICE

1. The name, address, **telephone and** fax number, email address of the contracting authority and, if different, of the service from which additional information may be obtained **and, in the case of services and works contracts, of the services from which information can be obtained concerning the rules and regulations on taxes, environmental protection, employment protection and working conditions applicable in the place where the contract is to be performed.**
2. Where appropriate, indicate whether the public contract is restricted to sheltered workshops, or whether its execution is restricted to the framework of protected job programmes.
3. In the case of public works contracts: the nature and extent of the works and the place of execution; if the work is to be subdivided into several lots, the essential characteristics of those lots by reference to the work; if available, an estimate of the range of the cost of the proposed works; Nomenclature reference No(s).

In the case of public supply contracts: the nature and quantity or value of the products to be supplied, Nomenclature reference No(s).

In the case of public services contracts: the total value of the proposed purchases in each of the service categories in Annex IIA; Nomenclature reference No(s).

4. Estimated date for initiating the award procedures in respect of the contract or contracts, in the case of public service contracts by category.
5. Where appropriate, indicate whether a framework agreement is involved.
6. Where appropriate, other information.
7. Date of dispatch of the notice or of dispatch of the notice of the publication of the prior information notice on the buyer profile.
8. Indicate whether the contract is covered by the Agreement.

CONTRACT NOTICES

Open and restricted procedures, competitive dialogues, procedures, negotiated procedures

1. Name, address, telephone and fax number, email address of the contracting authority.
2. Where appropriate, indicate whether the public contract is restricted to sheltered workshops, or whether its execution is restricted to the framework of protected job programmes.
3. (a) The award procedure chosen;

(b) Where appropriate, the reasons for use of the accelerated procedure (in restricted and negotiated procedures);

(c) Where appropriate, indicate whether a framework agreement is involved;

(d) Where appropriate, indicate whether a dynamic purchasing system is involved;

(e) Where appropriate, the holding of an electronic auction (in the event of open, restricted or negotiated procedures, in the situation covered by Article 30(1)(a)).
4. Form of the contract.
5. Place of execution/performance of the works, for delivery of products or of the provision of services.

Wednesday 2 July 2003

6. (a) Public works contracts:

- nature and extent of the works and general nature of the work. Indication in particular of options concerning supplementary works, and, if known, the provisional timetable for recourse to these options as well as the number of possible renewals, if any. If the work or the contract is subdivided into several lots, the size of the different lots; Nomenclature reference number(s),
- information concerning the purpose of the work or the contract where the latter also involves the drawing up of projects,
- in the event of a framework agreement, indication also of the planned duration of the framework agreement, the estimated total value of the works for the entire duration of the framework agreement and, as far as possible, the value and the frequency of the contracts to be awarded.

(b) Public supply contracts:

- nature of the products to be supplied, indicating in particular whether tenders are requested with a view to purchase, lease rental, hire or hire purchase or a combination of these, nomenclature reference number. Quantity of products to be supplied, indicating in particular options concerning supplementary purchases and, if known, the provisional timetable for recourse to these options as well as the number of renewals, if any. Nomenclature reference number(s),
- in the case of regular or renewable contracts during the course of a given period, indicate also, if known, the timetable for subsequent contracts for purchase of intended supplies,
- in the event of a framework agreement, indication also of the planned duration of the framework agreement, the estimated total value of the supplies for the entire duration of the framework agreement and, as far as possible, the value and the frequency of the contracts to be awarded,

(c) Public service contracts:

- category and description of service. Nomenclature reference number(s). Quantity of services to be provided. Indicate in particular options concerning supplementary purchases and, if known, the provisional timetable for recourse to these options as well as the number of renewals, if any. In the case of renewable contracts over a given period, an estimate of the time frame, if known, for subsequent public contracts for purchase of intended services.

In the event of a framework agreement, indication also of the planned duration of the framework agreement, the estimated total value of the services for the entire duration of the framework agreement and, as far as possible, the value and the frequency of the contracts to be awarded.

- indication of whether the execution of the service is reserved by law, regulation or administrative provision to a particular profession.

Reference to the law, regulation or administrative provision.

- indication of whether legal persons should indicate the names and professional qualifications of the staff to be responsible for the execution of the service.

7. If the contracts are subdivided into lots, indication of the possibility of tendering for one, for several or for all the lots.

Wednesday 2 July 2003

8. Any time-limit for completion of works/supplies/services or duration of the works/supply/services contract; where possible any time-limit by which works will begin or any time limit by which delivery of supplies or services will begin.
9. Admission or prohibition of variants.
10. Where applicable particular conditions to which the performance of the contract is subject.
11. In the case of open procedures:
 - (a) name, address, telephone and telefax number and electronic address of the service from which contract documents and additional documents can be requested;
 - (b) where appropriate, time-limit for submission of such requests;
 - (c) where appropriate, cost of and payment conditions for obtaining these documents.
12. (a) Time limit for receipt of tenders or indicative tenders where a dynamic purchasing system is being used (open procedures);
 - (b) time-limit for receipt of request to participate (restricted and negotiated procedures);
 - (c) address where these have to be transmitted;
 - (d) the language or languages in which they must be drawn up.
13. In the case of open procedures:
 - (a) persons authorised to be present at the opening of tenders;
 - (b) date, time and place for such opening.
14. Where appropriate any deposit and guarantees required.
15. Main terms concerning financing and payment and/or references to the texts in which these are contained.
16. Where applicable, the legal form to be taken by the grouping of economic operators to whom the contract is to be awarded.
17. Selection criteria regarding the personal situation of economic operators that may lead to their exclusion, and required information proving that they do not fall within the cases justifying exclusion. Selection criteria and information concerning the economic operators' personal situation, information and any necessary formalities for assessment of the minimum economic and technical standards required of the economic operator. Minimum level(s) of standards possibly required.
18. Where there is a framework agreement: the number and, where appropriate, proposed maximum number of economic operators who will be members of it, the duration of the framework agreement provided for, stating, if appropriate, the reasons for any duration exceeding four years.
19. In the case of a competitive dialogue or a negotiated procedure with the publication of a contract notice, indicate, if appropriate, recourse to a staged procedure in order gradually to reduce the number of solutions to be discussed or tenders to be negotiated.
20. In the case of a restricted procedure, a competitive dialogue or a negotiated procedure with the publication of a contract notice, when recourse is had to the option of reducing the number of candidates to be invited to submit tenders, to engage in dialogue or to negotiate: minimum and, if appropriate, proposed maximum number of candidates and objective criteria to be used to choose that number of candidates.

Wednesday 2 July 2003

21. Time frame during which the tenderer must maintain its tender (open procedures).
22. Where appropriate, names and addresses of economic operators already selected by the contracting authority (negotiated procedures).
23. Criteria referred to in *Article 56* to be used for award of the contract: 'lowest price' or 'most economically advantageous tender'. Criteria representing the most economically advantageous tender as well as their weighting shall be mentioned where they do not appear in the specifications or, in the event of a competitive dialogue, in the descriptive document.
24. Name and address of the body responsible for appeal and, where appropriate, mediation procedures. Precise information concerning deadlines for lodging appeals, or if need be the name, address, telephone number, fax number and email address of the service from which this information may be obtained.
25. Date(s) of publication of the prior information notice in accordance with the technical specifications of publication indicated in Annex VIII or statement that no such publication was made.
26. Date of dispatch of the notice.
27. Indicate whether the contract is covered by the Agreement.

SIMPLIFIED CONTRACT NOTICE FOR USE IN A DYNAMIC PURCHASING SYSTEM

1. Country of contracting authority.
2. Name and e-mail address of contracting authority.
3. Publication reference of the contract notice for the dynamic purchasing system.
4. E-mail address at which the technical specification and additional documents relating to the dynamic purchasing system are available.
5. Subject of contract: description by reference number(s) of 'CPV' nomenclature and quantity or extent of the contract to be awarded.
6. Timeframe for submitting indicative tenders.

CONTRACT AWARD NOTICES

1. Name and address of the contracting authority.
2. Award procedures chosen. In the case of negotiated procedure without prior publication of a contract notice (*Article 30*), justification.
3. Public works contracts: nature and extent of the contract, general characteristics of the work.

Public supply contracts: nature and quantity of products supplied, where appropriate, by the supplier; nomenclature reference number.

Public service contracts: category and description of the service; nomenclature reference number; quantity of services bought.
4. Date of contract award.
5. Contract award criteria.
6. Number of tenders received.
7. Name and address of the successful economic operators.
8. Price or range of prices (minimum/maximum) paid.

Wednesday 2 July 2003

9. Value of the tender (tenders) retained or the highest tender and lowest tender taken into consideration for the contract award.
10. Where appropriate, value and proportion of contract likely to be subcontracted to third parties.
11. Date of publication of the tender notice in accordance with the technical specifications for publication in Annex VIII.
12. Date of dispatch of the notice.
13. Name and address of the body responsible for appeal and, where appropriate, mediation procedures. Precise information concerning the deadline for lodging appeals, or if need be the name, address, telephone number, fax number and email address of the service from which this information may be obtained.

ANNEX VII B

INFORMATION WHICH MUST APPEAR IN PUBLIC WORKS CONCESSION NOTICES

1. Name, address, fax number and email address of the contracting authority
2. (a) Place of execution
(b) Subject of the concession; nature and extent of the services
3. (a) Time limit for the submission of applications
(b) Address to which they must be sent
(c) Language(s) in which they must be written
4. Personal, technical and financial conditions to be met by the candidates
5. Criteria which will be applied in the award of the contract
6. If appropriate, the minimum proportion of the works which will be contracted out
7. Date of dispatch of the notice
8. Name and address of the body responsible for appeal and, where appropriate, mediation procedures. Precise information concerning the deadline for lodging appeals, or if need be the name, address, telephone number, fax number and email address of the service from which this information may be obtained.

ANNEX VII C

INFORMATION WHICH MUST APPEAR IN WORKS CONTRACT NOTICES OF CONCESSIONNAIRES WHO ARE NOT CONTRACTING AUTHORITIES

1. (a) Place of execution
(b) Nature and extent of the services, general characteristics of the works
2. Any time-limit for completion imposed
3. Name and address of the body from whom the specifications and the additional documents may be requested

4. (a) Time-limit for the receipt of applications to participate and/or the receipt of tenders
- (b) Address to which they must be sent
- (c) Language(s) in which they must be written
5. Any deposits or guarantees required
6. Economic and technical conditions to be met by the contractor
7. Criteria which will be applied in the award of the contract
8. Date of dispatch of the notice

ANNEX VII D

INFORMATION WHICH MUST APPEAR IN DESIGN CONTEST NOTICES

CONTEST NOTICES

1. Name, address, fax number and email address of the contracting authority and those of the service from which the additional documents may be obtained
2. Description of the project
3. Type of contest: open or restricted
4. In the event of an open contest: time limit for the submission of projects
5. In the event of a restricted contest:
 - (a) number of participants contemplated
 - (b) names of the participants already selected, if any
 - (c) criteria for the selection of participants
 - (d) time limit for requests to participate
6. If appropriate, indicate that the participation is restricted to a specified profession
7. Criteria which will be applied in the evaluation of the projects
8. Names of any members of the jury who have already been selected
9. Indicate whether the jury's decision is binding on the contracting authority
10. Number and value of any prizes
11. Payments to be made to all participants, if any
12. Indicate whether any contracts following the contest will or will not be awarded to the winner or winners of the contest
13. Date of dispatch of the notice

Wednesday 2 July 2003

NOTICE OF THE RESULTS OF A CONTEST

1. Name, address, fax number and email address of the contracting authority
2. Description of the project
3. Total number of participants
4. Number of foreign participants
5. Winner(s) of the contest
6. Any prizes
7. Reference of the contest notice
8. Date of dispatch of the notice

ANNEX VIII

FEATURES CONCERNING PUBLICATION

1. Publication of notices

- (a) Notices referred to in Articles 37, 61, 67 and 72 are sent by the contracting authorities to the Office for Official Publications of the European Communities in the format required by Commission Directive 2001/78/EC of 13 September 2001 on the use of standard forms in the publication of public contract notices. The prior information notices referred to in Article 37(1), first subparagraph, published on a buyer profile as described in point 2(b), must also use that format, as must the notice of such publication.
- (b) Notices referred to in Articles 37, 61, 67 and 72 are published by the Office for Official Publications of the European Communities or by the contracting authorities in the event of a prior information notice published on a buyer profile in accordance with Article 37(1), first subparagraph.

In addition, contracting authorities may publish this information on the Internet on a 'buyer profile' as referred to in point 2(b).

- (c) The Office for Official Publications of the European Communities will give the contracting authority the confirmation referred to in Article 38(8).

2. Publication of complementary or additional information

- (a) Contracting authorities are encouraged to publish the specifications and the additional documents in their entirety on the Internet.

Wednesday 2 July 2003

- (b) The buyer profile may include prior information notices as referred to in *Article 37(1)*, first subparagraph, information on ongoing invitations to tender, scheduled purchases, contracts concluded, procedures cancelled and any useful general information, such as a contact point, a telephone and a fax number, a postal address and an e-mail address.

3. Format and modalities for sending notices electronically

The format and procedure for sending notices electronically are accessible at the Internet address 'http://simap.eu.int'.

ANNEX IX

REGISTERS

ANNEX IX A ⁽¹⁾

PUBLIC WORKS CONTRACTS

The professional registers and corresponding declarations and certificates for each Member State are:

- in Belgium, the 'Registre du commerce/Handelsregister';
- in Denmark, the 'Handelsregistret', 'Aktieselskabesregistret' and 'Erhvervsregistret';
- in Germany, the 'Handelsregister' and the 'Handwerksrolle';
- in Greece, the 'Μητρώο Εργοληπτικών Επιχειρήσεων' — MEEΠ of the Ministry for Environment, Town and Country Planning and Public Works (ΥΠΕΧΩΔΕ);
- in Spain, the 'Registro Oficial de Contratistas del Ministerio de Industria, Comercio y Turismo';
- in France, the 'Registre du commerce' and the 'Répertoire des métiers';
- in Ireland, the contractor may be requested to provide a certificate from the Registrar of Companies or, in the case of Ireland, the Registrar of Friendly Societies or, if this is not the case, a certificate stating that the person concerned has declared on oath that he is engaged in the profession in question in the country in which he is established, in a specific place and under a given business name;
- in Italy, the 'Registro della Camera di commercio, industria, agricoltura e artigianato';
- in Luxembourg, the 'Registre aux firmes' and the 'Rôle de la chambre des métiers';
- in the Netherlands, the 'Handelsregister';
- in Austria, the 'Firmenbuch', the 'Gewerberegister', the 'Mitgliederverzeichnisse der Landeskammern';
- in Portugal, the 'Comissão de Alvarás de Empresas de Obras Públicas e Particulares' (CAEOPP);
- in Finland, the 'Kaupparekisteri' and 'Handelsregistret';
- in Sweden, 'aktiebolags-, handels- eller föreningsregistren';
- in the United Kingdom, the contractor may be requested to provide a certificate from the Registrar of Companies or, in the case of Ireland, the Registrar of Friendly Societies or, if this is not the case, a certificate stating that the person concerned has declared on oath that he is engaged in the profession in question in the country in which he is established, in a specific place and under a given business name;

⁽¹⁾ For the purposes of *Article 49*, 'professional and trade registers' means those listed in this Annex and, where changes have been made at national level, the registers which have replaced them.

Wednesday 2 July 2003

ANNEX IX B

PUBLIC SUPPLY CONTRACTS

The relevant professional or trade registers and the corresponding declarations and certificates are:

- in Belgium, the 'Registre du commerce/Handelsregister';
- in Denmark, 'Aktieselskabsregistret', 'Foreningsregistret' and 'Handelsregistret';
- in Germany, the 'Handelsregister' and 'Handwerksrolle';
- in Greece, the 'Βιοτεχνικό ή Βιομηχανικό ή Εμπορικό Επιμελητήριο';
- in Spain, the 'Registro Mercantil' or, in the case of non-registered individuals, a certificate stating that the person concerned has declared on oath that he is engaged in the profession in question;
- in France, the 'Registre du commerce' and 'Répertoire des métiers';
- in Ireland, the supplier may be requested to provide a certificate from the Registrar of Companies or, in the case of Ireland, the Registrar of Friendly Societies, that he is certified as incorporated or registered or, if he is not so certified, a certificate stating that the person concerned has declared on oath that he is engaged in the profession in question in the country in which he is established in a specific place under a given business name and under a specific trading name.
- in Italy, the 'Registro della Camera di commercio, industria, agricoltura e artigianato', and 'Registro delle commissioni provinciali per l'artigianato';
- in Luxembourg, the 'Registre aux firmes' and 'Rôle de la chambre des métiers';
- in the Netherlands, the 'Handelsregister';
- in Austria, the 'Firmenbuch', the 'Gewerberegister', the 'Mitgliederverzeichnisse der Landeskammern';
- in Portugal, the 'Registro Nacional das Pessoas Colectivas';
- in Finland, the 'Kaupparekisteri' and 'Handelsregistret';
- in Sweden, 'aktiebolags-, handels- eller föreningsregistren';
- in the United Kingdom, the supplier may be requested to provide a certificate from the Registrar of Companies or, in the case of Ireland, the Registrar of Friendly Societies, that he is certified as incorporated or registered or, if he is not so certified, a certificate stating that the person concerned has declared on oath that he is engaged in the profession in question in the country in which he is established in a specific place under a given business name and under a specific trading name.

ANNEX IX C

PUBLIC SERVICE CONTRACTS

The relevant professional and trade registers or declarations or certificates are:

- in Belgium, the 'Registre du commerce/Handelsregister' and the 'Ordres professionnels/Beroepsorden';
- in Denmark, 'Erhvervs- og Selskabstyrelsen';
- in Germany, the 'Handelsregister', the 'Handwerksrolle' and the 'Vereinsregister';
- in Greece, the service provider may be asked to provide a declaration on the exercise of the profession concerned made on oath before a notary; in the cases provided for by existing national legislation, for the provision of research services as mentioned in Annex I A, the professional register 'Μητρώο Μελετητών' and 'Μητρώο Γραφείων Μελετών';

Wednesday 2 July 2003

- in Spain, the 'Registro Central de Empresas Consultoras y de Servicios del Ministerio de Economía y Hacienda';
- in France, the 'Registre du commerce' and the 'Répertoire des métiers';
- in Ireland, the service provider may be requested to provide a certificate from the Registrar of Companies or, in the case of Ireland, the Registrar of Friendly Societies or, if he is not so certified, a certificate stating that the person concerned has declared on oath that he is engaged in the profession in question in the country in which he is established in a specific place under a given business name.
- in Italy, the 'Registro della Camera di commercio, industria, agricoltura e artigianato', the 'Registro delle commissioni provinciali per l'artigianato' or the 'Consiglio nazionale degli ordini professionali';
- in Luxembourg, the 'Registre aux firmes' and the 'Rôle de la chambre des métiers';
- in the Netherlands, the 'Handelsregister';
- in Austria, the 'Firmenbuch', the 'Gewerberegister', the 'Mitgliederverzeichnisse der Landeskammern';
- in Portugal, the 'Registro nacional das Pessoas Colectivas';
- in Finland, the 'Kaupparekisteri' and 'Handelsregistret';
- in Sweden, 'aktiebolags-, handels- eller föreningsregistren'.
- in the United Kingdom, the service provider may be requested to provide a certificate from the Registrar of Companies or, in the case of Ireland, the Registrar of Friendly Societies or, if he is not so certified, a certificate stating that the person concerned has declared on oath that he is engaged in the profession in question in the country in which he is established in a specific place under a given business name.

ANNEX X

REQUIREMENTS RELATING TO DEVICES FOR THE ELECTRONIC RECEIPT OF TENDERS, REQUESTS
FOR PARTICIPATION AND PLANS AND PROJECTS IN CONTESTS

Devices for the electronic receipt of tenders, requests for participation and plans and projects in contests must at least guarantee, through technical means and appropriate procedures, that:

- a) electronic signatures relating to tenders, requests to participate and the forwarding of plans and projects comply with national provisions adopted pursuant to Directive 1999/93/EC;
- b) the exact time and date of the receipt of tenders, requests to participate and the submission of plans and projects can be determined precisely;
- c) it may be reasonably ensured that, before the time limits laid down, no-one can have access to data transmitted under these requirements;
- d) if that access prohibition is infringed, it may be reasonably ensured that the infringement is clearly detectable;
- e) only authorised persons may set or change the dates for opening data received;

Wednesday 2 July 2003

- f) during the different stages of the contract award procedure or of the contest access to all data submitted, or to part thereof, must be possible only through simultaneous action by authorised persons;
- g) simultaneous action by authorised persons must give access to data transmitted only after the prescribed date;
- h) data received and opened in accordance with these requirements must remain accessible only to persons authorised to acquaint themselves therewith.

ANNEX XI

DEADLINES FOR TRANSPOSITION AND APPLICATION

(Article 83)

Directives	Deadlines for transposition and application
92/50/CEE (OJ L 209, 24.7.1992, p. 1) Austria, Finland, Sweden (*)	1 July 1993 1 January 1995
93/36/EEC (OJ L 199, 9.8.1993, p. 1) Austria, Finland, Sweden (*)	13 June 1994 1 January 1995
93/37/EEC (OJ L 199, 9.8.1993, p. 54) consolidation of directives: — 71/305/EEC (OJ L 185, 16.8.1971, p. 5): — EC of 6 — DK, IRL, UK — Greece — Spain, Portugal — Austria, Finland, Sweden (*) — 89/440/EEC (OJ L 210, 21.7.1989, p. 1): — EC of 9 — Greece, Spain, Portugal — Austria, Finland, Sweden (*)	30 July 1972 1 January 1973 1 January 1981 1 January 1986 1 January 1995 19 July 1990 1 March 1992 1 January 1995
97/52/EC (OJ L 328, 28.11.1997, p. 1)	13 October 1998

(*) EEA: 1 January 1994

ANNEX XII

CORRELATION TABLE ⁽¹⁾

This Directive	Directive 93/37/EEC	Directive 93/36/EEC	Directive 92/50/EEC	Other acts	
Art. 1, par.1	Art. 1, first line, adapted	Art. 1, first line, adapted	Art. 1, first line, adapted		
Art. 1, par. 2, point (a)	Art. 1, point (a), first part of sentence	Art. 1, point (a), first and last parts of first sentence	Art. 1, point (a)		Amended
Art. 1, par. 2, point (b)	Art. 1, point (a) and point (c), adapted	—	—		
Art. 1, par. 2, point (c), first subparagraph	—	Art. 1, point (a), second part of the first sentence and second sentence, adapted	—		
Art. 1, par. 2, point (c), second subparagraph	—	Art. 1, point (a), adapted	—		
Art. 1, par. 2, point (d), first subparagraph	—	—	—		New
Art. 1, par. 2, point (d), second subparagraph	—	—	Art. 2, adapted		
Art. 1, par. 2, point (d), third subparagraph	—	—	16th recital adapted		
Art. 1, par. 3	Art. 1, point (d)	—	—		
Art. 1, par. 4	—	—	—		New
Art. 1, par. 5	—	—	—		New
Art. 1, par. 6	—	—	—		New
Art. 1, par. 7	—	—	—		New

⁽¹⁾ 'Adapted' means that the wording of the text was changed, while the meaning of the repealed directives was preserved. Changes to the meaning of the provisions of the repealed directives are indicated by the term 'amended'. This term appears in the last column when the amendment concerns the provisions of the three repealed directives. When the amendment affects only one or two of these directives, the term 'amended' is included in the column of the directives concerned.

Wednesday 2 July 2003

This Directive	Directive 93/37/EEC	Directive 93/36/EEC	Directive 92/50/EEC	Other acts	
Art. 1, par. 8, first subparagraph	—	—	Art. 1, point (c), first sentence adapted		
Art. 1, par. 8, second subparagraph	—	—	—		New
Art. 1, par. 8, third subparagraph	Art. 1, point (h)	Art. 1, point (c)	Art. 1, point (c), second sentence		Amended
Art. 1, par. 9	Art. 1, point (b), adapted	Art. 1 point (b), adapted	Art. 1, point (b), adapted		
Art. 1, par.10	—	—	—		New
Art. 1, par. 11, first subparagraph	Art. 1, point (e), adapted	Art. 1, point (d), adapted	Art. 1, point (d), adapted		
Art. 1, par. 11, second subparagraph	Art. 1, point (f), adapted	Art. 1, point (e), adapted	Art. 1, point (e), adapted		
Art. 1, par. 11, third subparagraph	—	—	—		New
Art. 1, par. 11, fourth subparagraph	Art. 1, point (g), adapted	Art. 1, point (f), adapted	Art. 1, point (f), adapted		
Art. 1, par. 11, fifth subparagraph	—	—	Art. 1, point (g), adapted		
Art. 1, par. 12	—	—	—		New
Art. 1, par. 13	—	—	—		New
Art. 1, par. 14	—	—	—		New
Art. 1, par. 15	—	—	—		New
Art. 2	Art. 6, par. 6	Art. 5, par. 7	Art. 3, par. 2		Amended
Art. 3	—	Art. 2, par. 2	—		
Art. 4, par. 1	New	New	Art. 26, par. 2 and 3, adapted		
Art. 4, par. 2	Art. 21 amended	Art. 18 adapted	Art. 26, par. 1 amended		

Wednesday 2 July 2003

This Directive	Directive 93/37/EEC	Directive 93/36/EEC	Directive 92/50/EEC	Other acts	
Art. 5	Art. 33a adapted	Art. 28 amended	Art. 38a adapted		
Art. 6	—	Art. 15, par. 2	—		Amended
Art. 7					New
Art. 8, points (a) and (b)	—	Article 5, par. 1, point (a), adapted	Article 7, par. 1, point (a), adapted		
Art. 8, point (c)	Art. 6, par. 1, point (a), adapted	—	—		
Art. 9	Art. 2 and Art. 6, par. 1, point (b), adapted	—	Art. 3, par. 3 and Art. 7, par. 1, point (a), adapted		
Art. 10, par. 1, first subparagraph	—	Art. 5, par. 5	Art. 7, par. 2 and 7		Amended
Art. 10, par. 1, second subparagraph	—	—	—		New
Art. 10, par. 2	—	Art. 5, par. 1, point (b)	—		Amended
Art. 10, par. 3	Art. 6, par. 4	Art. 5, par. 6	Art. 7, par. 3, second clause		
Art. 10, par. 4	Art. 6, par. 5, adapted				
Art. 10, par. 5, point (a)	Art. 6, par. 3, adapted	—	Art. 7, par. 4, third subparagraph, adapted		
Art. 10, par. 5, point (b)	—	Art. 5, par. 4	—		Amended
Art. 10, par. 6	—	Art. 5, par. 2	—		
Art. 10, par. 7	—	Art. 5, par. 3	Art. 7, par. 6		

Wednesday 2 July 2003

This Directive	Directive 93/37/EEC	Directive 93/36/EEC	Directive 92/50/EEC	Other acts	
Art. 10, par. 8, point (a)	—	—	Art. 7, par. 4,		Amended
Art. 10, par. 8, point (b)	—	—	Art. 7, par. 5,		Amended
Art. 10, par. 9	—	—	—		New
Art. 11	New	Art. 3 adapted	Art. 4, par. 1 adapted		
Art. 12	—	—	—		New
Art. 13	Art. 4, point (a)	Art. 2, point (a)	Art. 1, point (a) (ii)		Amended
Art. 14	—	—	—		New
Art. 15	Art. 4, point (b)	Art. 2, par. 1, point (b)	Art. 4, par. 2		
Art. 16, point (a)	Art. 5, point (a) adapted	Art. 4, point (a) adapted	Art. 5, point (a) adapted		
Art. 16, points (b) and (c)	Art. 5, points (b) and (c)	Art. 4, points (b) and (c)	Art. 5, points (b) and (c)		
Art. 17	—	—	Art. 1, point (a), (iii) to (ix), adapted		
Art. 18	—	—	—		New
Art. 19	—	—	Art. 6		Amended
Art. 20					New
Art. 21					New
Art. 22	—	—	Art. 8		
Art. 23			Art. 9		
Art. 24	—	—	Art. 10		
Art. 25	Art. 10	Art. 8	Art. 14		Amended

Wednesday 2 July 2003

This Directive	Directive 93/37/EEC	Directive 93/36/EEC	Directive 92/50/EEC	Other acts	
Art. 26, par. 1 to 4, first subparagraph	Art. 19	Art. 16, par. 1,	Art. 24, par. 1		Amended
Art. 26, par. 4, second subparagraph	—	Art. 16, par. 2, adapted	Art. 24, par. 2, adapted		
Art. 27, first paragraph	Art. 20, first paragraph	Art. 17, first paragraph	Art. 25, first paragraph		Amended
Art. 27, second paragraph	Art. 20, second paragraph	Art. 17, second paragraph	Art. 25, second paragraph		
Art. 28	—	—	—		New
Art. 29, first paragraph	Art. 23, par. 1	—	Art. 28, par. 1		Amended
Art. 29, second and third paragraphs	Art. 23, par. 2	—	Art. 28, par. 2		
Art. 30, first paragraph	Art. 7, par. 1 adapted	Art. 6, par. 1 adapted	Art. 11, par. 1 adapted		
Art. 30, second paragraph	Art. 7, par. 4	Art. 6, par. 4	Art. 11, par. 4		Amended
Art. 31	—	—	—		New
Art. 32, par. 1, point (a)	Art. 7, par. 2, point (a)	Art. 6, par. 2	Art. 11, par. 2, point (a)		
Art. 32, par 1, point (b)	Art. 7, par. 2, point (c)	New	Art. 11, par. 2, point (b)		
Art. 32, par. 1, point (c)		—	Art. 11, par. 2, point (c)		
Art. 32, par. 1, point (d)	Art. 7, par. 2, point (b)	—	—		
Art. 32, paragraphs 2, 3 and 4	—	—	—		New
Art. 33, point (1), point (a)	Art. 7, par. 3 point (a)	Art. 6, par. 3, point (a)	Art. 11, par. 3, point (a)		

Wednesday 2 July 2003

This Directive	Directive 93/37/EEC	Directive 93/36/EEC	Directive 92/50/EEC	Other acts	
Art. 33, point (1), point (b)	Art. 7, par. 3, point (b)	Art. 6, par. 3, point (c)	Art. 11, par. 3, point (b)		
Art. 33, point (1), point (c)	Art. 7, par. 3, point (c)	Art. 6, par. 3, point (d)	Art. 11, par. 3, point (d)		
Art. 33, point (2), point (a)	—	Art. 6, par. 3, point (b)	—		
Art. 33, point (2), point (b)	—	Art. 6, par. 3, point (e)	—		
Art. 33, point (2), point (c)	—	New	—		
Art. 33, point (2), point (d)	—	New	—		
Art. 33, point (3)	—	—	Art. 11, par. 3, point (c)		
Art. 33, point (4), point (a)	Art. 7, par. 3, point (d)	—	Art. 11, par. 3, point (e)		
Art. 33, point (4), point (b)	Art. 7, par. 3, point (e)	—	Art. 11, par. 3, point (f)		
Art. 34	—	—	—		New
Art. 35	—	—	—		New
Art. 36, first and second paragraphs	Art. 9, first and second paragraphs	—	—		
Art. 36, third paragraph	Art. 9, third paragraph		—		Amended
Art. 37, par. 1, first subparagraph, point (a), first subparagraph	—	Art. 9, par. 1, first subparagraph	—		
Art. 37, par. 1, first subparagraph, point (a), second subparagraph	—	Art. 9, par. 1, second subparagraph, first sentence	—		Amended
Art. 37, par. 1, first subparagraph, point (b)	—	—	Art. 15, par. 1		

Wednesday 2 July 2003

This Directive	Directive 93/37/EEC	Directive 93/36/EEC	Directive 92/50/EEC	Other acts	
Art. 37, par. 1, first subparagraph, point (c)	Art. 11, par. 1	—	—		
Art. 37, par. 1, second subparagraph	—	Art. 9, par. 5, second subparagraph	Art. 17, par. 2, second subparagraph		Amended
Art. 37, par. 1, third subparagraph	Art. 11, par. 7, second subparagraph	—	—		Amended
Art. 37, par. 1, fourth, fifth and sixth subparagraphs	—	—	—		New
Art. 37, par. 2	Art. 11, par. 2	Art. 9, par. 2	Art. 15, par. 2		Amended
Art. 37, par. 3	—	—	—		New
Art. 37, par. 4, first subparagraph	Art. 11, par. 5, first sentence	Art. 9, par. 3, first sentence	Art. 16, par. 1		Amended
Art. 37, par. 4, second and third subparagraphs	—	—	—		New
Art. 37, par. 4, fourth subparagraph	—	—	Art. 16, par. 3 and 4		
Art. 37, par. 4, fifth subparagraph	Art. 11, par. 5, second sentence	Art. 9, par. 3, second sentence	Art. 16, par. 5		Amended
Art. 38, par. 1	Art. 11, par. 6, first subparagraph, adapted	Art. 9, par. 4, first sentence, adapted	Art. 17, par. 1, first sentence, adapted		
Art. 38, par. 2, first subparagraph	Art. 11, par. 7, first sentence	Art. 9, par. 5, first subparagraph	Art. 17, par. 2, first subparagraph		Amended
Art. 38, par. 2, second subparagraph	—	—	—		New
Art. 38, par. 3	Art. 11, par. 10	Art. 9, par. 8	Art. 17, par. 5		Amended
Art. 38, par. 4	Art. 11, par. 8 and 13	Art. 9, par. 6 and 11	Art. 17, par. 4 and 8		Amended
Art. 38, par. 5	Art. 11, par. 11, adapted	Art. 9, par. 9, adapted	Art. 17, par. 6, adapted		

Wednesday 2 July 2003

This Directive	Directive 93/37/EEC	Directive 93/36/EEC	Directive 92/50/EEC	Other acts	
Art. 38, par. 6	Art. 11, par. 13, second sentence	Art. 9, par. 11, second sentence	Art. 17, par. 8, second sentence		Amended
Art. 38, par. 7, first subparagraph	Art. 11, par. 12	Art. 9, par. 10	Art. 17, par. 7		
Art. 38, par. 7, second subparagraph	—	—	—		New
Art. 39	Art. 17	Art. 13	Art. 21		Amended
Art. 40, par. 1	—	—	—		New
Art. 40, par. 2	Art. 12, par. 2, adapted	Art. 10, par. 1, adapted	Art. 18, par. 1, adapted		
Art. 40, par. 3	Art. 13, par. 1 and 3, adapted	Art. 11, par. 1 and 3, adapted	Art. 19, par. 1 and 3, adapted		Amended
Art. 40, par. 4	Art. 12, par. 2 and Art. 13, par. 4, adapted	Art. 10, par. 1a and Art. 11, par. 3a, adapted	Art. 18, par. 2 and Art. 19, par. 4, adapted		
Art. 40, par. 5 and 6	—	—	—		New
Art. 40, par. 7	Art. 12, par. 5	Art. 10, par. 4	Art. 18, par. 5		Amended
Art. 40, par. 8	Art. 14, par. 1	Art. 12, par. 1	Art. 20, par. 1		Amended
Art. 41	Art. 12, par. 3 and 4, Art. 13, par. 6, and Art. 14, par. 2 adapted	Art. 10, par. 2 and 3, Art. 11, par. 5, and Art. 12, par. 2 adapted	Art. 18, par. 3 and 4, Art. 19, par. 6 and Art. 20, par. 2 adapted		
Art. 42	Art. 13, par. 2, and Art. 14, par. 3	Art. 11, par. 2, and Art. 12, par. 3	Art. 19, par. 2, and Art. 20, par. 3		Amended
Art. 43, par.1	Art. 8, par. 2, first sentence, adapted	Art. 7, par. 2, first sentence, adapted	Art. 12, par. 2, first sentence, adapted		

Wednesday 2 July 2003

This Directive	Directive 93/37/EEC	Directive 93/36/EEC	Directive 92/50/EEC	Other acts	
Art. 43, par.2	Art. 8, par. 1, first subparagraph, adapted	Art. 7, par. 1, first subparagraph, adapted	Art. 12, par. 1, first subparagraph, adapted		
Art. 43, par. 3	Art. 8, par. 1, second subparagraph, adapted	Art. 7, par. 1, second subparagraph, adapted	Art. 12, par. 1, second subparagraph, adapted		
	Art. 8, par. 2, last sentence	Art. 7, par. 2, last sentence	Art. 12, par. 2, last sentence		Deleted
Art. 44, par. 1, 3 and 6	Art. 13, par. 5, and Art. 18, par. 2	Art. 11, par. 4, and Art. 15, par. 3	Art. 19, par. 5, and Art. 23, par. 2		Amended
Art. 44, par. 2, 4 and 5	—	—	—		New
Art. 45	Art.8, par. 3	Art. 7, par.3	Art.12, par. 3		Amended
Art. 46, par.1	Art. 18, par. 1 adapted	Art. 15, par. 1 adapted	Art. 23, par. 1 adapted		Amended
Art. 46, par. 2	—	—	—		New
Art. 46, par. 3	Art. 22	Art. 23, par. 3	Art. 32, par. 4		Amended
Art. 46, par. 4	—	—	—		New
Art. 47					New
Art. 48, par. 1	—	—	—		New
Art. 48, par. 2, first subparagraph	Art. 24, first paragraph, adapted	Art. 20, par. 1, adapted	Art. 29, first paragraph, adapted		
Art. 48, par. 2, second subparagraph	—	—	—		New
Art. 48, par. 3	Art. 24, second and third paragraphs, adapted	Art. 20, par. 2 and 3 adapted	Art. 29, second and third paragraphs, adapted		
Art. 48, par. 4	Art. 24, fourth paragraph	Art. 20, par. 4	Art. 29, fourth paragraph		Amended

Wednesday 2 July 2003

This Directive	Directive 93/37/EEC	Directive 93/36/EEC	Directive 92/50/EEC	Other acts	
Art. 49, first paragraph	Art. 25, first sentence amended	Art. 21, par. 1 and par. 2, first sentence, adapted	Art. 30, par. 1 and 3, first sentence, adapted		
Art. 49, second paragraph	—	—	Art. 30, par. 2		
Art. 50, par. 1, points (a) and (b)	Art. 26, par. 1, points (a) and (b), adapted	Art. 22, par. 1, points (a) and (b), adapted	Art. 31, par. 1, points (a) and (b), adapted		
Art. 50, par. 1, point (c)	Art. 26, par. 1, point (c)	Art. 22, par. 1, point (c)	Art. 31, par. 1, point (c)		Amended
Art. 50, par. 2 and 3	—	—	—		New
Art. 50, par. 4 and 5	Art. 26, par. 2 and 3, adapted	Art. 22, par. 2 and 3, adapted	Art. 31, par. 2 and 3, adapted		Amended
Art. 51, par. 1 and par. 2, points (a) to (e) and (g) to (j)	Art. 27, par. 1, adapted	Art. 23, par. 1, adapted	Art. 32, par. 2, adapted		
Art. 51, par. 2, point (f)	—		—		New
Art. 51, par. 3 and 4	—	—	—		New
Art. 51, par. 5	New	New	Art. 32, par. 1, adapted		
Art. 51, par. 6	Art. 27, par. 2	Art. 23, par. 2	Art. 32, par. 3		
Art. 52	New	New	Art. 33		Amended
Art. 53	—	—	—		New
Art. 54	Art. 28	Art. 24	Art. 34		
Art. 55	Art. 29	Art. 25	Art. 35		Amended
Art. 56, par. 1	Art. 30, par. 1 adapted	Art. 26, par. 1 adapted	Art. 36, par. 1 adapted		

Wednesday 2 July 2003

This Directive	Directive 93/37/EEC	Directive 93/36/EEC	Directive 92/50/EEC	Other acts	
Art. 56, par. 2	Art. 30, par. 2	Art. 26, par. 2	Art. 36, par.2		Amended
	Art. 30, par. 3	—	—		Deleted
Art. 57	—	—	—		New
Art. 58	Art. 30, par. 4, first and second subparagraphs	Art. 27, first and second paragraphs	Art. 37, first and second paragraphs		Amended
—	Art. 30, par. 4, third subparagraph	Art. 27, third paragraph	Art. 37, third paragraph		Deleted
—	Art. 30, par. 4, fourth subparagraph	—	—		Deleted
—	Art. 31	—	—		Deleted
—	Art. 32	—	—		Deleted
Art. 59	Art. 3, par. 1, adapted				
Art. 60	—				New
Art. 61	Art. 11 par. 3, par. 6 to 11 and par. 13				Amended
Art. 62	Art. 15	—	—		
Art. 63	Art. 3, par. 2	—	—		
Art. 64	New	—	—		
Art. 65	Art. 3, par. 3	—	—		
Art. 66	Art. 3, par. 4				Amended
Art. 67	Art. 11, par. 4, par. 6, first subparagraph, par. 7, first subparagraph, and par. 9	—	—		Amended
Art. 68	Art. 16				

Wednesday 2 July 2003

This Directive	Directive 93/37/EEC	Directive 93/36/EEC	Directive 92/50/EEC	Other acts	
Art. 69	—	—	Art. 13, par. 3 and 4		
Art. 70, par 1	—	—	Art. 13, par. 1, first subparagraph and par. 2, first subparagraph		
Art. 70, par.2			Art. 13, par. 1, indents 1 to 3 and par. 2, indents 1 to 3		Amended
Art. 71	—	—	New		
Art. 72, par. 1	—	—	Art. 15, par. 3		
Art. 72, par. 2, first subparagraph	—	—	Art. 16, par. 1 and par. 2, second indent		Amended
Art. 72, par. 2, second subparagraph and par. 3	—	—	New		
Art. 73	—	—	Art. 17, par. 1, par. 2, first and third subparagraphs, par. 3 to 6 and par. 8		Amended
Art. 74	—	—	New		
Art. 75	—	—	Art. 13, par. 5		
Art. 76	—	—	Art. 13, par. 6, first subparagraph		
Art. 77	—	—	Art. 13, par. 6, second subparagraph		Amended
	Art. 33	Art. 30	Art. 38		Deleted
Art. 78	Art. 34, par. 1, adapted	Art. 31, par. 1, adapted	Art. 39, par. 1, adapted		

Wednesday 2 July 2003

This Directive	Directive 93/37/EEC	Directive 93/36/EEC	Directive 92/50/EEC	Other acts	
Art. 79	Art. 34, par. 2	Art. 31, par. 2	Art. 39, par. 2		Amended
				Art. 39, par. 2, point (d), second subparagraph	Deleted
Art. 80, par. 1	—	Art. 32, par. 1	Art. 40, par. 1		
Art. 80, par. 2	Art. 35, par. 3	Art. 32, par. 2	Art. 40, par. 3		Amended
	—	—	Art. 40, par. 2		Deleted
Art. 80, par. 3	—	Art. 32, par. 3	Art. 40, par. 4		Amended
Art. 81, par. 1 and 2					New
Art. 81, par. 3 and 4	Art. 6, par. 2, point (a)	Art. 5, par. 1, point (d)	Art. 7, par. 1, point (c)		Amended
Art. 82, point (a)	Art. 6, par. 1, point (b), adapted	Art. 5, par. 1, point (c), second subparagraph, adapted	Art. 7, par. 1, point (b), second subparagraph, adapted		
Art. 82, point (b)	Art. 35, par. 2	—	Art. 16, par. 4		Amended
Art. 82, point (c)	—	—	—		New
Art. 82, point (d)	Art. 35, par. 1, adapted	—	—		
Art. 82, point (e)		Art. 29, par. 3, adapted	—		
Art. 82, point (f)	Art. 35, par. 2 adapted	—	—		New
Art. 82, point (g)	—	—	—		

Wednesday 2 July 2003

This Directive	Directive 93/37/EEC	Directive 93/36/EEC	Directive 92/50/EEC	Other acts	
Art. 82, points (h) and (i)	—	—	—		New
Art. 83					
Art. 84					New
Art. 85					
Art. 86					
Art. 87					

This Directive	Directive 93/37/EEC	Directive 93/36/EEC	Directive 92/50/EEC	Other acts	
Annex I	Annex II				Amended
Annexes IIA and IIB	—	—	Annexes IA and IB		Amended
Annex III	Annex I	—	—	Acts on the accession of Austria, Finland and Sweden	Adapted
Annex IV	—	Annex I	—	Acts on the accession of Austria, Finland and Sweden	Adapted
Annex V	—	Annex II	—		Amended
Annex VI	Annex III	Annex III	Annex II		Amended
Annex VII A, B, C and D	Annexes IV, V and VI	Annex IV	Annexes III and IV		Amended
Annex VIII	—	—	—		New
Annex IX					Adapted

Wednesday 2 July 2003

This Directive	Directive 93/37/EEC	Directive 93/36/EEC	Directive 92/50/EEC	Other acts	
Annex IX A	—	Art. 21, par. 2	—	Acts on the accession of Austria, Finland and Sweden	Adapted
Annex IX B	—	—	Art. 30, par. 3	Acts on the accession of Austria, Finland and Sweden	Adapted
Annex IX C	Art. 25, adapted	—	—	Acts on the accession of Austria, Finland and Sweden	Adapted
Annex X					New
Annex XI					New
Annex XII					New

P5_TA(2003)0313

Procurement procedures for water, energy and transport, and postal services *II**

European Parliament legislative resolution on the Council common position with a view to adopting a European Parliament and Council directive coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors (12634/3/2002 — C5-0142/2003 — 2000/0117(COD))

(Codecision procedure: second reading)

The European Parliament,

— having regard to the Council common position (12634/3/2002 — C5-0142/2003) ⁽¹⁾,

⁽¹⁾ OJ C 147 E, 24.6.2003, p. 137.

Wednesday 2 July 2003

- having regard to its position at first reading ⁽¹⁾ on the Commission proposal to Parliament and the Council (COM(2000) 276) ⁽²⁾,
 - having regard to the Commission's amended proposal (COM(2002) 235) ⁽³⁾,
 - having regard to Article 251(2) of the EC Treaty,
 - having regard to Rule 80 of its Rules of Procedure,
 - having regard to the recommendation for second reading of the Committee on Legal Affairs and the Internal Market (A5-0245/2003),
1. Amends the common position as follows;
 2. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ OJ C 271 E, 7.11.2002, p. 293.

⁽²⁾ OJ C 29 E, 30.1.2001, p. 112.

⁽³⁾ OJ C 203 E, 27.8.2002, p. 183.

P5_TC2-COD(2000)0117

Position of the European Parliament adopted at second reading on 2 July 2003 with a view to the adoption of European Parliament and Council Directive 2003/.../EC coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 47(2) and Article 55 and Article 95 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the Opinion of the European Economic and Social Committee ⁽²⁾,

Having regard to the Opinion of the Committee of the Regions ⁽³⁾,

Acting in accordance with the procedure set out in Article 251 of the Treaty ⁽⁴⁾,

Whereas:

- (1) On the occasion of new amendments being made to Council Directive 93/38/EEC of 14 June 1993 coordinating the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors ⁽⁵⁾, which are necessary to meet requests for simplification and modernisation made by contracting entities and economic operators alike in their responses to the Green Paper adopted by the Commission on 27 November 1996, the Directive should, in the interests of clarity, be recast.
- (2) One major reason for the introduction of rules coordinating procedures for the award of contracts in these sectors is the variety of ways in which national authorities can influence the behaviour of these entities, including participation in their capital and representation in the entities' administrative, managerial or supervisory bodies.

⁽¹⁾ OJ C 29 E, 30.1.2001, p. 112 and OJ C 203 E, 27.8.2002, p. 183.

⁽²⁾ OJ C 193, 10.7.2001, p. 1.

⁽³⁾ OJ C 144, 16.5.2001, p. 23.

⁽⁴⁾ Position of the European Parliament of 17 January 2002 (OJ C 271 E, 7.11.2002, p. 293), Council Common Position of 20 March 2003 (OJ C 147 E, 24.6.2003, p. 137) and Position of the European Parliament of 2 July 2003.

⁽⁵⁾ OJ L 199, 9.8.1993, p. 84. Directive as last amended by Commission Directive 2001/78/EC (OJ L 285, 29.10.2001, p. 1).

- (3) Another main reason why it is necessary to coordinate procurement procedures applied by the entities operating in these sectors is the closed nature of the markets in which they operate, due to the existence of special or exclusive rights granted by the Member States concerning the supply to, provision or operation of networks for providing the service concerned.
- (4) Community legislation, and in particular Council Regulation (EEC) No 3975/87 of 14 December 1987 laying down the procedure for the application of the rules on competition to undertakings in the air transport sector ⁽¹⁾ and Regulation (EEC) No 3976/87 of 14 December 1987 on the application of Article 85(3) of the Treaty to certain categories of agreements and concerted practices in the air transport sector ⁽²⁾, is designed to introduce more competition between carriers providing air transport services to the public. It is therefore not appropriate to include such entities in the scope of this Directive. In view of the competitive position of Community shipping, it would also be inappropriate to make the contracts awarded in this sector subject to the rules of this Directive.
- (5) The scope of Directive 98/38/EEC covers, at present, certain contracts awarded by contracting entities operating in the telecommunications sector. A legislative framework, as mentioned in the Fourth report on the implementation of the telecommunications regulations of 25 November 1998, has been adopted to open this sector. One of its consequences has been the introduction of effective competition, both de jure and de facto, in this sector. For information purposes, and in the light of this situation, the Commission has published a list of telecommunications services ⁽³⁾ which may already be excluded from the scope of that Directive by virtue of Article 8 thereof. Further progress has been confirmed in the Seventh report on the implementation of telecommunications regulations of 26 November 2001. It is therefore no longer necessary to regulate purchases by entities operating in this sector.
- (6) It is therefore no longer appropriate to maintain the Advisory Committee on Telecommunications Procurement set up by Council Directive 90/531/EEC of 17 September 1990 on the procurement procedures of entities operating in the water, energy transport and telecommunications sectors ⁽⁴⁾.
- (7) Nevertheless, it is appropriate to continue to monitor developments in the telecommunications sector and to reconsider the situation if it is established that there is no longer effective competition in that sector.
- (8) Directive 93/38/EEC excludes from its scope purchases of voice telephony, telex, mobile telephone, paging and satellite services. Those exclusions were introduced to take account of the fact that the services in question could frequently be provided only by one service provider in a given geographical area because of the absence of effective competition and the existence of special or exclusive rights. The introduction of effective competition in the telecommunications sector removes the justification for these exclusions. It is therefore necessary to include the procurement of such telecommunications services in the scope of this Directive.
- (9) The procedures for the award of contracts which are applied by entities operating in the water, energy, transport and postal services sectors call for coordination **with the aim of guaranteeing a high standard of reliable services of general interest at affordable prices** and based on the requirements inferable from Articles 14, 28 and 49 of the EC Treaty and from Article 97 of the Euratom Treaty, namely the principles of equal treatment, of which the principle of non-discrimination is no more than a specific expression, the principle of mutual recognition, the principle of proportionality, the principle of transparency, and the opening up of public procurement to competition. While **taking into account the overall aims laid down in Articles 2 and 6 of the EC Treaty**, this coordination **must** establish a framework for sound commercial practice and **must** allow a maximum of flexibility.

⁽¹⁾ OJ L 374, 31.12.1987, p. 1. Regulation as last amended by Regulation (EC) No 1/2003 (OJ L 1, 4.1.2003, p. 1).

⁽²⁾ OJ L 374, 31.12.1987, p. 9. Regulation as last amended by Regulation (EC) No 1/2003.

⁽³⁾ OJ C 156, 3.6.1999, p. 3.

⁽⁴⁾ OJ L 297, 29.10.1990, p. 1. Directive as last amended by Directive 94/22/EC of the European Parliament and of the Council (OJ L 164, 30.6.1994, p. 3).

Wednesday 2 July 2003

- (10) To ensure a real opening up of the market and a fair balance in the application of procurement rules in the water, energy, transport and postal services sectors it is necessary for the entities covered to be identified on a basis other than their legal status. It should be ensured, therefore, that the equal treatment of contracting entities operating in the public sector and those operating in the private sector is not prejudiced. It is also necessary to ensure, in keeping with Article 295 of the Treaty, that the rules governing the system of property ownership in Member States are not prejudiced.
- (11) Member States should ensure that the participation of a body governed by public law as a tenderer in a procedure for the award of a contract does not cause any distortion of competition in relation to private tenderers.
- (12) Under Article 6 of the Treaty, environmental protection requirements are to be integrated into the definition and implementation of the Community policies and activities referred to in Article 3 of that Treaty, in particular with a view to promoting sustainable development. This Directive therefore clarifies how the contracting entities may contribute to the protection of the environment and the promotion of sustainable development, whilst ensuring the possibility of obtaining the best value for money for their contracts.
- (13) Nothing in this Directive should prevent the imposition or enforcement of measures necessary to protect public morality, public policy, public security, health, human and animal life or the preservation of plant life, in particular with a view to sustainable development, provided that these measures are in conformity with the Treaty.
- (14) Council Decision 94/800/EC of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the Agreements reached in the Uruguay Round multilateral negotiations (1986 to 1994) ⁽¹⁾, approved in particular the WTO Agreement on Government Procurement (hereinafter referred to as the 'Agreement'), the aim of which is to establish a multilateral framework of balanced rights and obligations relating to public contracts with the aim of achieving the liberalisation and expansion of world trade. In view of the international rights and commitments devolving on the Community as a result of the acceptance of the Agreement, the arrangements to be applied to tenderers and products from signatory third countries are those defined by the Agreement. The Agreement does not have direct effect. The contracting entities covered by the Agreement which comply with this Directive and which apply the latter to economic operators of third countries which are signatories to the Agreement should therefore be in conformity with the Agreement. It is also appropriate that this Directive should guarantee for Community economic operators conditions for participation in public procurement which are just as favourable as those reserved for economic operators of third countries which are signatories to the Agreement.
- (15) Before launching a procurement procedure, contracting entities may, using a technical dialogue, seek or accept advice which may be used in the preparation of the specifications, provided, however, that such advice does not have the effect of precluding competition.
- (16) In view of the diversity of works contracts, contracting entities should be able to make provision for contracts for the design and execution of work to be awarded either separately or jointly. It is not the intention of this Directive to prescribe either joint or separate contract awards. The decision to award contracts separately or jointly should be determined by qualitative and economic criteria, which may be defined by national law. A contract may be considered to be a works contract only if its subject-matter specifically covers the execution of activities listed in Annex XII, even if the contract covers the provision of other services necessary for the execution of such activities. Service contracts, in particular in the sphere of property management services, may in certain circumstances include works. However, insofar as such works are incidental to the principal subject-matter of the contract, and are a possible consequence thereof or a complement thereto, the fact

⁽¹⁾ OJ L 336, 23.12.1994, p. 1.

Wednesday 2 July 2003

that such works are included in the contract does not justify the qualification of the contract as a works contract. For the purpose of calculating the estimated value of a works contract it is appropriate to take as a basis the value of the works themselves as well as the estimated value of supplies and services, if any, that the contracting entities place at the disposal of contractors, insofar as these services or supplies are necessary for the execution of the works in question. It should be understood that, for the purposes of this paragraph, the services concerned are those rendered by the contracting entities through their own personnel. On the other hand, calculation of the value of services contracts, whether or not to be placed at the disposal of a contractor for the subsequent execution of works, follows the rules applicable to service contracts.

- (17) The field of services is best delineated, for the purpose of applying the procedural rules of this Directive and for monitoring purposes, by subdividing it into categories corresponding to particular headings of a common classification and by bringing them together in two Annexes, XVII A and XVII B, according to the regime to which they are subject. As regards services in Annex XVII B, the relevant provisions of this Directive should be without prejudice to the application of Community rules specific to the services in question.
- (18) As regards service contracts, full application of this Directive should be limited, for a transitional period, to contracts where its provisions will permit the full potential for increased cross-frontier trade to be realised. Contracts for other services need to be monitored during this transitional period before a decision is taken on the full application of this Directive. In this respect, the mechanism for such monitoring needs to be defined. This mechanism should, at the same time, enable interested parties to have access to the relevant information.
- (19) Obstacles to the free provision of services should be avoided. Therefore, service providers may be either natural or legal persons. This Directive should not, however, prejudice the application, at national level, of rules concerning the conditions for the pursuit of an activity or a profession, provided that they are compatible with Community law.
- (20) Certain new electronic purchasing techniques are continuously being developed. Such techniques help to increase competition and streamline public purchasing, particularly in terms of the savings in time and money which their use will allow. Contracting entities may make use of electronic purchasing techniques, provided that such use complies with the rules of this Directive and the principles of equal treatment, non-discrimination and transparency. To that extent, a tender submitted by a tenderer, in particular under a framework agreement or where a dynamic purchasing system is being used, may take the form of that tenderer's electronic catalogue if the latter uses the means of communication chosen by the contracting entity in accordance with Article 49.
- (21) In view of the rapid expansion of electronic purchasing systems, appropriate rules should now be introduced to enable contracting entities to take full advantage of the possibilities afforded by these systems. Against this background, it is necessary to define a completely electronic dynamic purchasing system for commonly used purchases and to lay down specific rules for setting up and operating such a system in order to ensure the fair treatment of any economic operator who wishes to join. Any economic operator which submits an indicative tender in accordance with the specification and meets the selection criteria should be allowed to join such a system. This purchasing technique allows the contracting entity, through the establishment of a list of tenderers already selected and the opportunity given to new tenderers to join, to have a particularly broad range of tenders, as a result of the electronic facilities available, and hence to ensure optimum use of funds through broad competition.

Wednesday 2 July 2003

- (22) Since use of the technique of electronic auctions is likely to increase, such auctions should be given a Community definition and governed by specific rules in order to ensure that they operate fully in accordance with the principles of equal treatment, non-discrimination and transparency. To that end, provision should be made for such electronic auctions to deal only with contracts for works, supplies or services for which the specifications can be determined with precision. With the same objective, it should also be possible to establish the respective ranking of the tenderers at any stage of the electronic auction. Recourse to electronic auctions enables contracting entities to ask tenderers to submit new prices, revised downwards, and, when the contract is awarded to the most economically advantageous tender, also to improve elements of the tenders other than prices. However, in order to guarantee compliance with the principle of transparency, only the elements suitable for automatic evaluation by electronic means, without any intervention by the contracting entity, may be improved. To this end, such elements should be quantifiable so that they can be expressed in figures or percentages.
- (23) Certain centralised purchasing techniques have been developed in Member States. Several contracting authorities are responsible for making acquisitions or awarding contracts/framework agreements for contracting entities. In view of the large volumes purchased, those techniques help increase competition and streamline public purchasing. Provision should therefore be made for a Community definition of central purchasing bodies used by contracting entities. A definition should also be given of the conditions under which, in accordance with the principles of non-discrimination and equal treatment, contracting entities purchasing works, supplies and/or services through a central purchasing body may be deemed to have complied with this Directive.
- (24) In order to take account of the different circumstances obtaining in Member States, Member States should be allowed to choose whether contracting entities may use central purchasing bodies, dynamic purchasing systems or electronic auctions, as defined and regulated by this Directive.
- (25) There has to be an appropriate definition of the concept of special or exclusive rights. The consequence of the definition is that the fact that, for the purpose of constructing networks or port or airport facilities, an entity may take advantage of a procedure for the expropriation or use of property or may place network equipment on, under or over the public highway will not in itself constitute exclusive or special rights within the meaning of this Directive. Nor does the fact that an entity supplies drinking water, electricity, gas or heat to a network which is itself operated by an entity enjoying special or exclusive rights granted by a competent authority of the Member State concerned in itself constitute an exclusive or special right within the meaning of this Directive. Nor may rights granted by a Member State to a limited number of undertakings on the basis of objective, proportionate and non-discriminatory criteria that allow any interested party fulfilling those criteria to enjoy those rights be considered special or exclusive rights.
- (26) It is appropriate for the contracting entities to apply common procurement procedures in respect of their activities relating to water and for such rules also to apply where contracting authorities within the meaning of this Directive award contracts in respect of their projects in the field of hydraulic engineering, irrigation, land drainage or the disposal and treatment of sewage. However, procurement rules of the type proposed for supplies of goods are inappropriate for purchases of water, given the need to procure water from sources near the area in which it will be used.
- (27) Certain entities providing bus transport services to the public were already excluded from the scope of Directive 93/38/EEC; such entities should also be excluded from the scope of this Directive. In order to forestall the existence of a multitude of specific arrangements applying to certain sectors only, the general procedure that permits the effects of opening up to competition to be taken into account should also apply to all entities providing bus transport services that are not excluded from the scope of Directive 93/38/EEC pursuant to Article 2(4) thereof.

Wednesday 2 July 2003

- (28) Taking into account the further opening of Community postal services to competition and the fact that such services are provided through a network by contracting authorities, public undertakings and other undertakings, contracts awarded by contracting entities providing postal services should be subject to the rules of this Directive, including those in *Article 31* thereof, which, safeguarding the application of the principles referred to in recital 9, create a framework for sound commercial practice and allow greater flexibility than is offered by Directive 2003/000/EC of the European Parliament and of the Council of ... on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts ⁽¹⁾. For a definition of the activities in question, it is necessary to take into account the definitions of Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service ⁽²⁾. Whatever their legal status, entities providing postal services are not currently subject to the rules set out in Directive 93/38/EEC. The adjustment of contract award procedures to this Directive could therefore take longer to implement for such entities than for entities already subject to those rules which will merely have to adapt their procedures to the amendments made by this Directive. It should therefore be permissible to defer application of this Directive to accommodate the additional time required for this adjustment. Given the varying situations of such entities, Member States should have the option of providing for a transitional period for the application of this Directive to contracting entities operating in the postal services sector.
- (29) Contracts may be awarded for the purpose of meeting the requirements of several activities, possibly subject to different legal regimes. It should be clarified that the legal regime applicable to a single contract intended to cover several activities should be subject to the rules applicable to the activity for which it is principally intended. Determination of the activity for which the contract is principally intended may be based on an analysis of the requirements which the specific contract must meet, carried out by the contracting entity for the purposes of estimating the contract value and drawing up the tender documents. In certain cases, such as the purchase of a single piece of equipment for the pursuit of activities for which information allowing an estimation of the respective rates of use would be unavailable, it might be objectively impossible to determine for which activity the contract is principally intended. The rules applicable to such cases should be indicated.
- (30) Without prejudice to the international commitments of the Community, it is necessary to simplify the implementation of this Directive, particularly by simplifying the thresholds and by rendering applicable to all contracting entities, regardless of the sector in which they operate, the provisions regarding the information to be given to participants concerning decisions taken in relation to contract award procedures and the results thereof. Furthermore, in the context of Monetary Union such thresholds should be established in euro in such a way as to simplify the application of these provisions while at the same time ensuring compliance with the thresholds laid down in the Agreement, which are expressed in Special Drawing Rights (SDR). In this context, provision should also be made for periodic reviews of the thresholds expressed in euro so as to adjust them, where necessary, in line with possible variations in the value of the euro in relation to the SDR. In addition, the thresholds applicable to design contests should be identical to those applicable to service contracts.
- (31) Provision should be made for cases in which it is impossible to apply the measures for coordinating procedures on grounds relating to State security or secrecy, or because specific rules on the awarding of contracts which derive from international agreements, relating to the stationing of troops, or which are specific to international organisations are applicable.

⁽¹⁾ OJ C ...

⁽²⁾ OJ L 15, 21.1.1998, p. 14. Directive as last amended by Directive 2002/39/EC (OJ L 176, 5.7.2002, p. 21).

Wednesday 2 July 2003

- (32) It is appropriate to exclude certain service, supply and works contracts awarded to an affiliated undertaking having as its principal activity the provision of such services, supply or works to the group of which it is part, rather than offering them on the market. It is also appropriate to exclude certain service, supply and works contracts awarded by a contracting entity to a joint venture which is formed by a number of contracting entities for the purpose of carrying out activities covered by this Directive and of which that entity is part. However, it is appropriate to ensure that this exclusion does not give rise to distortions of competition to the benefit of the undertakings or joint ventures that are affiliated with the contracting entities; it is appropriate to provide a suitable set of rules, in particular as regards the maximum limits within which the undertakings may obtain a part of their turnover from the market and above which they would lose the possibility of being awarded contracts without calls for competition, the composition of joint ventures and the stability of links between these joint ventures and the contracting entities of which they are composed.
- (33) In the context of services, contracts for the acquisition or rental of immovable property or rights to such property have particular characteristics which make the application of procurement rules inappropriate.
- (34) Arbitration and conciliation services are usually provided by bodies or individuals designated or selected in a manner which cannot be governed by procurement rules.
- (35) In accordance with the Agreement, the financial services covered by this Directive do not include contracts relating to the issue, purchase, sale or transfer of securities or other financial instruments; in particular, transactions by the contracting entities to raise money or capital are not covered.
- (36) This Directive should cover the provision of services only where based on contracts.
- (37) Pursuant to Article 163 of the Treaty, the encouragement of research and technological development is a means of strengthening the scientific and technological basis of Community industry, and the opening up of service contracts contributes to this end. This Directive should not cover the cofinancing of research and development programmes: research and development contracts other than those where the benefits accrue exclusively to the contracting entity for its use in the conduct of its own affairs, on condition that the service provided is wholly remunerated by the contracting entity, are therefore not covered by this Directive.
- (38) (*) To forestall the proliferation of specific arrangements applicable to certain sectors only, the current special arrangements created by Article 3 of Directive 93/38/EEC and Article 12 of Directive 94/22/EC of the European Parliament and of the Council of 30 May 1994 on the conditions for granting and using authorisations for the prospection, exploration and production of hydrocarbons ⁽¹⁾ governing entities exploiting a geographical area for the purpose of exploring for or extracting oil, gas, coal or other solid fuels should be replaced by the general procedure allowing for exemption of sectors directly exposed to competition. It has to be ensured, however, that this will be without prejudice to Commission Decision 93/676/EC of 10 December 1993 establishing that the exploitation of geographical areas for the purpose of exploring for or extracting oil or gas does not constitute in the Netherlands an activity defined by Article 2(2)(b)(i) of Council Directive 90/531/EEC and that entities carrying on such an activity are not to be considered in the Netherlands as operating under special or exclusive rights within the meaning of Article 2(3)(b) of the Directive ⁽²⁾, Commission Decision 97/367/EC of 30 May 1997 establishing that the

(*) To be updated should other decisions pursuant to Article 3 be adopted before this Directive is adopted.

⁽¹⁾ OJ L 164, 30.6.1994, p. 3.

⁽²⁾ OJ L 316, 17.12.1993, p. 41.

Wednesday 2 July 2003

exploitation of geographical areas for the purpose of exploring for or extracting oil or gas does not constitute in the United Kingdom an activity defined by Article 2(2)(b)(i) of Directive 93/38/EEC and that entities carrying on such an activity are not to be considered in the United Kingdom as operating under special or exclusive rights within the meaning of Article 2(3)(b) of the Directive ⁽¹⁾ and Commission Decision 2002/205/EC of 4 March 2002 following a request by Austria applying for the special regime provided for in Article 3 of Directive 93/38/EEC ⁽²⁾.

- (39) This Directive should apply neither to contracts intended to permit the performance of an activity referred to by Articles 3 to 7 nor to design contests organised for the pursuit of such an activity if, in the Member State in which this activity is carried out, it is directly exposed to competition on markets to which access is not limited. It is therefore appropriate to introduce a procedure, applicable to all sectors covered by this Directive, that will enable the effects of current or future opening to competition to be taken into account. Such a procedure should provide legal certainty for the entities concerned, as well as an appropriate decision-making process, ensuring, within short time-limits, uniform application of Community law in this area.
- (40) Direct exposure to competition should be assessed on the basis of objective criteria, taking account of the specific characteristics of the sector concerned. The implementation and application of appropriate Community legislation opening a given sector, or a part of it, will be considered to provide sufficient grounds for assuming there is free access to the market in question. Such appropriate legislation should be identified in an annex which can be updated by the Commission. Where free access to a given market does not result from the implementation of appropriate Community legislation, it should be demonstrated that, de jure and de facto, such access is free. For this purpose, application by a Member State of a Directive, such as Directive 94/22/EC opening a given sector to competition, to another sector, such as the coal sector, is a circumstance to be taken into account for the purposes of Article 31.
- (41) The technical specifications drawn up by purchasers should allow public procurement to be opened up to competition. To this end, it should be possible to submit tenders which reflect the diversity of technical solutions. Accordingly, it should be possible to draw up the technical specifications in terms of functional performance and requirements and, where reference is made to the European standard or, in the absence thereof, to the national standard, tenders based on other equivalent arrangements which meet the requirements of the contracting entities and are equivalent in terms of safety should be considered by the contracting entities. To demonstrate equivalence, tenderers should be permitted to use any form of evidence. Contracting entities should be able to provide a reason for any decision that equivalence does not exist in a given case. Contracting entities that wish to define environmental requirements for the technical specifications of a given contract may lay down the environmental characteristics and/or specific environmental effects of product groups or services. They may, but are not obliged to, use appropriate specifications that are defined in eco-labels, such as the European Eco-label, (multi-) national eco-labels or any other eco-label provided that the requirements for the label are drawn up and adopted on the basis of scientific information using a procedure in which stakeholders, such as government bodies, consumers, manufacturers, distributors and environmental organisations can participate, and provided that the label is accessible and available to all interested parties. **Whenever possible, the contracting entity should take into account accessibility criteria for people with disabilities and design for all requirements when laying down specifications. These technical specifications should be clearly indicated so that all tenderers fully understand the requirements established by the contracting entity.**

⁽¹⁾ OJ L 156, 13.6.1997, p. 55.

⁽²⁾ OJ L 68, 12.3.2002, p. 31.

Wednesday 2 July 2003

- (42) In order to encourage the involvement of small and medium-sized undertakings in the public contracts procurement market, it is advisable to include provisions on subcontracting.
- (43) Contract performance conditions are compatible with the Directive provided that they are not directly or indirectly discriminatory and are indicated in the notice used to make the call for competition, or in the specifications. They may in particular be intended to encourage on-site vocational training, the employment of people experiencing particular difficulty in integration, the fight against unemployment or the protection of the environment. For example, mention may be made of the requirements — applicable during the performance of the contract — to recruit long-term job-seekers or to implement training measures for the unemployed or for young persons, to comply in substance with the provisions of the basic International Labour Organisation (ILO) Conventions, assuming that such provisions have not been implemented in national law, and to recruit more handicapped persons than are required under national legislation.
- (44) The laws, regulations and collective agreements, at both national and Community level, which are in force in the areas of social protection and health and safety apply during the performance of a contract, provided that such rules, and their application, comply with Community law. In cross-border situations where workers from one Member State provide services in another Member State for the purpose of performing a contract, Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services⁽¹⁾ lays down the minimum conditions which must be observed by the host country in respect of such posted workers. If national law contains provisions to this effect, non-compliance with those obligations may be considered to be grave misconduct or an offence concerning the professional conduct of the economic operator concerned, liable to lead to the exclusion of that economic operator from the procedure for the award of a contract.
- (45) In view of new developments in information and telecommunications technology, and the simplifications these can bring in terms of publicising contracts and the efficiency and transparency of procurement procedures, electronic means should be put on a par with traditional means of communication and information exchange. As far as possible, the means and technology chosen should be compatible with the technologies used in the other Member States.
- (46) The use of electronic means leads to savings in time. As a result, provision should be made for reducing the minimum periods where electronic means are used, subject, however, to the condition that they are compatible with the specific mode of transmission envisaged at Community level. However, it is necessary to ensure that the cumulative effect of reductions of time-limits does not lead to excessively short time-limits.
- (47) Directive 1999/93/EC of the European Parliament and of the Council of 13 December 1999 on a Community framework for electronic signatures⁽²⁾ and Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the internal market⁽³⁾ should, in the context of this Directive, apply to the transmission of information by electronic means. The public procurement procedures and the rules applicable to service contests require a level of security and confidentiality higher than that required by those Directives. Accordingly, the devices for the electronic receipt of tenders, requests to participate, applications for qualification as well as plans and projects, should comply with specific additional requirements. Moreover, the existence of voluntary accreditation schemes 'can' constitute a favourable framework for enhancing the level of certification service provision for such devices.

⁽¹⁾ OJ L 18, 21.1.1997, p. 1.

⁽²⁾ OJ L 13, 19.1.2000, p. 12.

⁽³⁾ OJ L 178, 17.7.2002, p. 1.

- (48) It is appropriate that the participants in an award procedure are informed of decisions to conclude a framework agreement or to award a contract or to abandon the procedure within time-limits that are sufficiently short so as not to render the lodging of requests for review impossible; this information should therefore be given as soon as possible and in general within 15 days following the decision.
- (49) It should be clarified that contracting entities which establish selection criteria in an open procedure should do so in accordance with objective rules and criteria, just as the selection criteria in restricted and negotiated procedures should be objective. These objective rules and criteria, just as the selection criteria, do not necessarily imply weightings.
- (50) It is important to take into account Court of Justice case-law in cases where an economic operator claims the economic, financial or technical capabilities of other entities, whatever the legal nature of the link between itself and those entities, in order to meet the selection criteria or, in the context of qualification systems, in support of its application for qualification. In the latter case, it is for the economic operator to prove that those resources will actually be available to it throughout the period of validity of the qualification. For the purposes of that qualification, a contracting entity may therefore determine the level of requirements to be met and in particular, for example where the operator lays claim to the financial standing of another entity, it may require that that entity be held liable, if necessary jointly and *severally*. *Qualification* systems should be operated in accordance with objective rules and criteria, which, at the contracting entities' choice, may concern the capacities of the economic operators and/or the characteristics of the works, supplies or services covered by the system. For the purposes of qualification, contracting entities may conduct their own tests in order to evaluate the characteristics of the works, supplies or services concerned, in particular in terms of compatibility and safety.
- (51) The relevant Community rules on mutual recognition of diplomas, certificates or other evidence of formal qualifications apply when evidence of a particular qualification is required for participation in a procurement procedure or a design contest.
- (52) In appropriate cases, in which the nature of the works and/or services justifies applying environmental management measures or schemes during the performance of a contract, the application of such measures or schemes may be required. Environmental management schemes, whether or not they are registered under Community instruments such as Regulation (EC) No 761/2001 (EMAS) ⁽¹⁾, can demonstrate that the economic operator has the technical capability to perform the contract. Moreover, a description of the measures implemented by the economic operator to ensure the same level of environmental protection should be accepted as an alternative to environmental management registration schemes as a form of evidence.
- (53) The award of public contracts to economic operators who have participated in a criminal organisation or who have been found guilty of corruption or of fraud to the detriment of the financial interests of the European Communities or of money laundering should be avoided. Given that contracting entities, which are not contracting authorities, might not have access to indisputable proof on the matter, it is appropriate to leave the choice whether or not to apply the exclusion criteria listed in Article 48(1) of Directive 2003/.../EC [on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts] to these contracting entities. The obligation to apply Article 48(1) should therefore be limited only to contracting entities that are contracting *authorities*. Where appropriate, the contracting entities should ask

⁽¹⁾ Regulation (EC) No 761/2001 of the European Parliament and of the Council of 19 March 2001 allowing a voluntary participation by organisations in a Community eco-management and audit scheme (EMAS) (OJ L 114, 24.4.2001, p. 1).

Wednesday 2 July 2003

applicants for qualification, candidates or tenderers to supply relevant documents and, where they have doubts concerning the personal situation of these economic operators, they may seek the cooperation of the competent authorities of the Member State concerned. The exclusion of such economic operators should take place as soon as the contracting authority has knowledge of a judgment concerning such offences rendered in accordance with national law that has the force of *res judicata*. If national law contains provisions to this effect, non-compliance with environmental legislation or legislation on unlawful agreements in contracts which has been the subject of a definitive judgment or a decision having equivalent effect may be considered an offence concerning the professional conduct of the economic operator concerned or grave misconduct.

- (54) The contract must be awarded on the basis of objective criteria which ensure compliance with the principles of transparency, non-discrimination and equal treatment and which guarantee that tenders are assessed in conditions of effective competition. As a result, it is appropriate to allow the application of two award criteria only: 'the lowest price' and 'the most economically advantageous tender'. To ensure compliance with the principle of equal treatment in the award of contracts, it is appropriate to lay down an obligation — established by case-law — to ensure the necessary transparency to enable all tenderers to be reasonably informed of the criteria and arrangements which will be applied to identify the most economically advantageous tender. It is therefore the responsibility of contracting entities to indicate the criteria for the award of the contract and the relative weighting given to each of those criteria in sufficient time for tenderers to be aware of them when preparing their tenders. Contracting entities may derogate from indicating the weighting of the criteria for the award of the contract in duly justified cases for which they must be able to give reasons, where the weighting cannot be established in advance, in particular on account of the complexity of the contract. In such cases, they must indicate the descending order of importance of the *criteria*. Where the contracting entities choose to award a contract to the most economically advantageous tender, they should assess the tenders in order to determine which one offers the best value for money. In order to do this, they should determine the economic and quality criteria which, taken as a whole, must make it possible to determine the most economically advantageous tender for the contracting entity. The determination of these criteria depends on the object of the contract since they must allow the level of performance offered by each tender to be assessed in the light of the object of the contract, as defined in the technical specifications, and the value for money of each tender to be measured. In order to guarantee equal treatment, the criteria for the award of the contract must enable tenders to be compared and assessed objectively. If these conditions are fulfilled, economic and qualitative criteria for the award of the contract, such as meeting environmental requirements, may enable the contracting entity to meet the needs of the public concerned, as expressed in the specifications of the contract. Under the same conditions, a contracting entity may use criteria aiming to meet social requirements, in particular in response to the needs — defined in the specifications of the contract — of particularly disadvantaged groups of people to which those receiving/using the works, supplies or services which are the object of the contract belong.
- (55) The award criteria should not affect the application of national provisions on the remuneration of certain services, such as the services provided by architects, engineers or lawyers.
- (56) Council Regulation (EEC, Euratom) No 1182/71 of 3 June 1971 determining the rules applicable to periods, dates and time-limits⁽¹⁾ should apply to the calculation of the time-limits contained in this Directive.
- (57) This Directive should be without prejudice to the existing international obligations of the Community or of the Member States and should not prejudice the application of the provisions of the Treaty, in particular Articles 81 and 86 thereof.
- (58) This Directive should not prejudice the time-limits set out in Annex XXV, within which Member States are required to transpose and apply Directive 93/38/EEC.

⁽¹⁾ OJ L 124, 8.6.1971, p. 1.

- (59) The measures necessary for the implementation of this Directive should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽¹⁾.

Contents

TITLE I	General provisions applicable to contracts and design contests
Chapter I	Basic Terms
Article 1	Definitions
Chapter II	Definition of the activities and entities covered
Section 1	Entities
Article 2	Contracting entities
Section 2	Activities
Article 3	Gas, heat and electricity
Article 4	Water
Article 5	Transport services
Article 6	Postal services
Article 7	Exploration for, or extraction of, oil, gas, coal or other solid fuels, as well as ports and airports
Article 8	Lists of contracting entities
Article 9	Contracts covering several activities
Chapter III	General principles
Article 10	Principles of awarding contracts
Article 11	<i>Respect for Community law</i>
TITLE II	Rules applicable to contracts
Chapter I	General provisions
Article 12	Economic operators
Article 13	Conditions relating to Agreements concluded within the World Trade Organisation
Article 14	Confidentiality
Article 15	Framework agreements
Article 16	Dynamic purchasing systems
Chapter II	Thresholds and exclusion provisions
Section 1	Thresholds
Article 17	Contract thresholds
Article 18	Methods of calculating the estimated value of contracts, framework agreements and dynamic systems

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

Wednesday 2 July 2003

Section 2	Contracts and concessions and contracts subject to special arrangements
Subsection 1	
Article 19	Works and service concessions
Subsection 2	Exclusions applicable to all contracting entities and to all types of contract
Article 20	Contracts awarded for purposes of resale or lease to third parties
Article 21	Contracts awarded for purposes other than the pursuit of an activity covered or for the pursuit of such an activity in a third country
Article 22	Contracts which are secret or require particular security measures
Article 23	Contracts awarded pursuant to international rules
Article 24	Contracts awarded to an affiliated undertaking, to a joint venture or to a contracting entity forming part of a joint venture
Subsection 3	Exclusions applicable to all contracting entities, but to service contracts only
Article 25	Contracts relating to certain services excluded from the scope of this Directive
Article 26	Service contracts awarded on the basis of an exclusive right
Subsection 4	Exclusions applicable to certain contracting entities only
Article 27	Contracts awarded by certain contracting entities for the purchase of water and for the supply of energy or of fuels for the production of energy
Subsection 5	Contracts subject to special arrangements, provisions concerning central purchasing bodies and the general procedure in case of direct exposure to competition
Article 28	Contracts subject to special arrangements
Article 29	Reserved contracts
Article 30	Contracts and framework agreements awarded by central purchasing bodies
Article 31	Procedure for establishing whether a given activity is directly exposed to competition
Chapter III	Rules applicable to service contracts
Article 32	Service contracts included in Annex XVII A
Article 33	Service contracts listed in Annex XVII B
Article 34	Mixed service contracts listed in Annex XVII A and in Annex XVII B
Chapter IV	Specific rules governing specifications and contract documents
Article 35	Technical specifications
Article 36	Communication of technical specifications
Article 37	Variants

<i>Article 38</i>	Subcontracting
<i>Article 39</i>	Conditions for performance of contracts
<i>Article 40</i>	Obligations relating to taxes, environmental protection, employment protection provisions and working conditions
Chapter V	Procedures
<i>Article 41</i>	Use of open, restricted and negotiated procedures
Chapter VI	Rules on publication and transparency
Section 1	Publication of notices
<i>Article 42</i>	Periodic indicative notices and notices on the existence of a system of qualification
<i>Article 43</i>	Notices used as a means of calling for competition
<i>Article 44</i>	Contract award notices
<i>Article 45</i>	Form and manner of publication of notices
Section 2	Time-limits
<i>Article 46</i>	Time-limits for receipt of requests to participate and for receipt of tenders
<i>Article 47</i>	Open procedures: specifications, additional documents and information
<i>Article 48</i>	Invitations to submit a tender or to negotiate
Section 3	Communication and information
<i>Article 49</i>	Rules applicable to communication
<i>Article 50</i>	Information to applicants for qualification, candidates and tenderers
<i>Article 51</i>	Information to be stored concerning awards
Chapter VII	Conduct of the procedure
<i>Article 52</i>	General provisions
Section 1	Qualification and qualitative selection
<i>Article 53</i>	Mutual recognition concerning administrative, technical or financial conditions, and certificates, tests and evidence
<i>Article 54</i>	Qualification systems
<i>Article 55</i>	Criteria for qualitative selection
Section 2	Awards
<i>Article 56</i>	Contract award criteria
<i>Article 57</i>	Use of electronic auctions
<i>Article 58</i>	Abnormally low tenders
Section 3	Tenders comprising products originating in third countries and relations with those countries
<i>Article 59</i>	Tenders comprising products originating in third countries
<i>Article 60</i>	Relations with third countries as regards service contracts

Wednesday 2 July 2003

TITLE III	Rules governing service design contests
Article 61	General provision
Article 62	Thresholds
Article 63	Design contests excluded
Article 64	Rules on advertising and transparency
Article 65	Means of communication
Article 66	Rules on the organisation of design contests, the selection of participants and the jury
Article 67	Decisions of the jury
TITLE IV	Statistical obligations, executory powers and final provisions
Article 68	Statistical obligations
Article 69	Advisory Committee
Article 70	Revision of thresholds
Article 71	Amendments
Article 72	Implementation of the Directive
Article 73	Repeal
Article 74	<i>Entry into force</i>
Article 75	Addressees
Annex I	Contracting entities in the sectors of transport or distribution of gas or heat
Annex II	Contracting entities in the sectors of production, transport or distribution of electricity
Annex III	Contracting entities in the sectors of production, transport or distribution of drinking water
Annex IV	Contracting entities in the field of rail services
Annex V	Contracting entities in the field of urban railway, tramway, trolleybus or bus services
Annex VI	Contracting entities in the postal services sector
Annex VII	Contracting entities in the sectors of exploration for and extraction of oil or gas
Annex VIII	Contracting entities in the sectors of exploration for and extraction of coal and other solid fuels
Annex IX	Contracting entities in the field of maritime or inland port or other terminal facilities
Annex X	Contracting entities in the field of airport installations
Annex XI	List of legislation referred to in Article 31(3)
Annex XII	List of professional activities as set out in Article 1(2), point b

Wednesday 2 July 2003

- Annex XIII Information to be included in contract notices:
- A. Open procedures
 - B. Restricted procedures
 - C. Negotiated procedures
 - D. Simplified contract notice for use in a dynamic purchasing system
- Annex XIV Information to be included in the notice on the existence of a system of qualification
- Annex XV A Information to be included in the periodic indicative notice
- Annex XV B Information to be included in notices of publication of a periodic notice on a buyer profile not used as a means of calling for competition
- Annex XVI Information to be included in the contract award notice
- Annex XVII A Services within the meaning of Article 32
- Annex XVII B Services within the meaning of Article 33
- Annex XVIII Information to be included in the design contest notice
- Annex XIX Information to be included in the results of design contest notices
- Annex XX Features concerning publication
- Annex XXI Definition of certain technical specifications
- Annex XXII Summary table of the time-limits laid down in Article 46
- Annex XXIII Core international labour standards within the meaning of Article 60(3)(d)**
- Annex XXIV Requirements relating to equipment for the electronic receipt of tenders, requests to participate, applications for qualification as well as plans and projects in contests
- Annex XXV Time-limits for transposition and implementation
- Annex XXVI Correlation table

HAVE ADOPTED THIS DIRECTIVE:

TITLE I

GENERAL PROVISIONS APPLICABLE TO CONTRACTS AND DESIGN CONTESTS

CHAPTER I

BASIC TERMS

Article 1

Definitions

1. For the purposes of this Directive, the definitions set out in this Article shall apply.

Wednesday 2 July 2003

2. a) 'supply, works and service contracts' means contracts for pecuniary interest concluded in writing between one or more of the contracting entities referred to in Article 2(2), and one or more contractors, suppliers, or service providers;
- (b) 'works contracts' means contracts having as their object either the execution, or both the design and execution, of works related to one of the activities within the meaning of Annex XII or a work, or the realisation by whatever means of a work corresponding to the requirements specified by the contracting entity. A 'work' means the outcome of building or civil engineering works taken as a whole which is sufficient of itself to fulfil an economic or technical function;
- (c) 'supply contracts' means contracts other than those referred to in (b) having as their object the purchase, lease, rental or hire-purchase, with or without the option to buy, of products.

A contract having as its object the supply of products, which also covers, as an incidental matter, the siting and installation operations shall be considered to be a 'supply contract';

- (d) 'service contracts' means contracts other than works or supply contracts having as their object the provision of services referred to in Annex XVII.

A contract having as its object both products and services within the meaning of Annex XVII shall be considered to be a 'service contract' if the value of the services in question exceeds that of the products covered by the contract.

A contract having as its object services within the meaning of Annex XVII and including activities within the meaning of Annex XII that are only incidental to the principal object of the contract shall be considered to be a service contract.

3. a) 'Works concession' means a contract of the same type as a works contract except for the fact that the consideration for the works to be carried out consists either solely in the right to exploit the work or in that right together with payment;
- (b) 'service concession' means a contract of the same type as a service contract except for the fact that the consideration for the provision of services consists either solely in the right to exploit the service or in that right together with payment.

4. 'Framework agreement' means an agreement between one or more contracting entities referred to in Article 2(2) and one or more economic operators, the purpose of which is to establish the terms governing contracts to be awarded during a given period, in particular with regard to price and, where appropriate, the quantities envisaged.

5. 'Dynamic purchasing system' means a completely electronic process for making commonly used purchases, the characteristics of which, as generally available on the market, meet the requirements of the contracting entity, which is limited in duration and open throughout its validity to any economic operator which satisfies the selection criteria and has submitted an indicative tender that complies with the specification.

6. 'Electronic auction' means a repetitive process involving an electronic device for the presentation of new prices, revised downwards, and/or new values concerning certain elements of tenders, which is held after an initial full evaluation of the tenders, enabling them to be ranked using automatic evaluation methods. ***This procedure is in no way suited to the award of works contracts or contracts for intellectual-creative and other complex services.***

Wednesday 2 July 2003

7. 'Contractor', 'supplier' or 'service provider' means either a natural or a legal person, or a contracting entity within the meaning of Article 2(2)(a) or (b), or a group of such persons and/or entities which offers on the market, respectively, the execution of works and/or a work, products or services.

'Economic operator' shall cover equally the concepts of contractor, supplier and service provider. It is used merely in the interests of simplification.

'Tenderer' means an economic operator who submits a tender, and 'candidate' means one who has sought an invitation to take part in a restricted or negotiated procedure.

8. 'Central purchasing body' means a contracting authority within the meaning of Article 2(1)(a) or a contracting authority within the meaning of Article 1(9) of Directive 2003/.../EC [on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts] which:

- acquires supplies and/or services intended for contracting entities or
- awards public contracts or concludes framework agreements for works, supplies or services intended for contracting entities.

9. 'Open, restricted and negotiated procedures' means the procurement procedures applied by contracting entities, whereby:

- a) in the case of open procedures, any interested economic operator may submit a tender;
- b) in the case of restricted procedures, any economic operator may request to participate and only candidates invited by the contracting entity may submit a tender;
- c) in the case of negotiated procedures, the contracting entity consults the economic operators of its choice and negotiates the terms of the contract with one or more of these;
- d) design contests' means those procedures which enable the contracting entity to acquire, mainly in the fields of town and country planning, architecture, engineering or data processing, a plan or design selected by a jury after having been put out to competition with or without the award of prizes.

10. 'Written' or 'in writing' means any expression consisting of words or figures that can be read, reproduced and subsequently communicated. It may include information transmitted and stored by electronic means.

11. 'Electronic means' means using electronic equipment for the processing (including digital compression) and storage of data which is transmitted, conveyed and received by wire, by radio, by optical means or by other electromagnetic means.

12. 'Common Procurement Vocabulary (CPV)' means the reference nomenclature applicable to public contracts as adopted by Regulation (EC) No 2195/2002 of the European Parliament and of the Council of 5 November 2002 on the Common Procurement Vocabulary (CVP) ⁽¹⁾ while ensuring equivalence with the other existing nomenclatures.

In the event of varying interpretations of the scope of this Directive, owing to possible differences between the CPV and NACE nomenclatures listed in Annex XII or between the CPV and CPC (provisional version) nomenclatures listed in Annex XVII, the NACE or the CPC nomenclature respectively shall take precedence.

⁽¹⁾ OJ L 340, 16.12.2002, p. 1.

Wednesday 2 July 2003

CHAPTER II
DEFINITION OF THE ACTIVITIES AND ENTITIES COVERED

Section 1

Entities

Article 2

Contracting entities

1. For the purposes of this Directive,
 - a) 'contracting authorities' means the State, regional or local authorities, bodies governed by public law, associations formed by one or several such authorities or one or several of such bodies governed by public law **as well as central purchasing bodies set up by the latter for the purpose of awarding public contracts.**

'A body governed by public law' means any body:

- established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character,
 - having legal personality and
 - financed, for the most part, by the State, regional or local authorities, or other bodies governed by public law; or subject to management supervision by those bodies; or having an administrative, managerial or supervisory board, more than half of whose members are appointed by the State, regional or local authorities, or by other bodies governed by public law;
- b) 'public undertaking' means any undertaking over which the contracting authorities may exercise directly or indirectly a dominant influence by virtue of their ownership of it, their financial participation therein, or the rules which govern it.

A dominant influence on the part of the contracting authorities shall be presumed when these authorities, directly or indirectly, in relation to an undertaking:

- hold the majority of the undertaking's subscribed capital, or
 - control the majority of the votes attaching to shares issued by the undertaking, or
 - can appoint more than half of the undertaking's administrative, management or supervisory body.
2. This Directive shall apply to contracting entities:
 - a) which are contracting authorities or public undertakings and which pursue one of the activities referred to in Articles 3 to 7;
 - b) which, when they are not contracting authorities or public undertakings, have as one of their activities any of the activities referred to in Articles 3 to 7, or any combination thereof and operate on the basis of special or exclusive rights granted by a competent authority of a Member State.

Wednesday 2 July 2003

3. For the **purpose of applying paragraph 2(b)**, 'special or exclusive rights' shall mean rights **deriving from authorisations** granted by a competent authority of **the Member State concerned, by law, regulation or administrative action**, the effect of which is to **reserve for one or more entities** the exercise of **an activity** defined in Articles 3 to 7.

Rights granted in any form, including by way of acts of concession, by a Member State to a limited number of undertakings, on the basis of objective, proportional and non-discriminatory criteria that allow any interested person who satisfies them the opportunity to benefit from them, shall not constitute special or exclusive rights.

Section 2

Activities

Article 3

Gas, heat and electricity

1. As far as gas and heat are concerned, this Directive shall apply to the following activities:

- a) the provision or operation of fixed networks intended to provide a service to the public in connection with the production, transport or distribution of gas or heat; or
- b) the supply of gas or heat to such networks.

2. The supply of gas or heat to networks which provide a service to the public by a contracting entity other than a contracting authority shall not be considered a relevant activity within the meaning of paragraph 1 where:

- a) the production of gas or heat by the entity concerned is the unavoidable consequence of carrying out an activity other than those referred to in paragraphs 1 or 3 of this Article or in Articles 4 to 7; and
- b) supply to the public network is aimed only at the economic exploitation of such production and amounts to not more than 20 % of the entity's turnover having regard to the average for the preceding three years, including the current year.

3. As far as electricity is concerned, this Directive shall apply to the following activities:

- a) the provision or operation of fixed networks intended to provide a service to the public in connection with the production, transport or distribution of electricity; or
- b) the supply of electricity to such networks.

4. The supply of electricity to networks which provide a service to the public by a contracting entity other than a contracting authority shall not be considered a relevant activity within the meaning of paragraph 3 where:

- a) the production of electricity by the entity concerned takes place because its consumption is necessary for carrying out an activity other than those referred to in paragraphs 1 or 3 of this Article or in Articles 4 to 7; and
- b) supply to the public network depends only on the entity's own consumption and has not exceeded 30 % of the entity's total production of energy, having regard to the average for the preceding three years, including the current year.

Article 4

Water

1. This Directive shall apply to the following activities:

- a) the provision or operation of fixed networks intended to provide a service to the public in connection with the production, transport or distribution of drinking water; or

Wednesday 2 July 2003

b) the supply of drinking water to such networks.

2. This Directive shall also apply to contracts or design contests awarded or organised by entities which pursue an activity referred to in paragraph 1 and which:

a) are connected with hydraulic engineering projects, irrigation or land drainage, provided that the volume of water to be used for the supply of drinking water represents more than 20 % of the total volume of water made available by such projects or irrigation or drainage installations, or

b) are connected with the disposal or treatment of sewage.

3. The supply of drinking water to networks which provide a service to the public by a contracting entity other than a contracting authority shall not be considered a relevant activity within the meaning of paragraph 1 where:

a) the production of drinking water by the entity concerned takes place because its consumption is necessary for carrying out an activity other than those referred to in Articles 3 to 7; and

b) supply to the public network depends only on the entity's own consumption and has not exceeded 30 % of the entity's total production of drinking water, having regard to the average for the preceding three years, including the current year.

Article 5

Transport services

1. This Directive shall apply to activities relating to the provision or operation of networks providing a service to the public in the field of transport by railway, automated systems, tramway, trolley bus, bus or cable.

As regards transport services, a network shall be considered to exist where the service is provided under operating conditions laid down by a competent authority of a Member State, such as conditions on the routes to be served, the capacity to be made available or the frequency of the service.

2. This Directive shall not apply to entities providing bus transport services to the public which were excluded from the scope of Directive 93/38/EEC pursuant to Article 2(4) thereof.

Article 6

Postal services

1. This Directive shall apply to activities relating to the provision of reserved postal services **and, under** the conditions set out in **paragraph 2(c), other** services.

2. For the purpose of this Directive and without prejudice to Directive 97/67/EC:

a) 'postal item' means an item addressed in the final form in which it is to be carried, irrespective of weight. In addition to items of correspondence, such items also include for instance books, catalogues, newspapers, periodicals and postal packages containing merchandise with or without commercial value, irrespective of weight;

b) 'reserved postal services' means services consisting of the clearance, sorting, routing and delivery of postal items which are or may be reserved on the basis of Article 7 of Directive 97/67/EC;

Wednesday 2 July 2003

c) 'other services' means services **provided in the following areas:**

- **postal services** consisting of the clearance, sorting, routing and delivery of postal items **which are not reserved and which may not be so pursuant to Article 7 of Directive 97/67/EC; and**
- **mail** service management services (services both preceding and subsequent to despatch, such as 'mailroom management services');
- added-value services linked to and provided entirely by electronic means (including the secure transmission of coded documents by electronic means, address management services and transmission of registered electronic mail);
- services concerning postal items not included in point (a), such as direct mail bearing no address;
- financial services, as defined in category 6 of Annex XVII A and in Article 25(c) and including in particular postal money orders and postal giro transfers;
- philatelic services; and
- logistics services (services combining physical delivery and/or warehousing with other non-postal functions),

on condition that such services are provided by an entity which also provides **reserved** postal services within the meaning of **point (b)** and provided that the conditions set out in Article 31(1) are not satisfied in respect of the services falling within **that point**.

Article 7

Exploration for, or extraction of, oil, gas, coal or other solid fuels, as well as ports and airports.

This Directive shall apply to activities relating to the exploitation of a geographical area for the purpose of:

- a) exploring for or extracting oil, gas, coal or other solid fuels, or
- b) the provision of airports and maritime or inland ports or other terminal facilities to carriers by air, sea or inland waterway.

Article 8

Lists of contracting entities

The non-exhaustive lists of contracting entities within the meaning of this Directive are contained in Annexes I to X. Member States shall notify the Commission periodically of any changes to their lists.

Article 9

Contracts covering several activities

1. A contract which is intended to cover several activities shall be subject to the rules applicable to the activity for which it is principally intended.

However, the choice between awarding a single contract and awarding a number of separate contracts may not be made with the objective of excluding it from the scope of this Directive or, where applicable, Directive 2003/.../EC [on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts].

Wednesday 2 July 2003

2. If one of the activities for which the contract is intended is subject to this Directive and the other to the abovementioned Directive 2003/.../EC [on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts] and if it is objectively impossible to determine for which activity the contract is principally intended, the contract shall be awarded in accordance with the abovementioned Directive 2003/.../EC.

3. If one of the activities for which the contract is intended is subject to this Directive and the other is not subject to either this Directive or the abovementioned Directive 2003/.../EC [on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts], and if it is objectively impossible to determine for which activity the contract is principally intended, the contract shall be awarded in accordance with this Directive.

CHAPTER III

GENERAL PRINCIPLES

Article 10

Principles of awarding contracts

Contracting entities shall treat economic operators equally and non-discriminatorily and shall act in a transparent way.

Article 11

Respect for the fundamental principles of Community law

The contracting entities shall respect the fundamental principles of Community law in connection with all contracts, including those falling below the thresholds specified in Article 17.

TITLE II

RULES APPLICABLE TO CONTRACTS

CHAPTER I

GENERAL PROVISIONS

Article 12

Economic operators

1. Candidates or tenderers who, under the law of the Member State in which they are established, are entitled to provide the relevant service, shall not be rejected solely on the ground that, under the law of the Member State in which the contract is awarded, they would have been required to be either natural or legal persons.

However, in the case of service and works contracts as well as for supply contracts covering in addition services and/or siting and installation operations, legal persons may be required to indicate, in the tender or the request to participate, the names and relevant professional qualifications of the staff to be responsible for the performance of the contract in question.

2. Groups of economic operators may submit tenders or put themselves forward as candidates. In order to submit a tender or a request to participate, these groups may not be required by the contracting entities to assume a specific legal form; however, the group selected may be required to do so when it has been awarded the contract, to the extent to which this change is necessary for the satisfactory performance of the contract.

Article 13

Conditions relating to agreements concluded within the World Trade Organisation

For the purposes of the award of contracts by contracting entities, Member States shall apply in their relations conditions as favourable as those which they grant to economic operators of third countries in implementation of the Agreement. Member States shall, to this end, consult one another within the Advisory Committee for Public Contracts referred to in Article 69 on the measures to be taken pursuant to the Agreement.

Article 14

Confidentiality

1. In the context of provision of technical specifications to interested economic operators, of qualification and selection of economic operators and of award of contracts, contracting entities may impose requirements with a view to protecting the confidential nature of information which they make available.

2. **Without prejudice to the requirements to publish information on contracts awarded and to inform the candidates and tenderers, laid down in Articles 44 and 50 respectively, the contracting entities shall, throughout the procedure and at its end, respect the confidential nature of information provided by the economic operators. Such information shall include technical or trade secrets, the confidentiality of tenders and proposed solutions, and any other confidential information provided by the economic operator.**

Article 15

Framework agreements

1. Contracting entities may regard a framework agreement as a contract within the meaning of Article 1(2) and award it in accordance with this Directive.

2. Where contracting entities have awarded a framework agreement in accordance with this Directive, they may avail themselves of point (i) of Article 41(3) when awarding contracts based on that framework agreement.

3. Where a framework agreement has not been awarded in accordance with this Directive, contracting entities may not avail themselves of point (i) of Article 41(3).

4. Contracting entities may not misuse framework agreements in order to hinder, limit or distort competition.

Article 16

Dynamic purchasing systems

1. Member States may provide that contracting entities may use dynamic purchasing systems.

2. In order to set up a dynamic purchasing system, contracting entities shall follow the rules of the open procedure in all its phases up to the award of the contracts to be concluded under this system. All tenderers who satisfy the selection criteria and have submitted an indicative tender which complies with the specification and any possible additional documents shall be admitted to the system; indicative tenders may be improved at any time provided that they continue to comply with the specification. With a view to setting up the system and to the award of contracts under that system, contracting entities shall use solely electronic means in accordance with Article 49(2) to (5).

Wednesday 2 July 2003

3. For the purposes of setting up the dynamic purchasing system, contracting entities shall:
 - a) publish a contract notice making it clear that a dynamic purchasing system is involved;
 - b) indicate in the specification, amongst other matters, the nature of the purchases envisaged under that system, as well as all the necessary information concerning the purchasing system, the electronic equipment used and the technical connection arrangements and specifications;
 - c) offer by electronic means, on publication of the notice and until the system expires, unrestricted, direct and full access to the specification and to any additional documents and shall indicate in the notice the internet address at which such documents may be consulted.
4. Contracting entities shall give any economic operator, throughout the entire period of the dynamic purchasing system, the possibility of submitting an indicative tender and of being admitted to the system under the conditions referred to in paragraph 2. They shall complete evaluation within a maximum of 15 days from the date of submission of the indicative tender. However, they may extend the evaluation period provided that no invitation to tender is issued in the meantime.

The contracting entities shall inform the tenderer referred to in the first subparagraph at the earliest possible opportunity of its admittance to the dynamic purchasing system or of the rejection of its indicative tender.

5. Each specific contract shall be the subject of an invitation to tender. Before issuing the invitation to tender, contracting entities shall publish a simplified contract notice inviting all interested economic operators to submit an indicative tender, in accordance with paragraph 4, within a time-limit that may not be less than 15 days from the date on which the simplified notice was sent. Contracting entities may not proceed with tendering until they have completed evaluation of all the indicative tenders received within that time-limit.

6. Contracting entities shall invite all tenderers admitted to the system to submit a tender for each specific contract to be awarded under the system. To that end, they shall set a time-limit for the submission of tenders.

They shall award the contract to the tenderer which submitted the best tender on the basis of the award criteria set out in the contract notice for the establishment of the dynamic purchasing system. Those criteria may, if appropriate, be formulated more precisely in the invitation referred to in the first subparagraph.

7. A dynamic purchasing system may not last for more than four years, except in duly justified exceptional cases.

Contracting entities may not resort to this system to prevent, restrict or distort competition.

No charges may be billed to the interested economic operators or to parties to the system.

CHAPTER II
THRESHOLDS AND EXCLUSION PROVISIONS

Section 1

Thresholds

Article 17

Contract thresholds

Save where they are ruled out by the exclusions in *Articles 20 to 27* or pursuant to *Article 31*, concerning the pursuit of the activity in question, this Directive shall apply to contracts which have a value excluding value-added tax (VAT) estimated to be no less than the following thresholds:

- (a) EUR 499 000 in the case of supply and service contracts;
- (b) EUR 6 242 000 in the case of works contracts.

Article 18

Methods of calculating the estimated value of contracts, framework agreements and dynamic purchasing systems

1. The calculation of the estimated value of a contract shall be based on the total amount payable, net of VAT, as estimated by the contracting entity. This calculation shall take account of the estimated total amount, including any form of option and any renewals of the contract.

Where the contracting entity provides for prizes or payments to candidates or tenderers it shall take them into account when calculating the estimated value of the contract.

2. Contracting entities may not circumvent this Directive by splitting works projects or proposed purchases of a certain quantity of supplies and/or services or by using special methods for calculating the estimated value of contracts.

3. With regard to framework agreements and dynamic purchasing systems, the estimated value to be taken into consideration shall be the maximum estimated value net of VAT of all the contracts envisaged for the total term of the agreement or system.

4. For the purposes of *Article 17*, contracting entities shall include in the estimated value of a works contract both the cost of the works and the value of any supplies or services necessary for the execution of the works, which they make available to the contractor.

5. The value of supplies or services which are not necessary for the execution of a particular works contract may not be added to the value of the works contract when to do so would result in removing the procurement of those supplies or services from the scope of this Directive.

6. a) Where a proposed work or purchase of services may result in contracts being awarded at the same time in the form of separate lots, account shall be taken of the total estimated value of all such lots.

Where the aggregate value of the lots is equal to or exceeds the threshold laid down in *Article 17*, this Directive shall apply to the awarding of each lot.

However, the contracting entities may waive such application in respect of lots the estimated value of which, net of VAT, is less than EUR 80 000 for services or EUR 1 million for works, provided that the aggregate cost of those lots does not exceed 20 % of the aggregate value of the lots as a whole.

Wednesday 2 July 2003

- (b) Where a proposal for the acquisition of similar supplies may result in contracts being awarded at the same time in the form of separate lots, account shall be taken of the total estimated value of all such lots when applying *Article 17*.

Where the aggregate value of the lots is equal to or exceeds the threshold laid down in *Article 17*, this Directive shall apply to the awarding of each lot.

However, the contracting entities may waive such application in respect of lots, the estimated value of which, net of VAT, is less than EUR 80 000, provided that the aggregate cost of those lots does not exceed 20 % of the aggregate value of the lots as a whole.

7. In the case of supply or service contracts which are regular in nature or which are intended to be renewed within a given period, the calculation of the estimated contract value shall be based on the following:

- a) either the total actual value of the successive contracts of the same type awarded during the preceding twelve months or financial year, if possible adjusted to take account of the changes in quantity or value which would occur in the course of the twelve months following the initial contract;
- b) or the total estimated value of the successive contracts awarded during the twelve months following the first delivery, or during the financial year if that is longer than twelve months.

8. The basis for calculating the estimated value of a contract including both supplies and services shall be the total value of the supplies and services, regardless of their respective shares. The calculation shall include the value of the siting and installation operations.

9. With regard to supply contracts relating to the leasing, hire, rental or hire purchase of products, the value to be taken as a basis for calculating the estimated contract value shall be as follows:

- a) in the case of fixed-term contracts, if that term is less than or equal to twelve months, the total estimated value for the term of the contract or, if the term of the contract is greater than twelve months, the total value including the estimated residual value;
- b) in the case of contracts without a fixed term or the term of which cannot be defined, the monthly value multiplied by 48.

10. For the purposes of calculating the estimated contract value of service contracts, the following amounts shall, where appropriate, be taken into account:

- a) the premium payable, and other forms of remuneration, in the case of insurance services;
- b) fees, commissions, interest and other modes of remuneration, in the case of banking and other financial services;
- c) fees, commissions payable and other forms of remuneration, in the case of contracts involving design tasks.

11. In the case of service contracts which do not indicate a total price, the value to be used as the basis for calculating the estimated contract value shall be:

- a) in the case of fixed-term contracts, if that term is less than or equal to forty-eight months: the total value for their full term;
- b) in the case of contracts without a fixed term or with a term greater than forty-eight months: the monthly value multiplied by 48.

Wednesday 2 July 2003

Section 2

Contracts and concessions and contracts subject to special arrangements

Subsection 1

Article 19

Works and service concessions

This Directive shall not apply to works and service concessions which are awarded by contracting entities carrying out one or more of the activities referred to in Articles 3 to 7, where those concessions are awarded for carrying out those activities.

Subsection 2

Exclusions applicable to all contracting entities and to all types of contract

Article 20

Contracts awarded for purposes of resale or lease to third parties

1. This Directive shall not apply to contracts awarded for purposes of resale or lease to third parties, provided that the contracting entity enjoys no special or exclusive right to sell or lease the subject of such contracts, and other entities are free to sell or lease it under the same conditions as the contracting entity.
2. The contracting entities shall notify the Commission at its request of all the categories of products or activities which they regard as excluded under paragraph 1. The Commission may periodically publish in the Official Journal of the European Union, for information purposes, lists of the categories of products and activities which it considers to be covered by this exclusion. In so doing, the Commission shall respect any sensitive commercial aspects that the contracting entities may point out when forwarding information.

Article 21

Contracts awarded for purposes other than the pursuit of an activity covered or for the pursuit of such an activity in a third country

1. This Directive shall not apply to contracts which the contracting entities award for purposes other than the pursuit of their activities as described in Articles 3 to 7 or for the pursuit of such activities in a third country, in conditions not involving the physical use of a network or geographical area within the Community.
2. The contracting entities shall notify the Commission at its request of any activities which they regard as excluded under paragraph 1. The Commission may periodically publish in the Official Journal of the European Union for information purposes, lists of the categories of activities which it considers to be covered by this exclusion. In so doing, the Commission shall respect any sensitive commercial aspects that the contracting entities may point out when forwarding this information.

Article 22

Contracts which are secret or require particular security measures

This Directive shall not apply to contracts when they are declared to be secret by a Member State, when their execution must be accompanied by special security measures in accordance with the laws, regulations or administrative provisions in force in the Member State concerned, or when the protection of the basic security interests of that State so requires.

Wednesday 2 July 2003

Article 23

Contracts awarded pursuant to international rules

This Directive shall not apply to contracts governed by different procedural rules and awarded:

- a) pursuant to an international agreement concluded in accordance with the Treaty between a Member State and one or more third countries and covering supplies, works, services or design contests intended for the joint implementation or exploitation of a project by the signatory States; all agreements shall be communicated to the Commission, which may consult the Advisory Committee for Public Contracts referred to in *Article 69*;
- b) pursuant to a concluded international agreement relating to the stationing of troops and concerning the undertakings of a Member State or a third country;
- c) pursuant to the particular procedure of an international organisation.

Article 24

Contracts awarded to an affiliated undertaking, to a joint venture or to a contracting entity forming part of a joint venture

1. For the purposes of this Article, 'affiliated undertaking' means any undertaking the annual accounts of which are consolidated with those of the contracting entity in accordance with the requirements of the Seventh Council Directive 83/349/EEC of 13 June 1983 on consolidated accounts⁽¹⁾, or, in the case of entities not subject to that Directive, any undertaking over which the contracting entity may exercise, directly or indirectly, a dominant influence within the meaning of Article 2(1)(b) or which may exercise a dominant influence over the contracting entity or which, in common with the contracting entity, is subject to the dominant influence of another undertaking by virtue of ownership, financial participation, or the rules which govern it.

2. Provided that the conditions in paragraph 3 are met, this Directive shall not apply to contracts awarded:

- a) by a contracting entity to an affiliated undertaking, or
- b) by a joint venture, formed exclusively by a number of contracting entities for the purpose of carrying out activities within the meaning of Articles 3 to 7, to an undertaking which is affiliated with one of these contracting entities.

3. Paragraph 2 shall apply:

- a) to service contracts provided that at least 80 % of the average turnover of the affiliated undertaking with respect to services for the preceding three years derives from the provision of such services to undertakings with which it is affiliated;
- b) to supplies contracts provided that at least 80 % of the average turnover of the affiliated undertaking with respect to supplies for the preceding three years derives from the provision of such supplies to undertakings with which it is affiliated;
- c) to works contracts provided that at least 80 % of the average turnover of the affiliated undertaking with respect to works for the preceding three years derives from the provision of such works to undertakings with which it is affiliated.

When, because of the date on which an affiliated undertaking was created or commenced activities, the turnover is not available for the preceding three years, it will be sufficient for that undertaking to show that the turnover referred to in points (a), (b) or (c) is credible, particularly by means of business projections.

⁽¹⁾ OJ L 193, 18.7.1983, p. 1. Directive as last amended by Directive 2001/65/EC of the European Parliament and of the Council (OJ L 283, 27.10.2001, p. 28).

Wednesday 2 July 2003

Where more than one undertaking affiliated with the contracting entity provides the same or similar services, supplies or works, the above percentages shall be calculated taking into account the total turnover deriving respectively from the provision of services, supplies or works by those affiliated undertakings.

4. This Directive shall not apply to contracts awarded:

- a) by a joint venture, formed exclusively by a number of contracting entities for the purpose of carrying out activities within the meaning of Articles 3 to 7, to one of these contracting entities, or
- b) by a contracting entity to such a joint venture of which it forms part,

provided that the joint venture has been set up in order to carry out the activity concerned over a period of at least three years and that the instrument setting up the joint venture stipulates that the contracting entities, which form it, will be part thereof for at least the same period.

5. The contracting entities shall notify to the Commission, at its request, the following information regarding the application of paragraphs 2, 3 and 4:

- a) the names of the undertakings or joint ventures concerned,
- b) the nature and value of the contracts involved,
- c) such proof as may be deemed necessary by the Commission that the relationship between the undertaking or joint venture to which the contracts are awarded and the contracting entity complies with the requirements of this Article.

Subsection 3

Exclusions applicable to all contracting entities, but to service contracts only

Article 25

Contracts relating to certain services excluded from the scope of this Directive

This Directive shall not apply to service contracts for:

- a) the acquisition or rental, by whatever financial means, of land, existing buildings or other immovable property or concerning rights thereon; nevertheless, financial service contracts concluded at the same time as, before or after the contract of acquisition or rental, in whatever form, shall be subject to this Directive;
- b) arbitration and conciliation services;
- c) financial services in connection with the issue, sale, purchase or transfer of securities or other financial instruments, in particular transactions by the contracting entities to raise money or capital;
- d) employment contracts;
- e) research and development services other than those where the benefits accrue exclusively to the contracting entity for its use in the conduct of its own affairs, on condition that the service provided is wholly remunerated by the contracting entity.

Wednesday 2 July 2003

Article 26

Service contracts awarded on the basis of an exclusive right

This Directive shall not apply to service contracts awarded to an entity which is itself a contracting authority within the meaning of Article 2(1)(a) or to an association of contracting authorities on the basis of an exclusive right which they enjoy pursuant to a published law, regulation or administrative provision which is compatible with the Treaty.

Subsection 4

Exclusions applicable to certain contracting entities only

Article 27

Contracts awarded by certain contracting entities for the purchase of water and for the supply of energy or of fuels for the production of energy

This Directive shall not apply:

- a) to contracts for the purchase of water if awarded by contracting entities engaged in one or both of the activities referred to in Article 4(1).
- b) to contracts for the supply of energy or of fuels for the production of energy, if awarded by contracting entities engaged in an activity referred to in Article 3(1), Article 3(3) or Article 7(a).

Subsection 5

Contracts subject to special arrangements, provisions concerning central purchasing bodies and the general procedure in case of direct exposure to competition

Article 28 ()*

Contracts subject to special arrangements

Without prejudice to *Article 31* the Kingdom of the Netherlands, the United Kingdom and the Republic of Austria shall ensure, by way of the conditions of authorisation or other appropriate measures, that any entity operating in the sectors mentioned in Decisions 93/676/EC, 97/367/EC and 2002/205/EC:

- a) observes the principles of non-discrimination and competitive procurement in respect of the award of supplies, works and service contracts, in particular as regards the information which the entity makes available to economic operators concerning its procurement intentions;
- b) communicates to the Commission, under the conditions defined in Commission Decision 93/327/EEC ⁽¹⁾, information relating to the award of contracts.

(*) To be updated should other decisions pursuant to Article 3 be adopted before this Directive is adopted.

(1) OJ L 129, 27.5.1993, p. 25.

Wednesday 2 July 2003

Article 29

Reserved contracts

Member States may reserve the right to participate in contract award procedures to sheltered workshops or provide for such contracts to be executed in the context of sheltered employment programmes where most of the employees concerned are handicapped persons who, by reason of the nature or the seriousness of their disabilities, cannot carry on occupations under normal conditions.

The notice used to make the call for competition shall make reference to this Article.

Article 30

Contracts and framework agreements awarded by central purchasing bodies

1. Member States may prescribe that contracting entities may purchase works, supplies and/or services from or through a central purchasing body.

2. Contracting entities which purchase works, supplies and/or services from or through a central purchasing body in the cases set out in Article 1(8) shall be deemed to have complied with this Directive insofar as the central purchasing body has complied with it or, where appropriate, with Directive 2003/.../EC [on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts].

Article 31

Procedure for establishing whether a given activity is directly exposed to competition

1. Contracts intended to enable an activity mentioned in Articles 3 to 7 to be carried out shall not be subject to this Directive if, in the Member State in which the activity is performed, it is directly exposed to competition on markets to which access is not restricted.

2. For the purposes of paragraph 1, the question of whether an activity is directly exposed to competition shall be decided on the basis of criteria that are in conformity with the Treaty provisions on competition, such as the characteristics of the goods or services concerned, the existence of alternative goods or services, the prices and the actual or potential presence of more than one supplier of the goods or services in question.

3. For the purposes of paragraph 1, access to a market shall be deemed not to be restricted if the Member State has implemented and applied the provisions of Community legislation mentioned in Annex XI.

If free access to a given market cannot be presumed on the basis of the first subparagraph, it shall be demonstrated that access to the market in question is free de facto and de jure.

4. When a Member State considers that, in compliance with paragraphs 2 and 3, paragraph 1 is applicable to a given activity, it shall notify the Commission and inform it of all relevant facts, and in particular of any law, regulation, administrative provision or agreement concerning compliance with the conditions set out in paragraph 1, where appropriate together with the position adopted by an independent national authority that is competent in relation to the activity concerned.

Contracts intended to enable the activity concerned to be carried out shall no longer be subject to this Directive if the Commission:

- has adopted a Decision establishing the applicability of paragraph 1 in accordance with paragraph 6 and within the period it provides for, or
- has not adopted a Decision concerning such applicability within that period.

Wednesday 2 July 2003

However, where free access to a given market is presumed on the basis of the first subparagraph of paragraph 3, and where an independent national authority that is competent in the activity concerned has established the applicability of paragraph 1, contracts intended to enable the activity concerned to be carried out shall no longer be subject to this Directive if the Commission has not established the inapplicability of paragraph 1 by a Decision adopted in conformity with paragraph 6 and within the period it provides for.

5. When the legislation of the Member State concerned provides for it, the contracting entities may ask the Commission to establish the applicability of paragraph 1 to a given activity by a Decision in conformity with paragraph 6. In such a case, the Commission shall immediately inform the Member State concerned.

That Member State shall, taking account of paragraphs 2 and 3, inform the Commission of all relevant facts, and in particular of any law, regulation, administrative provision or agreement concerning compliance with the conditions set out in paragraph 1, where appropriate together with the position adopted by an independent national authority that is competent in the activity concerned.

The Commission may also begin the procedure for adoption of a Decision establishing the applicability of paragraph 1 to a given activity on its own initiative. In such a case, the Commission shall immediately inform the Member State concerned.

If, at the end of the period laid down in paragraph 6, the Commission has not adopted a Decision concerning the applicability of paragraph 1 to a given activity, paragraph 1 shall be deemed to be applicable.

6. For the adoption of a Decision under this Article, in accordance with the procedure under Article 69(2), the Commission shall be allowed a period of three months commencing on the first working day following the date on which it receives the notification or the request. However, this period may be extended once by a maximum of three months in duly justified cases, in particular if the information contained in the notification or the request or in the documents annexed thereto is incomplete or inexact or if the facts as reported undergo any substantive changes. This extension shall be limited to one month where an independent national authority that is competent in the activity concerned has established the applicability of paragraph 1 in the cases provided for under the third subparagraph of paragraph 4.

When an activity in a given Member State is already the subject of a procedure under this Article, further requests concerning the same activity in the same Member State before the expiry of the period opened in respect of the first request shall not be considered as new procedures and shall be treated in the context of the first request.

The Commission shall adopt detailed rules for applying paragraphs 4, 5 and 6 in accordance with the procedure under Article 69(2).

These rules shall include at least:

- a) the publication in the Official Journal of the European Union, for information, of the date on which the three-month period referred to in the first subparagraph begins, and, in case this period is prolonged, the date of prolongation and the period by which it is prolonged;
- b) publication of the possible applicability of paragraph 1 in accordance with the second or third subparagraph of paragraph 4 or in accordance with the fourth subparagraph of paragraph 5; and
- c) the arrangements for forwarding positions adopted by an independent authority that is competent in the activity concerned, regarding questions relevant to paragraphs 1 and 2.

Wednesday 2 July 2003

CHAPTER III
RULES APPLICABLE TO SERVICE CONTRACTS

Article 32

Service contracts listed in Annex XVII A

Contracts which have as their object services listed in Annex XVII A shall be awarded in accordance with *Articles 35 to 60*.

Article 33

Service contracts listed in Annex XVII B

Contracts which have as their object services listed in Annex XVII B shall be governed only by *Articles 35 and 44*.

Article 34

Mixed contracts including services listed in Annexes XVII A and services listed in Annex XVII B

Contracts which have as their subject matter services listed both in Annex XVII A and in Annex XVII B shall be awarded in accordance with the provisions of *Articles 35 to 60* where the value of the services listed in Annex XVII A is greater than the value of the services listed in Annex XVII B. In other cases, contracts shall be governed by *Articles 35 and 44*.

CHAPTER IV
SPECIFIC RULES GOVERNING SPECIFICATIONS AND CONTRACT DOCUMENTS

Article 35

Technical specifications

1. The technical specifications as defined in point 1 of *Annex XXI* shall be set out in the contract documentation, such as contract notices, contract documents or additional documents.
2. Technical specifications shall afford equal access for tenderers and not have the effect of creating unjustified obstacles to the opening of public procurement to competition.
3. Without prejudice to legally binding national technical rules, to the extent that they are compatible with Community law, the technical specifications shall be formulated:
 - a) either by reference to technical specifications defined in *Annex XXI* and, in order of preference, to national standards transposing European standards, European technical approvals, common technical specifications, international standards, other technical reference systems established by the European standardisation bodies or — when these do not exist — national standards, national technical approvals or national technical specifications relating to the design, calculation and execution of the works and use of the products. Each reference shall be accompanied by the words 'or equivalent';
 - b) or in terms of performance or functional requirements; the latter may include environmental characteristics. However, such parameters must be sufficiently precise to allow tenderers to determine the subject-matter of the contract and to allow contracting entities to award the contract;

Wednesday 2 July 2003

- c) or in terms of performance or functional requirements as mentioned in subparagraph (b), with reference to the specifications mentioned in subparagraph (a) as a means of presuming conformity with such performance or functional requirements;
- d) or by referring to the specifications mentioned in subparagraph (a) for certain characteristics, and by referring to the performance or functional requirements mentioned in subparagraph (b) for other characteristics.

4. Where a contracting entity makes use of the option of referring to the specifications mentioned in paragraph 3(a), it cannot reject a tender on the ground that the products and services tendered for do not comply with the specifications to which it has referred, once the tenderer proves in his tender to the satisfaction of the contracting entity, by whatever appropriate means, that the solutions which he proposes satisfy in an equivalent manner the requirements defined by the technical specifications.

An appropriate means might be constituted by a technical dossier from the manufacturer or a test report from a recognised body.

5. Where a contracting entity uses the option provided for in paragraph 3 of laying down performance or functional requirements, it may not reject a tender for products, services or works which comply with a national standard transposing a European standard, with a European technical approval, a common technical specification, an international standard, or a technical reference system established by a European standardisation body, if these specifications address the performance or functional requirements which it has laid down.

In his tender, the tenderer shall prove to the satisfaction of the contracting entity and by any appropriate means that the product, service or work in compliance with the standard meets the performance or functional requirements of the contracting entity.

An appropriate means might be constituted by a technical dossier from the manufacturer or a test report from a recognised body.

6. Where contracting entities lay down environmental characteristics in terms of performance or functional requirements as referred to in paragraph 3(b) they may use the detailed specifications, or, if necessary, parts thereof, as defined by European or (multi-) national eco-labels, or by any other eco-label, provided that:

- those specifications are appropriate to define the characteristics of the supplies or services that are the object of the contract,
- the requirements for the label are drawn up on the basis of scientific information,
- the eco-labels are adopted using a procedure in which all stakeholders, such as government bodies, consumers, manufacturers, distributors and environmental organisations can participate, and
- they are accessible to all interested parties.

The contracting entities may indicate that the products and services bearing the eco-label are presumed to comply with the technical specifications laid down in the contract documents; they must accept any other appropriate means of proof, such as a technical dossier from the manufacturer or a test report from a recognised body.

7. Whenever possible, contracting entities shall take into account accessibility for people with disabilities and design for all requirements. These technical specifications shall be clearly indicated in the contract documents.

Wednesday 2 July 2003

8. 'Recognised bodies', within the meaning of this Article, are test and calibration laboratories, and certification and inspection bodies which comply with applicable European standards.

Contracting entities shall accept certificates from recognised bodies established in other Member States.

9. Unless justified by the subject-matter of the contract, technical specifications shall not refer to a specific make or source, or to a particular process, or to trade marks, patents, types or a specific origin or production, **or a specific producer or supplier**. Such reference shall be permitted, on an exceptional basis, where a sufficiently precise and intelligible description of the subject-matter of the contract pursuant to paragraphs 3 and 4 is not possible; such reference **must include** the words 'or equivalent'.

Article 36

Communication of technical specifications

1. Contracting entities shall make available on request to economic operators interested in obtaining a contract the technical specifications regularly referred to in their supply, works or service contracts, or the technical specifications which they intend to apply to contracts covered by periodic indicative notices within the meaning of Article 42(1).

2. Where the technical specifications are based on documents available to interested economic operators, the inclusion of a reference to those documents shall be sufficient.

Article 37

Variants

1. Where the criterion for the award of the contract is that of the most economically advantageous tender, contracting entities may take account of variants which are submitted by a tenderer and meet the minimum requirements specified by the contracting entities.

The contracting entities shall indicate in the specifications whether or not they authorise variants and, if so, the minimum requirements to be met by the variants and any specific requirements for their presentation.

2. In the procedures for awarding supply or service contracts, contracting entities which have authorised variants pursuant to paragraph 1 may not reject a variant on the sole ground that it would, if successful, lead either to a service contract rather than a supply contract, or to a supply contract rather than a service contract.

Article 38

Subcontracting

In the contract documents, the contracting entity may ask, or may be required by a Member State to ask, the tenderer to indicate in his tender any share of the contract he intends to subcontract to third parties and any proposed subcontractors. This indication shall be without prejudice to the question of the principal economic operator's liability.

Article 39

Conditions for performance of contracts

Contracting entities may lay down special conditions relating to the performance of a contract, provided that these are compatible with Community law and are indicated in the notice used as a means of calling for competition or in the specifications. The conditions governing the performance of a contract may, in particular, concern social and environmental considerations.

Wednesday 2 July 2003

Article 40

Obligations relating to taxes, environmental protection, employment protection provisions and working conditions

1. The contracting entity may state in the contract documents, or be required by a Member State so to do, from which body or bodies a candidate or tenderer may obtain the appropriate information on the obligations relating to taxes, to environmental protection, to protection provisions and to the working conditions which are in force in the Member State, region or locality in which the services are to be provided and which shall be applicable to the works carried out on site or to the services provided during the performance of the contract.

2. The contracting entity which supplies the information referred to in paragraph 1 shall request the tenderers or candidates in the contract award procedure to indicate that they have taken account, when drawing up their tender, of the obligations relating to employment protection provisions and the working conditions which are in force in the place where the service is to be provided.

The first subparagraph shall be without prejudice to the application of *Article 58*.

CHAPTER V
PROCEDURES

Article 41

Use of open, restricted and negotiated procedures

1. When awarding supply, works or service contracts, contracting entities shall apply the procedures adjusted for the purposes of this Directive.
2. Contracting entities may choose any of the procedures described in Article 1(9)(a), (b) or (c), provided that, subject to paragraph 3, a call for competition has been made in accordance with *Article 43*.
3. Contracting entities may use a procedure without prior call for competition in the following cases:
 - a) when no tenders or no suitable tenders or no applications have been submitted in response to a procedure with a prior call for competition, provided that the initial conditions of contract are not substantially altered;
 - b) where a contract is purely for the purpose of research, experiment, study or **development**;
 - c) when, for technical or artistic reasons, or for reasons connected with the protection of exclusive rights, the contract may be executed only by a particular economic operator;
 - d) insofar as is strictly necessary when, for reasons of extreme urgency brought about by events unforeseeable by the contracting entities, the time-limits laid down for open procedures, restricted procedures and negotiated procedures with a prior call for competition cannot be adhered to;
 - e) in the case of supply contracts for additional deliveries by the original supplier which are intended either as a partial replacement of normal supplies or installations or as the extension of existing supplies or installations, where a change of supplier would oblige the contracting entity to acquire material having different technical characteristics which would result in incompatibility or disproportionate technical difficulties in operation and maintenance;

Wednesday 2 July 2003

- f) for additional works or services which were not included in the project initially awarded or in the contract first concluded but have, through unforeseen circumstances, become necessary to the performance of the contract, on condition that the award is made to the contractor or service provider executing the original contract:
- when such additional works or services cannot be technically or economically separated from the main contract without great inconvenience to the contracting entities; or
 - when such additional works or services, although separable from the performance of the original contract, are strictly necessary to its later stages;
- g) in the case of works contracts, for new works consisting in the repetition of similar works assigned to the contractor to which the same contracting entities awarded an earlier contract, provided that such works conform to a basic project for which a first contract was awarded after a call for competition; as soon as the first project is put up for tender, notice shall be given that this procedure might be adopted and the total estimated cost of subsequent works shall be taken into consideration by the contracting entities when they apply the provisions of *Articles 17 and 18*;
- h) for supplies quoted and purchased on a commodity market;
- i) for contracts to be awarded on the basis of a framework agreement, provided that the condition referred to in *Article 15(2)* is fulfilled;
- j) for bargain purchases, where it is possible to procure supplies by taking advantage of a particularly advantageous opportunity available for a very short time at a price considerably lower than normal market prices;
- k) for purchases of supplies under particularly advantageous conditions from either a supplier definitively winding up his business activities or the receivers or liquidators of a bankruptcy, an arrangement with creditors or a similar procedure under national laws or regulations;
- l) when the service contract concerned is part of the follow-up to a design contest organised in accordance with the provisions of this Directive and shall, in accordance with the relevant rules, be awarded to the winner or to one of the winners of that contest; in the latter case, all the winners shall be invited to participate in the negotiations.

CHAPTER VI

Rules on publication and transparency

Section 1

Publication of notices

Article 42

Periodic indicative notices and notices on the existence of a system of qualification

1. Contracting entities shall make known, at least once a year, by means of a periodic indicative notice as referred to in Annex XV A, published by the Commission or by themselves on their 'buyer profile', as described in point 2(b) of Annex XX:

- a) where supplies are concerned, the estimated total value of the contracts or the framework agreements by product area which they intend to award over the following twelve months, where the total estimated value, taking into account the provisions of *Articles 17 and 18*, is equal to or greater than EUR 750 000.

Wednesday 2 July 2003

The product area shall be established by the contracting entities by reference to the CPV nomenclature;

- b) where services are concerned, the estimated total value of the contracts or the framework agreements in each of the categories of services listed in Annex XVII A which they intend to award over the following twelve months, where such estimated total value, taking into account the provisions of *Articles 17* and *18*, is equal to or greater than EUR 750 000;
- c) where works are concerned, the essential characteristics of the works contracts or the framework agreements which they intend to award over the 12 coming months, whose estimated value is equal to or greater than the threshold specified in *Article 17*, taking into account the provisions of *Article 18*.

The notices referred to in (a) and (b) shall be sent to the Commission or published on the buyer profile as soon as possible after the beginning of the budgetary year.

The notice referred to in (c) shall be sent to the Commission or published on the buyer profile as soon as possible after the decision approving the planning of the works contracts or the framework agreements that the contracting entities intend to award.

Contracting entities which publish the periodic indicative notice on their buyer profiles shall transmit to the Commission, electronically, a notice of the publication of the periodic indicative notice on a buyer profile, in accordance with the format and modalities for the electronic transmission of notices indicated in point 3 of Annex XX.

The publication of the notices referred to in (a), (b) and (c) shall be compulsory only where the contracting entities take the option of reducing the time-limits for the receipt of tenders as laid down in *Article 46(4)*.

This paragraph shall not apply to procedures without prior call for competition.

2. Contracting entities may, in particular, publish or arrange for the Commission to publish periodic indicative notices relating to major projects without repeating information previously included in a periodic indicative notice, provided that it is clearly pointed out that these notices are additional ones.

3. Where contracting entities choose to set up a qualification system in accordance with *Article 54*, the system shall be the subject of a notice as referred to in Annex XIV, indicating the purpose of the qualification system and how to have access to the rules concerning its operation. Where the system is of a duration greater than three years, the notice shall be published annually. Where the system is of a shorter duration, an initial notice shall suffice.

Article 43

Notices used as a means of calling for competition

1. In the case of supply, works or service contracts, the call for competition may be made:

- a) by means of a periodic indicative notice as referred to in Annex XV A, or
- b) by means of a notice on the existence of a qualification system as referred to in Annex XIV; or
- c) by means of a contract notice as referred to in Annex XIII A, B or C.

2. In the case of dynamic purchasing systems, the system's call for competition shall be by contract notice as referred to in paragraph 1(c), whereas calls for competition for contracts based on such systems shall be by simplified contract notice as referred to in Annex XIII D.

Wednesday 2 July 2003

3. When a call for competition is made by means of a periodic indicative notice, the notice shall:
- a) refer specifically to the supplies, works or services which will be the subject of the contract to be awarded;
 - b) indicate that the contract will be awarded by restricted or negotiated procedure without further publication of a notice of a call for competition and invite interested economic operators to express their interest in writing; and
 - c) have been published in accordance with Annex XX not more than 12 months prior to the date on which the invitation referred to in *Article 48(5)* is sent. Moreover, the contracting entity shall meet the time-limits laid down in *Article 46*.

Article 44

Contract award notices

1. Contracting entities which have awarded a contract or a framework agreement shall, within two months of the award of the contract or framework agreement, send a contract award notice as referred to in Annex XVI under conditions to be laid down by the Commission in accordance with the procedure referred to in *Article 69(2)*.

In the case of contracts awarded under a framework agreement within the meaning of *Article 15(2)*, the contracting entities shall not be bound to send a notice of the results of the award procedure for each contract based on that agreement.

Contracting entities shall send a contract award notice based on a dynamic purchasing system within two months after the award of each contract. They may, however, group such notices on a quarterly basis. In that case, they shall send the grouped notices within two months after the end of each quarter.

2. The information provided in accordance with Annex XVI and intended for publication shall be published in accordance with Annex XX. In this connection, the Commission shall respect any sensitive commercial aspects which the contracting entities may point out when forwarding this information, concerning the number of tenders received, the identity of economic operators, or prices.

3. Where contracting entities award a research-and-development service contract ('R&D contract') by way of a procedure without a call for competition in accordance with *Article 41(3)(b)*, they may limit to the reference 'research and development services' the information to be provided in accordance with Annex XVI concerning the nature and quantity of the services provided.

Where contracting entities award an R&D contract which cannot be awarded by way of a procedure without a call for competition in accordance with *Article 41(3)(b)*, they may, on grounds of commercial confidentiality, limit the information to be provided in accordance with Annex XVI concerning the nature and quantity of the services supplied.

In such cases, contracting entities shall ensure that any information published under this paragraph is no less detailed than that contained in the notice of the call for competition published in accordance with *Article 43(1)*.

If they use a qualification system, contracting entities shall ensure in such cases that such information is no less detailed than the category referred to in the list of qualified service providers drawn up in accordance with *Article 54(7)*.

4. In the case of contracts awarded for services listed in Annex XVII B, the contracting entities shall indicate in the notice whether they agree to publication.

Wednesday 2 July 2003

5. Information provided in accordance with Annex XVI and marked as not being intended for publication shall be published only in simplified form and in accordance with Annex XX for statistical purposes.

Article 45

Form and manner of publication of notices

1. The notices shall include the information mentioned in Annexes XIII, XIV, XV A , XV B and XVI and, where appropriate, any other information deemed useful by the contracting entity in the format of standard forms adopted by the Commission in accordance with the procedure referred to in *Article 69(2)*.

2. Notices sent by contracting entities to the Commission shall be sent either by electronic means in accordance with the format and modalities of transmission indicated in point 3 of Annex XX, or by other means.

The notices referred to in *Articles 42, 43 and 44* shall be published in accordance with the technical characteristics for publication set out in point 1(a) and (b) of Annex XX.

3. Notices drawn up and transmitted by electronic means in accordance with the format and modalities of transmission indicated in point 3 of Annex XX, shall be published no later than five days after they are sent.

Notices which are not transmitted by electronic means in accordance with the format and modalities of transmission indicated in point 3 of Annex XX shall be published not later than 12 days after they are transmitted. However, in exceptional cases, the contract notices referred to in *Article 43(1)(c)* shall be published within five days in response to a request by the contracting entity, provided that the notice has been sent by fax.

4. Contract notices shall be published in full in an official language of the Community as chosen by the contracting entity, this original language version constituting the sole authentic text. A summary of the important elements of each notice shall be published in the other official languages.

The costs of publication of notices by the Commission shall be borne by the Community.

5. Notices and their contents may not be published at national level before the date on which they are sent to the Commission.

Notices published at national level shall not contain information other than that contained in the notices dispatched to the Commission or published on a buyer profile in accordance with the first subparagraph of *Article 42(1)*, but shall mention the date of dispatch of the notice to the Commission or its publication on the buyer profile.

Periodic indicative notices may not be published on a buyer profile before the dispatch to the Commission of the notice of their publication in that form; they shall mention the date of that dispatch.

6. Contracting entities shall ensure that they are able to supply proof of the dates on which notices are dispatched.

7. The Commission shall give the contracting entity confirmation of the publication of the information sent, mentioning the date of that publication. Such confirmation shall constitute proof of publication.

8. Contracting entities may publish in accordance with paragraphs 1 to 7 contract notices which are not subject to the publication requirement laid down in this Directive.

Wednesday 2 July 2003

Section 2

Time-limits

Article 46

Time-limits for receipt of requests to participate and for receipt of tenders

1. When fixing the time-limits for requests to participate and the receipt of tenders, contracting entities shall take particular account of the complexity of the contract and the time required for drawing up tenders, without prejudice to the minimum time-limits set by this Article.
2. In the case of open procedures, the minimum time-limit for receipt of tenders shall be 52 days from the date on which the contract notice was sent.
3. In restricted procedures and in negotiated procedures with a prior call for competition, the following arrangements shall apply:
 - a) the time-limit for receipt of requests to participate, in response to a notice published under Article 43(1)(c), or in response to an invitation by the contracting entities under Article 48(5), shall, as a general rule, be fixed at no less than 37 days from the date on which the notice or invitation was sent and may in no case be less than 22 days if the notice is sent for publication by means other than electronic means or fax, and at no less than 15 days if the notice is transmitted by such means;
 - b) the time-limit for receipt of tenders may be set by mutual agreement between the contracting entity and the selected candidates, provided that all candidates have the same time to prepare and submit their tenders;
 - c) where it is not possible to reach agreement on the time-limit for receipt of tenders, the contracting entity shall fix a time-limit which shall, as a general rule, be at least 24 days and shall in no case be less than ten days from the date of the invitation to tender.
4. If the contracting entities have published a periodic indicative notice as referred to in Article 42(1) in accordance with Annex XX, the minimum time-limit for receipt of tenders in open procedures shall, as a general rule, not be less than 36 days, but shall in no case be less than 22 days from the date on which the notice was sent.

These reduced time-limits are permitted, provided that the periodic indicative notice has, besides the information required by Annex XV A, part I, included all the information required by Annex XV A, part II, insofar as the latter information is available at the time the notice is published and that the notice has been sent for publication between no less than 52 days and not longer than twelve months before the date on which the contract notice referred to in Article 43(1)(c) was sent.

5. Where notices are drawn up and transmitted by electronic means in accordance with the format and modalities of transmission indicated in point 3 of Annex XX the time-limits for receipt of requests to participate in restricted and negotiated procedures, and for receipt of tenders in open procedures, may be reduced by seven days.

6. Except in the case of a time-limit set by mutual agreement in accordance with paragraph 3(b), time-limits for receipt of tenders in open, restricted and negotiated procedures may be further reduced by five days where the contracting entity offers unrestricted and full direct access to the contract documents and any supplementary documents by electronic means from the date on which the notice used as a means of calling for competition is published, in accordance with Annex XX. The notice should specify the internet address at which this documentation is accessible.

Wednesday 2 July 2003

7. In open procedures, the cumulative effect of the reductions provided for in paragraphs 4, 5 and 6 may in no case result in a time-limit for receipt of tenders of less than 15 days from the date on which the contract notice was sent.

However, if the contract notice is not transmitted by fax or electronic means, the cumulative effect of the reductions provided for in paragraphs 4, 5 and 6 may in no case result in a time-limit for receipt of tenders in an open procedure of less than 22 days from the date on which the contract notice was transmitted.

8. The cumulative effect of the reductions provided for in paragraphs 4, 5 and 6 may in no case result in a time-limit for receipt of requests to participate, in response to a notice published under *Article 43(1)(c)*, or in response to an invitation by the contracting entities under *Article 48(5)*, of less than 15 days from the date on which the contract notice or invitation was sent.

In restricted and negotiated procedures, the cumulative effect of the reductions provided for in paragraphs 4, 5 and 6 may in no case, except that of a time-limit set by mutual agreement in accordance with paragraph 3(b), result in a time-limit for receipt of tenders of less than 10 days from the date of the invitation to tender.

9. If, for whatever reason, the contract documents and the supporting documents or additional information, although requested in good time, have not been supplied within the time-limits set in *Articles 47 and 48*, or where tenders can be made only after a visit to the site or after on-the-spot inspection of the documents supporting the contract documents, the time-limits for receipt of tenders shall be extended accordingly, except in the case of a time-limit set by mutual agreement in accordance with paragraph 3(b), so that all economic operators concerned may be aware of all the information needed for the preparation of a tender.

10. A summary table of the time-limits laid down in this Article is given in Annex XXII.

Article 47

Open procedures: specifications, additional documents and information

1. In open procedures, where contracting entities do not offer unrestricted and full direct access to the specifications and any supporting documents by electronic means in accordance with *Article 46(6)*, the specifications and supporting documents shall be sent to economic operators within six days of receipt of the request, provided that the request was made in good time before the time-limit for submission of tenders.

2. Provided that it has been requested in good time, additional information relating to the specifications shall be supplied by the contracting entities or competent departments not later than six days before the time-limit fixed for receipt of tenders.

Article 48

Invitations to submit a tender or to negotiate

1. In restricted procedures and negotiated procedures, contracting entities shall simultaneously and in writing invite the selected candidates to submit their tenders or to negotiate. The invitation to the candidates shall include:

- either a copy of the specifications and any supporting documents, or
- a reference to accessing the specifications and the supporting documents indicated in the first indent, when they are made directly available by electronic means in accordance with *Article 46(6)*.

Wednesday 2 July 2003

2. Where the specifications and/or any supporting documents are held by an entity other than the contracting entity responsible for the award procedure, the invitation shall state the address from which those specifications and documents may be requested and, if appropriate, the closing date for requesting such documents, the sum payable for obtaining them and any payment procedures. The competent department shall send that documentation to the economic operator immediately upon receipt of the request.

3. The additional information on the specifications or the supporting documents shall be sent by the contracting entity or the competent department not less than six days before the final date fixed for receipt of tenders, provided that they were requested in good time.

4. In addition, the invitation shall include at least the following:

- a) where appropriate, the time-limit for requesting additional documents, as well as the amount and terms of payment of any sum to be paid for such documents;
- b) the final date for receipt of tenders, the address to which they are to be sent, and the language or languages in which they are to be drawn up;
- c) a reference to any published contract notice;
- d) an indication of any documents to be attached;
- e) the criteria for the award of the contract, where they are not indicated in the notice on the existence of a qualification system used as a means of calling for competition;
- f) the relative weighting of the contract award criteria or, where appropriate, the order of importance of such criteria, if this information is not given in the contract notice, the notice on the existence of a qualification system or the specifications.

5. When a call for competition is made by means of a periodic indicative notice, contracting entities shall subsequently invite all candidates to confirm their interest on the basis of detailed information on the contract concerned before beginning the selection of tenderers or participants in negotiations.

This invitation shall include at least the following information:

- a) nature and quantity, including all options concerning complementary contracts and, if possible, the estimated time available for exercising these options for renewable contracts, the nature and quantity and, if possible, the estimated publication dates of future notices of competition for works, supplies or services to be put out to tender;
- b) type of procedure: restricted or negotiated;
- c) where appropriate, the date on which the delivery of supplies or the execution of works or services is to commence or terminate;
- d) the address and closing date for the submission of requests for tender documents and the language or languages in which they are to be drawn up;
- e) the address of the entity which is to award the contract and supply the information necessary for obtaining the specifications and other documents;
- f) economic and technical conditions, financial guarantees and information required from economic operators;

Wednesday 2 July 2003

- g) the amount and payment procedures for any sum payable for obtaining tender documents;
- h) form of the contract which is the subject of the invitation to tender: purchase, lease, hire or hire-purchase, or any combination of these; and
- i) the contract award criteria and their weighting or, where appropriate, the order of importance of such criteria, if this information is not given in the indicative notice or the specifications or in the invitation to tender or to negotiate.

Section 3

Communication and information

Article 49

Rules applicable to communication

1. All communication and information exchange referred to in this Title may be carried out by post, by fax, by electronic means in accordance with paragraphs 4 and 5, by telephone in the cases and circumstances referred to in paragraph 6, or by a combination of those means, according to the choice of the contracting entity.

2. The means of communication chosen shall be generally available and thus not restrict economic operators' access to the tendering procedure.

3. Communication and the exchange and storage of information shall be carried out in such a way as to ensure that the integrity of data and the confidentiality of tenders and requests to participate are preserved, and that the contracting entities examine the content of tenders and requests to participate only after the time-limit set for submitting them has expired.

4. The tools to be used for communicating by electronic means, as well as their technical characteristics, shall be non-discriminatory, generally available and interoperable with the information and communication technology products in general use.

A tender may be submitted by electronic means only if an advanced electronic signature within the meaning of Directive 1999/93/EC and a reliable means of encrypting the contents are used.

5. The following rules shall apply to devices for the electronic receipt of tenders and requests to participate:

- a) information regarding the specifications necessary for the electronic submission of tenders and requests to participate, including encryption, shall be available to interested parties. Moreover, the devices for the electronic receipt of tenders and requests to participate shall conform to the requirements of Annex XXIV;
- (b) Member States may introduce or maintain voluntary accreditation schemes aiming at enhanced levels of certification service provision for these devices;
- c) tenderers or candidates shall undertake to submit, before expiry of the time-limit laid down for submission of tenders or requests to participate, the documents, certificates and declarations mentioned in Articles 53(2) and (3), 54 and 55 if they do not exist in electronic format.

6. The following rules shall apply to the transmission of requests to participate:

- a) requests to participate in procedures for the award of contracts may be made in writing or by telephone;

Wednesday 2 July 2003

- b) where requests to participate are made by telephone, a written confirmation must be sent before expiry of the time-limit set for their receipt;
- c) contracting entities may require that requests for participation made by fax should be confirmed by post or by electronic means, where this is necessary for the purposes of legal proof. Any such requirement, together with the time-limit for sending confirmation by post or electronic means, should be stated by the contracting entity in the notice used as a means of calling for competition or in the invitation referred to in Article 48(5).

7. Contracting entities shall provide to tenderers on request a certificate from an accredited third party certifying that they have taken the necessary steps to safeguard the confidentiality of tenderers' information during transmission and after receipt.

Article 50

Information to applicants for qualification, candidates and tenderers

1. Contracting entities shall as soon as possible inform the economic operators involved of decisions reached concerning the conclusion of a framework agreement, the award of the contract, or admission to a dynamic purchasing system, including the grounds for any decision not to conclude a framework agreement or award a contract for which there has been a call for competition or to recommence the procedure, or not to implement a dynamic purchasing system; this information shall be provided in writing if the contracting entities are requested to do so.
2. Contracting entities shall, as soon as possible, inform any unsuccessful candidate or tenderer so requesting of the reasons for the rejection of his application or his tender and shall inform any tenderer who has made an admissible tender of the characteristics and relative advantages of the tender selected, as well as the name of the successful tenderer or the parties to the framework agreement. The relevant time-limits may under no circumstances exceed fifteen days from receipt of the written enquiry.

However, contracting entities may decide that certain information on the contract award or the conclusion of the framework agreement or on admission to a dynamic purchasing system, referred to in the first subparagraph, is to be withheld where release of such information would impede law enforcement or otherwise be contrary to the public interest or would prejudice the legitimate commercial interests of a particular economic operator, public or private, including the interests of the economic operator to whom the contract has been awarded, or might prejudice fair competition between economic operators.

3. Contracting entities which establish and operate a system of qualification shall inform applicants of their decision as to qualification within a **maximum period of two months**.

If the decision will take longer than **two months** from the presentation of an application, the contracting entity shall inform the applicant, within **one month** of the application, of the reasons justifying the longer period and of the date by which his application will be accepted or refused.

4. Applicants whose qualification is refused shall be informed of this decision and the reasons for refusal as soon as possible and under no circumstances more than fifteen days later than the date of the decision. The reasons shall be based on the criteria for qualification referred to in Article 54(2).

Wednesday 2 July 2003

5. Contracting entities which establish and operate a system of qualification may bring the qualification of an economic operator to an end only for reasons based on the criteria for qualification referred to in *Article 54(2)*. The intention to bring qualification to an end shall be notified in writing to the economic operator beforehand, at least fifteen days before the date on which qualification is due to end, together with the reason or reasons justifying the proposed action.

Article 51

Information to be stored concerning awards

1. Contracting entities shall keep appropriate information on each contract which shall be sufficient to permit them at a later date to justify decisions taken in connection with:

- a) the qualification and selection of economic operators and award of contracts;
- b) the use of procedures without a prior call for competition by virtue of *Article 41(3)*;
- c) the non-application of Chapters III to VI of this Title by virtue of the derogations provided for in Chapter II of Title I and in Chapter II of this Title.

Contracting entities shall take appropriate steps to document the progress of award procedures conducted by electronic means.

2. The information shall be kept for at least four years from the date of award of the contract so that the contracting entity will be able, during that period, to provide the necessary information to the Commission if the latter so requests.

CHAPTER VII

CONDUCT OF THE PROCEDURE

Article 52

General provisions

1. For the purpose of selecting participants in their award procedures:

- a) contracting entities having provided rules and criteria for the exclusion of tenderers or candidates in accordance with *Article 55(1), (2) or (4)* shall exclude economic operators which comply with such rules and meet such criteria;
- b) they shall select tenderers and candidates in accordance with the objective rules and criteria laid down pursuant to *Article 55*;
- c) in restricted procedures and in negotiated procedures with a call for competition, they shall where appropriate reduce in accordance with *Article 55* the number of candidates selected pursuant to subparagraphs (a) and (b).

2. When a call for competition is made by means of a notice on the existence of a qualification system and for the purpose of selecting participants in award procedures for the specific contracts which are the subject of the call for competition, contracting entities shall:

- a) qualify economic operators in accordance with the provisions of *Article 54*;
- b) apply to such qualified economic operators those provisions of paragraph 1 that are relevant to restricted or negotiated procedures.

3. Contracting entities shall verify that the tenders submitted by the selected tenderers comply with the rules and requirements applicable to tenders and award the contract on the basis of the criteria laid down in *Articles 56 and 58*.

Wednesday 2 July 2003

Section 1

Qualification and qualitative selection

Article 53

Mutual recognition concerning administrative, technical or financial conditions, and certificates, tests and evidence

1. When selecting participants for a restricted or negotiated procedure, in reaching their decision as to qualification or when the criteria and rules are being updated, contracting entities shall not:

- a) impose administrative, technical or financial conditions on certain economic operators which would not have been imposed on others;
- b) require tests or evidence which would duplicate objective evidence already available.

2. Where they request production of certificates drawn up by independent bodies attesting the compliance of the economic operator with certain quality assurance standards, contracting entities shall refer to quality assurance systems based on the relevant European standards series certified by bodies conforming to the European standards series concerning certification.

Contracting entities shall recognise equivalent certificates from bodies established in other Member States. They shall also accept other evidence of equivalent quality assurance measures from economic operators.

3. For works and service contracts, and only in appropriate cases, the contracting entities may require, in order to verify the economic operator's technical capacity, an indication of the environmental management measures which the economic operator will be able to apply when carrying out the contract. In such cases, should the contracting entities require the production of certificates drawn up by independent bodies attesting the compliance of the economic operator with certain environmental management standards, they shall refer to the EMAS or to environmental management standards based on the relevant European or international standards certified by bodies conforming to Community law or the relevant European or international standards concerning certification.

The contracting entities shall recognise equivalent certificates from bodies established in other Member States. They shall also accept other evidence of equivalent environmental management measures from economic operators.

Article 54

Qualification systems

1. Contracting entities which so wish may establish and operate a system of qualification of economic operators.

Entities which establish or operate a system of qualification shall ensure that economic operators are at all times able to request qualification.

2. The system under paragraph 1 may involve different qualification stages.

It shall be operated on the basis of objective criteria and rules for qualification to be established by the contracting entity.

Where those criteria and rules include technical specifications, the provisions of *Article 35* shall apply. The criteria and rules may be updated as required.

3. The criteria and rules for qualification referred to in paragraph 2 may include the exclusion criteria listed in *Article 48* of Directive 2003/.../EC [on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts] on the terms and conditions set out therein.

Wednesday 2 July 2003

Where the contracting entity is a contracting authority within the meaning of Article 2(1)(a), those criteria and rules shall include the exclusion criteria listed in *Article 48(1)* of Directive 2003/.../EC.

4. Where the criteria and rules for qualification referred to in paragraph 2 include requirements relating to the economic and financial capacity of the economic operator, the latter may where necessary rely on the capacity of other entities, whatever the legal nature of the link between itself and those entities. In this case the economic operator must prove to the contracting entity that these resources will be available to it throughout the period of the validity of the qualification system, for example by producing an undertaking by those entities to that effect.

Under the same conditions, a group of economic operators as referred to in *Article 12* may rely on the capacity of participants in the group or of other entities.

5. Where the criteria and rules for qualification referred to in paragraph 2 include requirements relating to the technical and/or professional capacity of the economic operator, the latter may where necessary rely on the capacity of other entities, whatever the legal nature of the link between itself and those entities. In this case the economic operator must prove to the contracting entity that those resources will be available to it throughout the period of the validity of the qualification system, for example by producing an undertaking by those entities to make the necessary resources available to the economic operator.

Under the same conditions, a group of economic operators referred to in *Article 12* may rely on the capacity of participants in the group or of other entities.

6. The criteria and rules for qualification referred to in paragraph 2 shall be made available to economic operators on request. The updating of these criteria and rules shall be communicated to the interested economic operators.

Where a contracting entity considers that the qualification system of certain other entities or bodies meets its requirements, it shall communicate to interested economic operators the names of such other entities or bodies.

7. A written record of qualified economic operators shall be kept; it may be divided into categories according to the type of contract for which the qualification is valid.

8. When establishing or operating a qualification system, contracting entities shall in particular observe the provisions of *Article 42(3)* concerning notices on the existence of a system of qualification, of *Article 50(3), (4) and (5)* concerning the information to be delivered to economic operators having applied for qualification, of *Article 52(2)* concerning the selection of participants when a call for competition is made by means of a notice on the existence of a qualification system as well as the provisions of *Article 53* on mutual recognition concerning administrative, technical or financial conditions, certificates, tests and evidence.

9. When a call for competition is made by means of a notice on the existence of a qualification system, tenderers in a restricted procedure or participants in a negotiated procedure shall be selected from the qualified candidates in accordance with such a system.

Article 55

Criteria for qualitative selection

1. Contracting entities which establish selection criteria in an open procedure shall do so in accordance with objective rules and criteria which are available to interested economic operators.

2. Contracting entities which select candidates for restricted or negotiated procedures shall do so according to objective rules and criteria which they have established and which are available to interested economic operators.

Wednesday 2 July 2003

3. In restricted or negotiated procedures, the criteria may be based on the objective need of the contracting entity to reduce the number of candidates to a level which is justified by the need to balance the particular characteristics of the procurement procedure with the resources required to conduct it. The number of candidates selected shall, however, take account of the need to ensure adequate competition.

4. The criteria set out in paragraphs 1 and 2 may include the exclusion criteria listed in Article 48 of Directive 2003/.../EC [on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts] on the terms and conditions set out therein.

Where the contracting entity is a contracting authority within the meaning of Article 2(1)(a), the criteria and rules referred to in paragraphs 1 and 2 of this Article shall include the exclusion criteria listed in Article 48(1) of Directive 2003/.../EC.

5. Where the criteria referred to in paragraphs 1 and 2 include requirements relating to the economic and financial capacity of the economic operator, the latter may where necessary and for a particular contract rely on the capacity of other entities, whatever the legal nature of the link between itself and those entities. In this case the economic operator shall prove to the contracting entity that the necessary resources will be available to it, for example by delivering an undertaking by those entities to that effect.

Under the same conditions, a group of economic operators as referred to in Article 12 may rely on the capacity of participants in the group or of other entities.

6. Where the criteria referred to in paragraphs 1 and 2 include requirements relating to the technical and/or professional capacity of the economic operator, the latter may where necessary and for a particular contract rely on the capacity of other entities, whatever the legal nature of the link between itself and those entities. In this case the economic operator must prove to the contracting entity that for the execution of that contract those resources will be available to it, for example by delivering an undertaking by those entities to make the necessary resources available to the economic operator.

Under the same conditions, a group of economic operators as referred to in Article 12 may rely on the capacity of participants in the group or of other entities.

Section 2

Awards

Article 56

Contract award criteria

1. Without prejudice to national laws, regulations or administrative provisions on the remuneration of certain services, the criteria on which the contracting entities shall base the award of contracts shall be:

a) where the contract is awarded on the basis of the most economically advantageous **tender, various criteria linked to** the subject-matter of the contract in question, such as delivery or completion date, running costs, cost-effectiveness, quality, aesthetic and functional characteristics, environmental characteristics **including production methods**, technical merit, after-sales service and technical assistance, commitments with regard to parts, security of **supply, price and the tenderer's equal treatment policy**;
or

b) the lowest price only.

2. Without prejudice to the provisions of the third subparagraph, in the case referred to in paragraph 1(a), the contracting entity shall specify the relative weighting which it gives to each of the criteria chosen to determine the most economically advantageous tender.

Wednesday 2 July 2003

This weighting can be expressed by providing for a range with an appropriate maximum spread.

Where, in the opinion of the contracting entity, weighting is not possible for demonstrable reasons, the contracting entity shall indicate the criteria in descending order of importance.

The relative weighting or order of importance shall be specified, as appropriate, in the notice used as a means of calling for competition, in the invitation to confirm the interest referred to in *Article 48(5)*, in the invitation to tender or to negotiate, or in the specifications.

Article 57

Use of electronic auctions

1. Member States may prescribe that contracting entities may use electronic auctions.
2. In open, restricted or negotiated procedures with prior call for competition, the contracting entities may decide that the award of a contract shall be preceded by an electronic auction when the contract specifications can be established with precision.

In the same circumstances, an electronic auction may be held on the opening for competition of contracts to be awarded under the dynamic purchasing system referred to in *Article 16*.

The electronic auction shall be based:

- a) either solely on prices when the contract is awarded to the lowest price;
 - b) or on prices and/or on the new values of the features of the tenders indicated in the specification, when the contract is awarded to the most economically advantageous tender.
3. Contracting entities which decide to hold an electronic auction shall state that fact in the notice used as a means of calling for competition.

The specifications shall include, inter alia, the following details:

- a) the features whose values will be the subject of electronic auction, provided that such features are quantifiable and can be expressed in figures or percentages;
- b) any limits on the values which may be submitted, as they result from the specifications relating to the subject of the contract;
- c) the information which will be made available to tenderers in the course of the electronic auction and, where appropriate, when it will be made available to them;
- d) the relevant information concerning the electronic auction process;
- e) the conditions under which the tenderers will be able to bid and, in particular, the minimum differences which will, where appropriate, be required when bidding;
- f) the relevant information concerning the electronic equipment used and the arrangements and technical specifications for connection.

4. Before proceeding with the electronic auction, contracting entities shall make a full initial evaluation of the tenders in accordance with the award criterion/criteria set and with the weighting fixed for them.

Wednesday 2 July 2003

All tenderers who have submitted admissible tenders shall be invited simultaneously by electronic means to submit new prices and/or new values; the invitation shall contain all relevant information concerning individual connection to the electronic equipment being used and shall state the date and time of the start of the electronic auction. The electronic auction may take place in a number of successive phases. The electronic auction may not start sooner than two working days after the date on which invitations are sent out.

5. When the contract is to be awarded on the basis of the most economically advantageous tender, the invitation shall be accompanied by the outcome of the full evaluation of the relevant tender carried out in accordance with the weighting provided for in the first subparagraph of *Article 56(2)*.

The invitation shall also state the mathematical formula to be used in the electronic auction to determine automatic rerankings on the basis of the new prices and/or new values submitted. That formula shall incorporate the weighting of all the criteria established to determine the most economically advantageous tender, as indicated in the notice used as a means of calling for competition or in the specifications; for that purpose, any ranges shall, however, be reduced beforehand to a specified value.

Where variants are authorised, a separate formula shall be provided for each variant.

6. Throughout each phase of an electronic auction the contracting entities shall instantly communicate to all tenderers at least sufficient information to enable them to ascertain their relative rankings at any moment. They may also communicate other information concerning other prices or values submitted, provided that that is stated in the specifications. They may also at any time announce the number of participants in that phase of the auction. In no case, however, may they disclose the identities of the tenderers during any phase of an electronic auction.

7. The contracting entities shall close an electronic auction in one or more of the following manners:

- a) in the invitation to take part in the auction they shall indicate the date and time fixed in advance;
- b) when they receive no more new prices or new values which meet the requirements concerning minimum differences. In that event, the contracting entities shall state in the invitation to take part in the auction the time which they will allow to elapse after receiving the last submission before they close the electronic auction;
- c) when the number of phases in the auction, fixed in the invitation to take part in the auction, has been completed.

When the contracting entities have decided to close an electronic auction in accordance with subparagraph (c), possibly in combination with the arrangements laid down in subparagraph (b), the invitation to take part in the auction shall indicate the timetable for each phase of the auction.

8. When they have closed an electronic auction the contracting entities shall award the contract in accordance with *Article 56* on the basis of the results of the electronic auction.

9. The contracting entities may not have improper recourse to electronic auctions nor may they use them in such a way as to prevent, restrict or distort competition or to change the subject-matter of the contract, as defined in the notice used as a means of calling for competition and in the specification.

Wednesday 2 July 2003

Article 58

Abnormally low tenders

1. If, for a given contract, tenders appear to be abnormally low in relation to the goods, works or services, the contracting entity shall, before it may reject those tenders, request in writing details of the constituent elements of the tender which it considers relevant.

Those details may relate in particular to:

- a) the economics of the manufacturing process, of the services provided and of the construction method;
- b) the technical solutions chosen and/or the exceptionally favourable conditions available to the tenderer for the supply of the goods or services or for the execution of the work;
- c) the originality of the supplies, services or work proposed by the tenderer;
- d) compliance with the provisions relating to employment protection and working conditions in force at the place where the work, service or supply is to be performed.
- e) the possibility of the tenderer obtaining State aid.

2. The contracting entity shall verify those constituent elements by consulting the tenderer, taking account of the evidence supplied.

3. Where a contracting entity establishes that a tender is abnormally low because the tenderer has obtained a State aid, the tender can only be rejected on that ground alone after consultation with the tenderer where the latter is unable to prove, within a sufficient time-limit fixed by the contracting entity, that the aid in question was granted legally. Where the contracting entity rejects a tender in these circumstances, it shall inform the Commission of that fact.

Section 3

Tenders comprising products originating in third countries and relations with those countries

Article 59

Tenders comprising products originating in third countries

1. This Article shall apply to tenders covering products originating in third countries with which the Community has not concluded, whether multilaterally or bilaterally, an agreement ensuring comparable and effective access for Community undertakings to the markets of those third countries. It shall be without prejudice to the obligations of the Community or its Member States in respect of third countries.

2. Any tender submitted for the award of a supply contract may be rejected where the proportion of the products originating in third countries, as determined in accordance with Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽¹⁾, exceeds 50 % of the total value of the products constituting the tender. For the purposes of this Article, software used in telecommunications network equipment shall be regarded as products.

3. Subject to the second subparagraph, where two or more tenders are equivalent in the light of the contract award criteria defined in Article 56, preference shall be given to those tenders which may not be rejected pursuant to paragraph 2. The prices of those tenders shall be considered equivalent for the purposes of this Article, if the price difference does not exceed 3 %.

⁽¹⁾ OJ L 302, 19.10.1992, p. 1. Regulation as last amended by European Parliament and Council Regulation (EC) No 2700/2000 (OJ L 311, 12.12.2000, p. 17).

Wednesday 2 July 2003

However, a tender shall not be preferred to another pursuant to the first subparagraph where its acceptance would oblige the contracting entity to acquire equipment having technical characteristics different from those of existing equipment, resulting in incompatibility, technical difficulties in operation and maintenance, or disproportionate costs.

4. For the purposes of this Article, those third countries to which the benefit of the provisions of this Directive has been extended by a Council Decision in accordance with paragraph 1 shall not be taken into account for determining the proportion, referred to in paragraph 2, of products originating in third countries.

5. The Commission shall submit an annual report to the Council, commencing in the second half of the first year following the entry into force of this Directive, on progress made in multilateral or bilateral negotiations regarding access for Community undertakings to the markets of third countries in the fields covered by this Directive, on any result which such negotiations may have achieved, and on the implementation in practice of all the agreements which have been concluded.

The Council, acting by a qualified majority on a proposal from the Commission, may amend the provisions of this Article in the light of such developments.

Article 60

Relations with third countries as regards service contracts

1. Member States shall inform the Commission of any general difficulties encountered, in law or in fact, by their undertakings in securing the award of service contracts in third countries.

2. The Commission shall report to the Council before 31 December ..., and periodically thereafter, on the opening up of service contracts in third countries and on progress in negotiations with these countries on this subject, particularly within the framework of the WTO.

3. The Commission shall endeavour, by approaching the third country concerned, to remedy any situation whereby it finds, on the basis either of the reports referred to in paragraph 2 or of other information, that, in the context of the award of **public procurement** contracts, a third country:

- a) does not grant Community undertakings effective access comparable to that granted by the Community to undertakings from that *country*;
- b) *does not* grant Community undertakings national treatment or the same competitive opportunities as are available to national undertakings;
- c) grants undertakings from other third countries more favourable treatment than Community undertakings; **or**
- d) **does not comply with the international labour law provisions listed in Annex XXIII.**

4. In the circumstances referred to in paragraph 3, the Commission may at any time propose that the Council decide to suspend or restrict, over a period to be laid down in the decision, the award of service contracts to:

- a) undertakings governed by the law of the third country in question;
- b) undertakings affiliated to the undertakings specified in point (a) and having their registered office in the Community but having no direct and effective link with the economy of a Member State;

Wednesday 2 July 2003

- c) undertakings submitting tenders which have as their subject-matter services originating in the third country in question.

The Council shall act, by qualified majority, as soon as possible.

The Commission may propose these measures on its own initiative or at the request of a Member State.

5. This Article shall be without prejudice to the commitments of the Community in relation to third countries.

TITLE III RULES GOVERNING SERVICE DESIGN CONTESTS

Article 61

General provision

1. The rules for the organisation of a design contest shall be in conformity with paragraph 2 of this Article and with *Articles 62 and 64 to 67* and shall be made available to those interested in participating in the contest.
2. The admission of participants to design contests shall not be limited:
 - a) by reference to the territory or part of the territory of a Member State;
 - b) on the ground that, under the law of the Member State in which the contest is organised, they would have been required to be either natural or legal persons.

Article 62

Thresholds

1. This Title shall apply to design contests organised as part of a procurement procedure for services whose estimated value, net of VAT, is equal to or greater than EUR 499 000.

For the purposes of this paragraph, 'threshold' means the estimated value net of VAT of the service contract, including any possible prizes and/or payments to participants.

2. This Title shall apply to all design contests where the total amount of contest prizes and payments to participants is equal to or greater than EUR 499 000.

For the purposes of this paragraph, 'threshold' means the total amount of the prizes and payments, including the estimated value net of VAT of the service contract which might subsequently be concluded under *Article 41(3)* if the contracting entity does not exclude such an award in the contest notice.

Article 63

Design contests excluded

This Title shall not apply to:

- 1) contests which are organised in the same cases as referred to in *Articles 21, 22 and 23* for service contracts;
- 2) design contests organised for the pursuit, in the Member State concerned, of an activity to which the applicability of paragraph 1 of *Article 31* has been established by a Commission decision or has been deemed applicable pursuant to paragraph 4, second or third subparagraph, or to paragraph 5, fourth subparagraph, of that Article.

Article 64

Rules on advertising and transparency

1. Contracting entities which wish to organise a design contest shall call for competition by means of a contest notice. Contracting entities which have held a design contest shall make the results known by means of a notice. The call for competition shall contain the information referred to in Annex XVIII and the notice on the results of a design contest shall contain the information referred to in Annex XIX in accordance with the format of standard forms adopted by the Commission in accordance with the procedure in *Article 69(2)*.

The notice on the results of a design contest shall be forwarded to the Commission within two months of the closure of the design contest and under conditions to be laid down by the Commission in accordance with the procedure referred to in *Article 69(2)*. In this connection, the Commission shall respect any sensitive commercial aspects which the contracting entities may point out when forwarding this information, concerning the number of projects or plans received, the identity of the economic operators and the prices tendered.

2. *Article 45(2)* to (8) shall also apply to notices relating to design contests.

Article 65

Means of communication

1. *Article 49(1), (2) and (4)* shall apply to all communications relating to contests.

2. Communications, exchanges and the storage of information shall be such as to ensure that the integrity and the confidentiality of all information communicated by the participants in a contest are preserved and that the jury ascertains the contents of plans and projects only after the expiry of the time-limit for their submission.

3. The following rules shall apply to the devices for the electronic receipt of plans and projects:

- a) the information relating to the specifications which is necessary for the presentation of plans and projects by electronic means, including encryption, shall be available to the parties concerned. In addition, the devices for the electronic receipt of plans and projects shall comply with the requirements of *Annex XXIV*;
- (b) Member States may introduce or maintain voluntary accreditation schemes aiming at enhanced levels of certification service provision for such devices.

Article 66

Rules on the organisation of design contests, the selection of participants and the jury

1. When organising design contests, contracting entities shall apply procedures which are adapted to the provisions of this Directive.

2. Where design contests are restricted to a limited number of participants, contracting entities shall establish clear and non-discriminatory selection criteria. In any event, the number of candidates invited to participate shall be sufficient to ensure genuine competition.

3. The jury shall be composed exclusively of natural persons who are independent of participants in the contest. Where a particular professional qualification is required from participants in a contest, at least a third of its members shall have the same qualification or an equivalent qualification.

Wednesday 2 July 2003

Article 67

Decisions of the jury

1. The jury shall be autonomous in its decisions or opinions.
2. It shall examine the plans and projects submitted by the candidates anonymously and solely on the basis of the criteria indicated in the contest notice.
3. It shall record its ranking of projects in a report, signed by its members, made according to the merits of each project, together with its remarks and any points which may need clarification.
4. Anonymity must be observed until the jury has reached its opinion or decision.
5. Candidates may be invited, if need be, to answer questions which the jury has recorded in the minutes to clarify any aspects of the projects.
6. Complete minutes shall be drawn up of the dialogue between jury members and candidates.

TITLE IV

STATISTICAL OBLIGATIONS, EXECUTORY POWERS AND FINAL PROVISIONS

Article 68

Statistical obligations

1. Member States shall ensure, in accordance with the arrangements to be laid down under the procedure provided for in *Article 69(2)*, that the Commission receives every year a statistical report concerning the total value, broken down by Member State and by category of activity to which Annexes I to X refer, of the contracts awarded below the thresholds set out in *Article 17* but which would be covered by this Directive were it not for those thresholds.
2. As regards the categories of activity to which Annexes II, III, V, IX and X refer, Member States shall ensure that the Commission receives a statistical report on contracts awarded no later than 31 October [...] for the previous year, and before 31 October of each year thereafter, in accordance with arrangements to be laid down under the procedure provided for in *Article 69(2)*. The statistical report shall contain the information required to verify the proper application of the Agreement.

The information required under the first subparagraph shall not include information concerning contracts for the R & D services listed in category 8 of Annex XVII A, for telecommunications services listed in category 5 of Annex XVII A whose CPV positions are equivalent to the CPC reference numbers 7524, 7525 and 7526, or for the services listed in Annex XVII B.

3. The arrangements under paragraphs 1 and 2 shall be laid down in such a way as to ensure that:
 - a) in the interests of administrative simplification, contracts of lesser value may be excluded, provided that the usefulness of the statistics is not jeopardised;
 - b) the confidential nature of the information provided is respected.

Wednesday 2 July 2003

Article 69

Committee procedure

1. The Commission shall be assisted by the Advisory Committee for Public Contracts instituted by Article 1 of Council Decision 71/306/EEC ⁽¹⁾ (hereinafter referred to as 'the Committee').
2. Where reference is made to this paragraph, Articles 3 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.
3. The Committee shall adopt its rules of procedure.

Article 70

Revision of thresholds

1. The Commission shall verify the thresholds established in *Article 17* every two years from ... ^(*), and shall, if necessary with regard to the second subparagraph, revise them in accordance with the procedure provided for in *Article 69(2)*.

The calculation of the value of these thresholds shall be based on the average daily value of the euro, expressed in SDR, over the 24 months terminating on the last day of August preceding the revision with effect from 1 January. The value of the thresholds thus revised shall, where necessary, be rounded down to the nearest thousand euro so as to ensure that the thresholds in force provided for by the Agreement, expressed in SDR, are observed.

2. At the same time as performing the revision under paragraph 1, the Commission shall, in accordance with the procedure provided for in *Article 69(2)*, align the thresholds laid down in *Article 62* (design contests) with the revised threshold applicable to service contracts.

The values of the thresholds laid down in accordance with paragraph 1 in the national currencies of Member States not participating in Monetary Union shall, in principle, be revised every two years from 1 January 2004. The calculation of such values shall be based on the average daily values of those currencies, expressed in euro, over the 24 months terminating on the last day of August preceding the revision with effect from 1 January.

3. The revised thresholds referred to in paragraph 1, their values in national currencies and the aligned thresholds referred to in paragraph 2 shall be published by the Commission in the Official Journal of the European Union at the beginning of the month of November following their revision.

Article 71

Amendments

1. The Commission may amend, in accordance with the procedure provided for in *Article 69(2)*:
 - a) the list of contracting entities in Annexes I to X so that they fulfil the criteria set out in Articles 2 to 7;
 - b) the procedures for the drawing-up, transmission, receipt, translation, collection and distribution of the notices referred to in *Articles 42, 43, 44 and 64*;
 - c) the procedures for specific references to particular positions in the CPV nomenclature in the notices;

⁽¹⁾ OJ L 185, 16.8.1971, p. 15. Decision as amended by Decision 77/63/EEC (OJ L 13, 15.1.1977, p. 15).

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

Wednesday 2 July 2003

- d) the reference numbers in the nomenclature set out in Annex XVII, in so far as this does not change the material scope of the Directive, and the procedures for reference in the notices to particular positions in this nomenclature within the categories of services listed in the Annex;
- e) the reference numbers in the nomenclature set out in Annex XII, insofar as this does not change the material scope of the Directive, and the procedures for reference to particular positions of this nomenclature in the notices;
- (f) Annex XI;
- g) the procedure for sending and publishing data referred to in Annex XX, on grounds of technical progress or for administrative reasons;
- h) the technical details and characteristics of the devices for electronic receipt referred to in points (a), (f) and (g) of *Annex XXIV*;
- i) in the interests of administrative simplification as provided for in *Article 68(3)*, the procedures for the use, drawing-up, transmission, receipt, translation, collection and distribution of the statistical reports referred to in *Article 68(1) and (2)*;
- j) the technical procedures for the calculation methods set out in *Article 70(1) and (2)*, second subparagraph.

Article 72

Implementation of the Directive

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by ... (*) at the latest. They shall forthwith inform the Commission thereof.

Member States may avail themselves of an additional period of up to ... months (**) after expiry of the time-limit provided for in the first subparagraph for the application of the provisions necessary to comply with Article 6 of this Directive.

When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. The methods of making such references shall be laid down by Member States.

The provisions of *Article 31* are applicable from ... (***)

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 73

Repeal

Directive 93/38/EEC is hereby repealed, without prejudice to the obligations of the Member States concerning the time-limits for transposition into national law set out in *Annex XXV*.

References to the repealed Directive shall be construed as being made to this Directive and shall be read in accordance with the correlation table in *Annex XXVI*.

(*) 21 months after the entry into force of this Directive.

(**) Number of months to be calculated at the entry into force of this Directive so that the deadline will expire 1 January 2009. Thus, if the Directive is adopted on 1 July 2003 the time-limit provided for in the first indent expires on 1 April 2005 and the additional time-limit would be 45 months.

(***) Date of entry into force of this Directive.

Wednesday 2 July 2003

Article 74

Entry into force

This Directive shall enter into force on the day of its publication in the Official Journal of the European Union.

Article 75

Addressees

This Directive is addressed to the Member States.

Done at ,

For the European Parliament
The President

For the Council
The President

ANNEX I

CONTRACTING ENTITIES IN THE SECTORS OF TRANSPORT OR DISTRIBUTION OF GAS OR HEAT

Belgium

- Distrigaz/NV Distrigaz
- Local authorities, or associations of local authorities, for this part of their activities.

Denmark

- Entities distributing gas or heat on the basis of an authorisation pursuant to § 4 of the lov om varmforsyning, see Consolidation Act No 772 of 24 July 2000.
- Entities transporting gas on the basis of a licence pursuant to § 10 of lov nr. 449 om naturgasforsyning of 31 May 2000.
- Entities transporting gas on the basis of an authorisation pursuant to bekendtgørelse nr. 141 om rørledningsanlæg på dansk kontinentalsokkelområde til transport af kulbrinter of 13 March 1974.

Germany

- Local authorities, public law bodies or associations of public law bodies or State-controlled undertakings supplying gas or heat to others or operating a general supply network pursuant to Article 2(3) of the Gesetz über die Elektrizitäts- und Gasversorgung (Energiewirtschaftsgesetz) of 24 April 1998, as last amended on 10 November 2001.

Greece

- 'Δημόσια Επιχείρηση Αερίου (Δ.Ε.Π.Α.) Α.Ε.', which transports and distributes gas in accordance with Law No 2364/95, as amended by Laws Nos 2528/97, 2593/98 and 2773/99.

Wednesday 2 July 2003

Spain

- Enagas, S.A.
- Bahía de Bizkaia Gas, S.L.
- Gasoducto Al Andalus, S.A.
- Gasoducto de Extremadura, S.A.
- Infraestructuras Gasistas de Navarra, S.A.
- Regasificadora del Noroeste, S.A.
- Sociedad de Gas de Euskadi, S.A.
- Transportista Regional de Gas, S.A.
- Unión Fenosa de Gas, S.A.
- Bilbogas, S.A.
- Compañía Española de Gas, S.A.
- Distribución y Comercialización de Gas de Extramadura, S.A.
- Distribuidora Regional de Gas, S.A.
- Donostigas, S.A.
- Gas Alicante, S.A.
- Gas Andalucía, S.A.
- Gas Aragón, S.A.
- Gas Asturias, S.A.
- Gas Castilla — La Mancha, S.A.
- Gas Directo, S.A.
- Gas Figueres, S.A.
- Gas Galicia SDG, S.A.
- Gas Hernani, S.A.
- Gas Natural de Cantabria, S.A.
- Gas Natural de Castilla y León, S.A.
- Gas Natural SDG, S.A.
- Gas Natural de Alava, S.A.
- Gas Natural de La Coruña, S.A.
- Gas Natural de Murcia SDG, S.A.
- Gas Navarra, S.A.
- Gas Pasaia, S.A.
- Gas Rioja, S.A.

Wednesday 2 July 2003

- Gas y Servicios Mérida, S.L.
- Gesa Gas, S.A.
- Meridional de Gas, S.A.U.
- Sociedad del Gas Euskadi, S.A.
- Tolosa Gas, S.A.

France

- Société nationale des gaz du Sud-Ouest, transporting gas.
- Gaz de France, set up and operated pursuant to loi n° 46-628 sur la nationalisation de l'électricité et du gaz of 8 April 1946, as amended.
- Entities distributing electricity mentioned in Article 23 of loi n° 46-628 sur la nationalisation de l'électricité et du gaz of 8 April 1946, as amended.
- Compagnie française du méthane, transporting gas.
- Local authorities or associations of local authorities, distributing heat.

Ireland

- Bord Gáis Éireann
- Other entities that may be licensed to undertake the activity of natural gas distribution or transmission by the Commission for Energy Regulation pursuant to the provisions of the Gas Acts 1976 to 2002.
- Entities licensed under the Electricity Regulation Act 1999 which as operators of 'Combined Heat and Power Plants' are engaged in the distribution of heat.

Italy

- SNAM Rete Gas s.p.a., SGM and EDISON T&S, transporting gas.
- Entities distributing gas governed by the consolidated text of the laws on the direct assumption of control of public services by local authorities and provinces, approved by Royal Decree No. 2578 of 15 October 1925 and by Presidential Decree No. 902 of 4 October 1986.
- Entities distributing heat to the public as referred to in Article 10 of Law No. 308 of 29 May 1982 — Norme sul contenimento dei consumi energetici, lo sviluppo delle fonti rinnovabili di energia, l'esercizio di centrali elettriche alimentate con combustibili dagli idrocarburi.
- Local authorities, or associations of local authorities, distributing heat to the public.

Luxembourg

- Société de transport de gaz SOTEG S.A.
- Gaswierk Esch-Uelzecht S.A.
- Service industriel de la Ville de Dudelange.
- Service industriel de la Ville de Luxembourg.
- Local authorities or associations formed by those local authorities responsible for the distribution of heat.

Wednesday 2 July 2003

Netherlands

- Entities producing, transporting or distributing gas on the basis of a licence (vergunning) granted by the municipal authorities pursuant to the Gemeentewet.
- Municipal or provincial authorities transporting or distributing gas pursuant to the Gemeentewet or the Provinciewet.
- Local authorities or associations of local authorities distributing heat to the public.

Austria

- Entities authorised to transport or distribute gas pursuant to the Energiewirtschaftsgesetz, dRGBL. I, pp. 1451-1935 or the Gaswirtschaftsgesetz, BGBl. I No 121/2000, as amended.
- Entities authorised to transport or distribute heat pursuant to the Gewerbeordnung, BGBl. No 194/1994, as amended.

Portugal

- Entities transporting or distributing gas pursuant to Article 1 of Decree-Law No 8/2000 of 8 February 2000, with the exception of subparagraphs (ii) and (iii) of paragraph 3(b) of that Article.

Finland

- Public or other entities operating a gas network transport system and transporting or distributing gas under a licence pursuant to Chapter 3(1) or Chapter 6(1) of the maakaasumarkkinalaki/naturgasmarknadslagen (508/2000); and municipal entities or public enterprises producing, transporting or distributing heat or providing heat to networks.

Sweden

- Entities transporting or distributing gas or heat on the basis of a concession pursuant to lagen (1978:160) om vissa rörledningar.

United Kingdom

- A public gas transporter as defined in section 7(1) of the Gas Act 1986.
 - A person declared to be an undertaker for the supply of gas under Article 8 of the Gas (Northern Ireland) Order 1996.
 - A local authority which provides or operates a fixed network which provides or will provide a service to the public in connection with the production, transport or distribution of heat.
 - A person licensed under section 6(1)(a) of the Electricity Act 1989 whose licence includes the provisions referred to in section 10(3) of that Act.
 - The Northern Ireland Housing Executive.
-

ANNEX II

CONTRACTING ENTITIES IN THE SECTORS OF PRODUCTION, TRANSPORT OR DISTRIBUTION OF ELECTRICITY

Belgium

- SA Electrabel/NV Electrabel.
- Local authorities and associations of local authorities, for this part of their activities.
- SA Société de Production d'Electricité/NV Elektriciteitsproductie Maatschappij.

Denmark

- Entities producing electricity on the basis of a licence pursuant to § 10 of the lov om elforsyning, see Consolidation Act No 767 of 28 August 2001.
- Entities transporting electricity on the basis of a licence pursuant to § 19 of the lov om elforsyning, see Consolidation Act No 767 of 28 August 2001.
- Entities undertaking responsibility for the system on the basis of a licence pursuant to § 27 of the lov om elforsyning, see Consolidation Act No 767 of 28 August 2001.

Germany

- Local authorities, public law bodies or associations of public law bodies or State undertakings, supplying electricity to other undertakings or operating a general supply network pursuant to Article 2(3) of the Gesetz über die Elektrizitäts- und Gasversorgung (Energiewirtschaftsgesetz) of 24 April 1998, as last amended on 10 November 2001.

Greece

- 'Δημόσια Επιχείρηση Ηλεκτρισμού Α.Ε.', set up by Law No 1468/1950 περί ιδρύσεως της ΔΕΗ and operates in accordance with Law No 2773/1999 and Presidential Decree No 333/1999.
- The company 'ΔΙΑΧΕΙΡΙΣΤΗΣ ΕΛΛΗΝΙΚΟΥ ΣΥΣΤΗΜΑΤΟΣ ΜΕΤΑΦΟΡΑΣ ΗΛΕΚΤΡΙΚΗΣ ΕΝΕΡΓΕΙΑΣ Α.Ε.' known as 'ΔΙΑΧΕΙΡΙΣΤΗΣ ΤΟΥ ΣΥΣΤΗΜΑΤΟΣ ή ΔΕΕΣΜΗΕ', set up pursuant to Article 14 of Law No 2773/1999 and Presidential Decree No 328/2000 (Greek Official Gazette 268).

Spain

- Red Eléctrica de España, S.A.
- Endesa, S.A.
- Iberdrola, S.A.
- Unión Fenosa, S.A.
- Hidroeléctrica del Cantábrico, S.A.
- Electra del Viesgo, S.A.
- Otras entidades encargadas de la producción, transporte y distribución de electricidad en virtud de la Ley 54/1997, de 27 de noviembre, del Sector eléctrico y su normativa de desarrollo.

Wednesday 2 July 2003

France

- Électricité de France, set up and operating pursuant to loi n° 46-628 sur la nationalisation de l'électricité et du gaz of 8 April 1946, as amended.
- Entities distributing electricity and referred to in Article 23 of loi n° 46-628 sur la nationalisation de l'électricité et du gaz of 8 April 1946, as amended.
- Compagnie nationale du Rhône.

Ireland

- The Electricity Supply Board.
- ESB Independent Energy [ESBIE — electricity supply].
- Synergen Ltd. [electricity generation].
- Viridian Energy Supply Ltd. [electricity supply].
- Huntstown Power Ltd. [electricity generation].
- Bord Gáis Éireann [electricity supply].
- Electricity Suppliers and Generators licensed under the Electricity Regulation Act 1999.

Italy

- Companies in the Gruppo Enel authorised to produce, transmit and distribute electricity within the meaning of Legislative Decree No 79 of 16 March 1999, as subsequently amended and supplemented.
- Other undertakings operating on the basis of concessions under Legislative Decree No 79 of 16 March 1999.

Luxembourg

- Compagnie grand-ducale d'électricité de Luxembourg (CEGEDEL), producing or distributing electricity pursuant to the convention concernant l'établissement et l'exploitation des réseaux de distribution d'énergie électrique dans le Grand-Duché du Luxembourg of 11 November 1927, approved by the Law of 4 January 1928.
- Local authorities responsible for the transport or distribution of electricity.
- Société électrique de l'Our (SEO).
- Syndicat de communes SIDOR.

Netherlands

- Entities distributing electricity on the basis of a licence (vergunning) granted by the provincial authorities pursuant to the Provinciewet.

Wednesday 2 July 2003

Austria

- Entities operating a transmission or distribution network pursuant to the Elektrizitätswirtschafts- und Organisationsgesetz, BGBl. I No 143/1998, as amended, or pursuant to the Elektrizitätswirtschafts(wesen)gesetze of the nine Länder.

Portugal

— BASIC LEGISLATION

- ELECTRICIDADE DE PORTUGAL (EDP), set up pursuant to Decree-Law No 182/95 of 27 July 1995, as amended by Decree-Law No 56/97 of 14 March 1997.
- EMPRESA ELÉCTRICA DOS AÇORES (EDA), operating pursuant to Regional Legislative Decree No 15/96/A of 1 August 1996.
- EMPRESA DE ELECTRICIDADE DA MADEIRA (EEM), operating pursuant to Decree-Law No 99/91 and Decree-Law No 100/91, both of 2 March 1991.

— PRODUCTION OF ELECTRICITY

- Entities producing electricity pursuant to Decree-Law No 183/95 of 27 July 1995, as amended by Decree-Law No 56/97 of 14 March 1997, as further amended by Decree-Law No 198/2000 of 24 August 2000.
- Independent producers of electricity pursuant to Decree-Law No 189/88 of 27 May 1988, as amended by Decree-Laws No 168/99 of 18 May 1999, No 313/95 of 24 November 1995, No 312/2001 of 10 December 2001 and No 339-C/2001 of 29 December 2001.

— TRANSPORT OF ELECTRICITY

- Entities transporting electricity pursuant to Decree-Law No 185/95 of 27 July 1995, as amended by Decree-Law No 56/97 of 14 March 1997.

— DISTRIBUTION OF ELECTRICITY

- Entities distributing electricity pursuant to Decree-Law No 184/95 of 27 July 1995, as amended by and further to Decree-Laws No 56/97 of 14 March 1997, No 344-B/82 of 19 September 1982 and No 341/90 of 30 October 1990.

Finland

- Municipal entities and public enterprises producing electricity and entities responsible for the maintenance of electricity transport or distribution networks and for transporting electricity or for the electricity system under a licence pursuant to Section 4 or 16 of the sähkömarkkinalaki/elmarknadslagen (386/1995).

Sweden

- Entities transporting or distributing electricity on the basis of a concession pursuant to ellagen (1997:857).

United Kingdom

- A person licensed under section 6 of the Electricity Act 1989
- A person licensed under Article 10(1) of the Electricity (Northern Ireland) Order 1992.

Wednesday 2 July 2003

ANNEX III

CONTRACTING ENTITIES IN THE SECTORS OF PRODUCTION, TRANSPORT OR DISTRIBUTION OF DRINKING WATER

Belgium

- Aquinter
- Local authorities and associations of local authorities, for this part of their activities.
- Société wallonne des Eaux
- Vlaams Maatschappij voor Watervoorziening

Denmark

- Entities supplying water as defined in § 3(3) of lovbekendtgørelse nr. 130 om vandforsyning m.v. of 26 February 1999.

Germany

- Entities producing or distributing water pursuant to the Eigenbetriebsverordnungen or Eigenbetriebsgesetze of the Länder (public utility companies).
- Entities producing or distributing water pursuant to the Gesetze über die kommunale Gemeinschaftsarbeit oder Zusammenarbeit of the Länder.
- Entities producing water pursuant to the Gesetz über Wasser- und Bodenverbände of 12 February 1991, as last amended on 15 May 2002.
- Publicly-owned companies producing or distributing water pursuant to the Kommunalgesetze, in particular the Gemeindeverordnungen of the Länder.
- Undertakings set up pursuant to the Aktiengesetz of 6 September 1965, as last amended on 19 July 2002, or the GmbH-Gesetz of 20 April 1892, as last amended on 19 July 2002, or having the legal status of a Kommanditgesellschaft (limited partnership), producing or distributing water on the basis of a special contract with regional or local authorities.

Greece

- 'Εταιρεία Υδρεύσεως και Αποχετεύσεως Πρωτευούσης Α.Ε.' ('Ε.Υ.Δ.Α.Π.' or 'Ε.Υ.Δ.Α.Π. Α.Ε.'). The legal status of the company is governed by the provisions of Consolidated Law No 2190/1920, Law No 2414/1996 and additionally by the provisions of Law No 1068/80 and Law No 2744/1999.
- 'Εταιρεία Υδρευσης και Αποχέτευσης Θεσσαλονίκης Α.Ε.' ('Ε.Υ.Α.Θ. Α.Ε.') governed by the provisions of Law No 2937/2001 (Greek Official Gazette 169 Αα) and of Law No 2651/1998 (Greek Official Gazette 248 Αα).
- 'Δημοτική Επιχείρηση Ύδρευσης και Αποχέτευσης Μείζονος Περιοχής Βόλου' ('ΔΕΥΑΜΒ'), which operates pursuant to Law No 890/1979.
- 'Δημοτικές Επιχειρήσεις Ύδρευσης — Αποχέτευσης', which produce and distribute water pursuant to Law No 1069/80 of 23 August 1980.
- 'Σύνδεσμοι Ύδρευσης', which operate pursuant to Presidential Decree No 410/1995, in accordance with the Κώδικος Δήμων και Κοινοτήτων.
- 'Δήμοι και Κοινότητες', which operate pursuant to Presidential Decree No 410/1995, in accordance with the Κώδικος Δήμων και Κοινοτήτων.

Spain

- Mancomunidad de Canales de Taibilla.
- Otras entidades públicas integradas o dependientes de las Comunidades Autónomas y de las Corporaciones locales que actúan en el ámbito de la distribución de agua potable.
- Otras entidades privadas que tienen concedidos derechos especiales o exclusivos por las Corporaciones locales en el ámbito de la distribución de agua potable.

France

- Regional or local authorities and public local bodies producing or distributing drinking water.

Ireland

- Entities producing or distributing water pursuant to the Local Government [Sanitary Services] Act 1878 to 1964.

Italy

- Bodies responsible for managing the various stages of the water distribution service under the consolidated text of the laws on the direct assumption of control of public services by local authorities and provinces, approved by Royal Decree No. 2578 of 15 October 1925, Presidential Decree No. 902 of 4 October 1986 and Legislative Decree No. 267 setting out the consolidated text of the laws on the structure of local authorities, with particular reference to Articles 112 to 116.
- Ente Autonomo Acquedotto Pugliese set up by Royal Decree-Law No. 2060 of 19 October 1919.
- Ente Acquedotti Siciliani set up by Regional Law No. 2/2 of 4 September 1979 and Regional Law No. 81 of 9 August 1980.
- Ente Sardo Acquedotti e Fognature set up by Law No. 9 of 5 July 1963.

Luxembourg

- Departments of the local authorities responsible for water distribution.
- Associations of local authorities producing or distributing water, set up pursuant to the loi concernant la création des syndicats de communes of 23 February 2001, as amended and supplemented by the Law of 23 December 1958 and by the Law of 29 July 1981, and pursuant to the loi ayant pour objet le renforcement de l'alimentation en eau potable du Grand-Duché du Luxembourg à partir du réservoir d'Esch-sur-Sûre of 31 July 1962.

Netherlands

- Entities producing or distributing water according to the Waterleidingwet.

Austria

- Local authorities and associations of local authorities producing, transporting or distributing drinking water pursuant to the Wasserversorgungsgesetze of the nine Länder.

Portugal

- INTERMUNICIPAL SYSTEMS — Undertakings involving the State or other public entities, with a majority shareholding, and private undertakings, pursuant to Decree-Law No 379/93 of 5 November 1993. Direct administration by the State is permissible.
- MUNICIPAL SYSTEMS — Local authorities, associations of local authorities, local authority services, undertakings in which all or a majority of the capital is publicly owned or private undertakings pursuant to Decree-Law No 379/93 of 5 November 1993 and Law No 58/98 of 18 August 1998.

Wednesday 2 July 2003

Finland

- Water supply authorities coming under Section 3 of the vesihuoltolaki/lagen om vattentjänster (119/2001).

Sweden

- Local authorities and municipal companies producing, transporting or distributing drinking water pursuant to lagen (1970:244) om allmänna vatten- och avloppsanläggningar.

United Kingdom

- A company holding an appointment as a water undertaker or a sewerage undertaker under the Water Industry Act 1991.
- A water and sewerage authority established by section 62 of the Local Government etc (Scotland) Act 1994.
- The Department for Regional Development (Northern Ireland).

ANNEX IV

CONTRACTING ENTITIES IN THE FIELD OF RAIL SERVICES

Belgium

- Société nationale des Chemins de fer belges/Nationale Maatschappij der Belgische Spoorwegen.

Denmark

- Danske Statsbaner.
- Entities pursuant to lov nr. 1317 om amtskommunernes overtagelse af de statslige ejerandele i privatbanerne of 20 December 2000.

Germany

- Deutsche Bahn AG.
- Other undertakings providing railway services to the public pursuant to Article 2(1) of the Allgemeines Eisenbahngesetz of 27 December 1993, as last amended on 21 June 2002.

Greece

- 'Όργανισμός Σιδηροδρόμων Ελλάδος Α.Ε.' ('O.Σ.Ε. Α.Ε.'), pursuant to Law No 2671/98.
- 'ΕΡΓΟΣΕ Α.Ε.' pursuant to Law No 2366/95.

Spain

- Ente público Gestor de Infraestructuras Ferroviarias (GIF).
- Red Nacional de los Ferrocarriles Españoles (RENFE).
- Ferrocarriles de Vía Estrecha (FEVE).
- Ferrocarrils de la Generalitat de Catalunya (FGC).
- Eusko Trenbideak (Bilbao).

Wednesday 2 July 2003

— Ferrocarriles de la Generalitat Valenciana. (FGV).

— Ferrocarriles de Mallorca.

France

— Société nationale des chemins de fer français and other rail networks open to the public, referred to in loi d'orientation des transports intérieurs No 82-1153 of 30 December 1982, Title II, Chapter 1.

— Réseau ferré de France, State-owned company set up by Law No 97-135 of 13 February 1997.

Ireland

— Iarnród Éireann [Irish Rail]

— Railway Procurement Agency

Italy

— Ferrovie dello Stato S. p. a.

— Trenitalia S. p. a.

— Entities, companies and undertakings providing railway services on the basis of a concession pursuant to Article 10 of Royal Decree No. 1447 of 9 May 1912, approving the consolidated text of the laws on le ferrovie concesse all'industria privata, le tramvie a trazione meccanica e gli automobili.

—

— Entities, companies and undertakings providing railway services on the basis of a concession pursuant to Article 4 of Law No. 410 of 4 June 1949 — Concorso dello Stato per la riattivazione dei pubblici servizi di trasporto in concessione.

— Entities, companies and undertakings or local authorities providing railway services on the basis of a concession pursuant to Article 14 of Law No. 1221 of 2 August 1952 — Provvedimenti per l'esercizio ed il potenziamento di ferrovie di altre linee di trasporto in regime di concessione.

— Entities, companies and undertakings providing public transport services pursuant to Articles 8 and 9 of Legislative Decree No. 422 of 19 November 1997 — Conferimento alle regioni ed agli enti locali di funzioni e compiti in materia di trasporto pubblico locale, under the terms of Article 4(4) of Law No. 9 of 15 March 1997, as amended by Legislative Decree No 400 of 20 September 1999 and by Article 45 of Law No. 166 of 1 August 2002.

Luxembourg

— Chemins de fer luxembourgeois (CFL)

Netherlands

— Procuring entities in the field of railway services.

Wednesday 2 July 2003

Austria

- Österreichische Bundesbahn.
- Schieneninfrastrukturfinanzierungs-Gesellschaft mbH sowie.
- Entities authorised to provide transport services pursuant to Eisenbahngesetz, BGBl. No 60/1957, as amended.

Portugal

- CP — Caminhos de Ferro de Portugal, E.P., pursuant to Decree-Law No 109/77 of 23 March 1977.
- REFER, E.P., pursuant to Decree-Law No 104/97 of 29 April 1997.
- RAVE, S.A., pursuant to Decree-Law No 323-H/2000 of 19 December 2000.
- Fertagus, S.A., pursuant to Decree-Law No 189-B/99 of 2 June 1999.
- Metro do Porto, S.A., pursuant to Decree-Law No 394-A/98 of 15 December 1998, as amended by Decree-Law No 261/2001 of 26 September 2001.
- Normetro, S.A., pursuant to Decree-Law No 394-A/98 of 15 December 1998, as amended by Decree-Law No 261/2001 of 26 September 2001.
- Metropolitano Ligeiro de Mirandela, S.A., pursuant to Decree-Law No 15/95 of 8 February 1995.
- Metro do Mondego, S.A., pursuant to Decree-Law No 10/2002 of 24 January 2002.
- Metro Transportes do Sul, S.A., pursuant to Decree-Law No 337/99 of 24 August 1999.
- Local authorities and local authority undertakings providing transport services pursuant to Law No 159/99 of 14 September 1999.
- Public authorities and public undertakings providing railway services pursuant to Law No 10/90 of 17 March 1990.
- Private undertakings providing railway services pursuant to Law No 10/90 of 17 March 1990, where they hold special or exclusive rights.

Finland

- VR Osakeyhtiö/VR Aktiebolag

Sweden

- Public entities operating railway services in accordance with förordningen (1996:734) om statens spåranläggningar and lagen (1990:1157) om järnvägssäkerhet.
- Regional and local public entities operating regional or local railway communications pursuant to lagen (1997:734) om ansvar för viss kollektiv persontrafik.
- Private entities operating railway services pursuant to an authorisation granted under förordningen (1996:734) om statens spåranläggningar, where such permission complies with Article 2(3) of the Directive.

United Kingdom

- Railtrack plc
- Eurotunnel plc

- Northern Ireland Transport Holding Company
- Northern Ireland Railways Company Limited

ANNEX V

CONTRACTING ENTITIES IN THE FIELD OF URBAN RAILWAY, TRAMWAY, TROLLEYBUS OR BUS SERVICES

Belgium

- Société des Transports intercommunaux de Bruxelles/Maatschappij voor intercommunale Vervoer van Brussel
- Société régionale wallonne du Transport et ses sociétés d'exploitation (TEC Liège-Verviers, TEC Namur-Luxembourg, TEC Brabant wallon, TEC Charleroi, TEC Hainaut)/Société régionale wallonne du Transport en haar exploitatiemaatschappijen (TEC Liège-Verviers, TEC Namur-Luxembourg, TEC Brabant wallon, TEC Charleroi, TEC Hainaut)
- Vlaamse Vervoermaatschappij (De Lijn)
- Private companies benefiting from special or exclusive rights.

Denmark

- Danske Statsbaner
- Entities providing bus services to the public (ordinary regular services) on the basis of an authorisation pursuant to lov bekendtgørelse nr. 738 om buskørsel of 22 December 1999.

Germany

- Undertakings providing, on the basis of an authorisation, short-distance transport services to the public pursuant to the Personenbeförderungsgesetz of 21 March 1961, as last amended on 21 August 2002.

Greece

- 'Ηλεκτροκίνητα Λεωφορεία Περιοχής Αθηνών — Πειραιώς Α.Ε.' ('Η.Λ.Π.Α.Π. Α.Ε.'), established and operating pursuant to Legislative Decree No 768/1970 (Αα273), Law No 588/1977 (Αα148) and Law No 2669/1998 (Αα283).
- 'Ηλεκτρικοί Σιδηρόδρομοι Αθηνών — Πειραιώς' ('Η.Σ.Α.Π. Α.Ε.'), established and operating pursuant to Laws Nos 352/1976 (Αα 147) and 2669/1998 (Αα283).
- 'Όργανισμός Αστικών Συγκοινωνιών Αθηνών Α.Ε.' ('Ο.Α.Σ.Α. Α.Ε.'), established and operating pursuant to Laws Nos 2175/1993 (Αα211) and 2669/1998 (Αα283).
- 'Εταιρεία Θερμικών Λεωφορείων Α.Ε.' ('Ε.Θ.Ε.Λ. Α.Ε.'), established and operating pursuant to Laws Nos 2175/1993 (Αα211) and 2669/1998 (Αα283).
- 'Αττικό Μετρό Α.Ε.', established and operating pursuant to Law No 1955/1991.
- 'Όργανισμός Αστικών Συγκοινωνιών Θεσσαλονίκης' ('Ο.Α.Σ.Θ.'), established and operating pursuant to Decree No 3721/1957, Legislative Decree No 716/1970 and Laws Nos 66/79 and 2898/2001 (Αα71).
- 'Κοινό Ταμείο Εισπραξης Λεωφορείων' ('κ.τ.ε.λ.'), operating pursuant to Law No 2963/2001 (Αα268).
- 'Δημοτικές Επιχειρήσεις Λεωφορείων Ρόδου και Κω', otherwise known as 'ΡΟΔΑ' and 'ΔΕΑΣ ΚΩ' respectively, operating pursuant to Law No 2963/2001 (Αα268).

Wednesday 2 July 2003

Spain

- Entidades que prestan servicios públicos de transporte urbano con arreglo a la Ley 7/1985, de 2 de abril, Reguladora de las Bases de Régimen Local; Real Decreto legislativo 781/1986, de 18 de abril, por el que se aprueba el texto refundido de las disposiciones legales vigentes en materia de régimen local y correspondiente legislación autonómica en su caso.
- Entidades que prestan servicios públicos de autobuses con arreglo a la disposición transitoria tercera de la Ley 16/1987, de 30 de julio, de Ordenación de los Transportes Terrestres.

France

- Entities providing transport services to the public pursuant to Article 7-II of loi d'orientation des transports intérieurs n° 82-1153 of 30 December 1982.
- Régie autonome des transports parisiens, Société nationale des chemins de fer français and other entities providing transport services on the basis of an authorisation granted by the Syndicat des transports d'Ile-de-France, pursuant to Order No 59-151 of 7 January 1959 as amended and the Decrees implementing it with regard to the organisation of passenger transport in the Ile-de-France region.
- Réseau ferré de France, State-owned company set up by Law No 97-135 of 13 February 1997.

Ireland

- Iarnród Éireann [Irish Rail]
- Railway Procurement Agency
- Luas [Dublin Light Rail]
- Bus Éireann [Irish Bus]
- Bus Átha Cliath [Dublin Bus]
- Entities providing transport services to the public pursuant to the amended Road Transport Act 1932.

Italy

- Entities, companies and undertakings providing public transport services by rail, automated system, tramway, trolleybus or bus or managing the relevant infrastructures at national, regional or local level.

They include, for example:

- Entities, companies and undertakings providing transport services on the basis of a concession pursuant to Law No 1822 of 28 September 1939 — Disciplina degli autoservizi di linea (autolinee per viaggiatori, bagagli e pacchi agricoli in regime di concessione all'industria privata) — Article 1, as amended by Article 45 of the Presidential Decree No 771 of 28 June 1955.
- Entities, companies and undertakings providing transport services to the public pursuant to Article 1(4) or (15) of Royal Decree No 2578 of 15 October 1925 — Approvazione del testo unico della legge sull'assunzione diretta dei pubblici servizi da parte dei comuni e delle province.

Wednesday 2 July 2003

- Entities, companies and undertakings providing transport services to the public pursuant to Legislative Decree No 422 of 19 November 1997 — Conferimento alle regioni ed agli enti locali di funzioni e compiti in materia di trasporto pubblico locale, under the terms of Article 4(4) of Law No 59 of 15 March 1997 — as amended by Legislative Decree No 400 of 20 September 1999, and by Article 45 of Law No 166 of 1 August 2002.
- Entities, companies and undertakings providing public transport services pursuant to Article 113 of the consolidated text of the laws on the structure of local authorities, approved by Law No 267 of 18 August 2000 as amended by Article 35 of Law No 448 of 28 December 2001.
- Entities, companies and undertakings operating on the basis of a concession pursuant to Article 242 or 256 of Royal Decree No 1447 of 9 May 1912 approving the consolidated text of the laws on le ferrovie concesse all'industria privata, le tramvie a trazione meccanica e gli automobili.
- Entities, companies and undertakings and local authorities operating on the basis of a concession pursuant to Article 4 of Law No 410 of 4 June 1949 — Concorso dello Stato per la riattivazione dei pubblici servizi di trasporto in concessione.
- Entities, companies and undertakings operating on the basis of a concession pursuant to Article 14 of Law No 1221 of 2 August 1952 — Provvedimenti per l'esercizio ed il potenziamento di ferrovie e di altre linee di trasporto in regime di concessione.

Luxembourg

- Chemins de fer du Luxembourg (CFL).
- Service communal des autobus municipaux de la Ville de Luxembourg.
- Transports intercommunaux du canton d'Esch-sur-Alzette (TICE).
- Bus service undertakings operating pursuant to the règlement grand-ducal concernant les conditions d'octroi des autorisations d'établissement et d'exploitation des services de transports routiers réguliers de personnes rémunérées of 3 February 1978.

Netherlands

- Entities providing transport services to the public pursuant to chapter II (Openbaar Vervoer) of the Wet Personenvervoer.

Austria

- Entities authorised to provide transport services pursuant to the Eisenbahngesetz, BGBl. No 60/1957, as amended, or the Kraftfahriniengesetz, BGBl. I No 203/1999, as amended.

Portugal

- Metropolitano de Lisboa, E.P., pursuant to Decree-Law No 439/78 of 30 December 1978.
- Local authorities, local authority services and local authority undertakings under Law No 58/98 of 18 August 1998, which provide transport services pursuant to Law No 159/99 of 14 September 1999.
- Public authorities and public undertakings providing railway services pursuant to Law No 10/90 of 17 March 1990.
- Private undertakings providing railway services pursuant to Law No 10/90 of 17 March 1990, where they hold special or exclusive rights.

Wednesday 2 July 2003

- Entities providing public transport services pursuant to Article 98 of the Regulamento de Transportes em Automóveis (Decree No 37272 of 31 December 1948).
- Entities providing public transport services pursuant to Law No 688/73 of 21 December 1973.
- Entities providing public transport services pursuant to Decree-Law No 38144 of 31 December 1950.

Finland

- Entities providing regular coach transport services under a special or exclusive licence pursuant to the laki luvanvaraisesta henkilöliikenteestä tiellä/lagen om tillståndspliktig persontrafik på väg (343/1991) and municipal transport authorities and public enterprises providing public transport services by bus, rail or underground railway, or maintaining a network for the purpose of providing such transport services.

Sweden

- Entities operating urban railway or tramway services pursuant to lagen (1997:734) om ansvar för viss kollektiv persontrafik and lagen (1990:1157) om järnvägssäkerhet.
- Public or private entities operating a trolley bus or bus service pursuant with lagen (1997:734) om ansvar för viss kollektiv persontrafik and yrkestrafiklagen (1998:490).

United Kingdom

- London Regional Transport
- London Underground Limited
- Transport for London
- A subsidiary of Transport for London within the meaning of section 424(1) of the Greater London Authority Act 1999
- Strathclyde Passenger Transport Executive
- Greater Manchester Passenger Transport Executive
- Tyne and Wear Passenger Transport Executive
- Brighton Borough Council
- South Yorkshire Passenger Transport Executive
- South Yorkshire Supertram Limited
- Blackpool Transport Services Limited
- Conwy County Borough Council
- A person who provides a London local service as defined in section 179(1) of the Greater London Authority Act 1999 (a bus service) in pursuance of an agreement entered into by Transport for London under section 156(2) of that Act or in pursuance of a transport subsidiary's agreement as defined in section 169 of that Act
- Northern Ireland Transport Holding Company
- A person who holds a road service licence under section 4(1) of the Transport Act (Northern Ireland) 1967 which authorises him to provide a regular service within the meaning of that licence

ANNEX VI

CONTRACTING ENTITIES IN THE POSTAL SERVICES SECTOR

BELGIUM

De Post/La Poste

DENMARK

Post Danmark, jf. Lov nr. 569 om Post Danmark A/S of 6 June 2002.

GERMANY

GREECE

Ελληνικά Ταχυδρομεία ΕΛ.ΤΑ established by Legislative Decree No 496/70 and operating pursuant to Law No 2668/98 (ELTA)

SPAIN

Correos y Telégrafos, S.A.

FRANCE

La Poste

IRELAND

An Post plc

ITALY

Poste Italiane s.p.a.

LUXEMBOURG

Entreprise des Postes et Télécommunications Luxembourg

NETHERLANDS

—

AUSTRIA

Österreichische Post AG

PORTUGAL

CTT — Correios de Portugal

FINLAND

—

SWEDEN

Posten Sverige AB

Posten Logistik AB

BLSI-I AB

DPD Nordic AB,

DPD Sverige AB

Falcon Air AB

Wednesday 2 July 2003

Hultbergs Inrikes Transporter AB (HIT)

Posten Express AB

Posten Logistik AB

Poståkeriet Sverige AB

SwedeGiro AB

TAB

UNITED KINGDOM

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ANNEX VII

CONTRACTING ENTITIES IN THE SECTORS OF EXPLORATION FOR AND EXTRACTION OF OIL OR GAS

Belgium

—

Denmark

— Entities pursuant to

— Lov om Danmarks undergrund, see Consolidation Act No 526 of 11 June 2002.

— Lov om kontinentalsoklen, see Consolidation Act No 182 of 1 May 1979.

Germany

— Undertakings pursuant to the Bundesberggesetz of 13 August 1980.

Greece

— 'Ελληνικά Πετρέλαια Α.Ε.', pursuant to Law No 2593/98 για την αναδιοργάνωση της Δ.Ε.Π. Α.Ε. και των θυγατρικών της εταιρειών, το καταστατικό αυτής και άλλες διατάξεις.

Spain

— BG International Limited Quatum, Asesores & Consultores, S.A.

— Cambria Europe, Inc.

— CNWL oil (España), S.A.

— Compañía de investigación y explotaciones petrolíferas, S.A.

— Conoco limited.

— Eastern España, S.A.

— Enagas, S.A.

— España Canadá resources Inc.

— Fugro — Geoteam, S.A.

— Galioil, S.A.

— Hope petróleos, S.A.

Wednesday 2 July 2003

- Locs oil compay of Spain, S.A.
- Medusa oil Ltd.
- Muphy Spain oil company
- Onempm España, S.A.
- Petroleum oil & gas España, S.A.
- Repsol Investigaciones petrolíferas, S.A.
- Sociedad de hidrocarburos de Euskadi, S.A.
- Taurus petroleum, AN.
- Teredo oil limited
- Unión Fenosa gas exploración y producción, S.A.
- Wintersahll, AG
- YCI España, L.C.
- Otras entidades que operan en virtud de la Ley 34/1998, de 7 de octubre, del Sector de hidrocarburos y su normativa de desarrollo.

France

- Entities responsible for exploration for and the extraction of oil or gas pursuant to the code minier and its implementing rules, particularly Decree No 95-427 of 19 April 1995.

Ireland

- Entities granted an authorisation, license, permit or concession to explore for or extract oil and gas pursuant to the following legal provisions:
 - Continental Shelf Act 1968
 - Petroleum and Other Minerals Development Act 1960
 - Licensing Terms for Offshore Oil and Gas Exploration and Development 1992
 - Petroleum (Production) Act (NI) 1964.

Italy

- Entities granted an authorisation, permit, licence or concession to explore for or extract oil and gas or to store natural gas underground pursuant to the following legislative provisions:
 - Law No 136 of 10 February 1953;
 - Law No 6 of 11 January 1957, as amended by Law No 613 of 21 July 1967;
 - Law No 9 of 9 January 1991;
 - Legislative Decree No 625 of 25 November 1996;
 - Law No 170 of 26 April 1974, as amended by the Legislative Decree No 164 of 23 May 2000.

Wednesday 2 July 2003

Luxembourg

—

Netherlands

— Entities pursuant to Mijnbouwwet (1 January 2003).

Austria

— Entities authorised to explore for or extract oil or gas pursuant to the Mineralrohstoffgesetz, BGBl. I No 38/1999, as amended.

Portugal

— Entities pursuant to

— Decree-Law No 109/94 of 26 April 1994 and Portaria (Ministerial Order) No 790/94 of 5 September 1994.

— Decree-Law No 82/94 of 24 August 1994 and Despacho (Decision) No A-87/94 of 17 January 1994.

Finland

—

Sweden

— Entities holding a concession for exploring for or exploiting oil or gas pursuant to minerallagen (1991:45) or which have been granted an authorisation pursuant to lagen (1966:314) om kontinentalsockeln.

United Kingdom

— A person operating by virtue of a licence granted or having effect as if granted under the Petroleum Act 1998

— A person licensed under the Petroleum (Production) Act (Northern Ireland) 1964

ANNEX VIII

CONTRACTING ENTITIES IN THE SECTORS OF EXPLORATION FOR AND EXTRACTION OF COAL AND OTHER SOLID FUELS

Belgium

—

Denmark

— Entities exploring for or extracting coal or other solid fuels pursuant to Consolidation Act No 569 of 30 June 1997.

Germany

— Undertakings exploring for or extracting coal or other solid fuels pursuant to the Bundesberggesetz of 13 August 1980.

Greece

- 'Δημόσια Επιχείρηση Ηλεκτρισμού', which prospects for and extracts coal and other solid fuels pursuant to the Mining Code of 1973, as amended by the law of 27 April 1976.

Spain

- Alto Bierzo, S.A.
- Antracitas de Arlanza, S.A.
- Antracitas de Gillon, S.A.
- Antracitas de La Granja, S.A.
- Antracitas de Tineo, S.A.
- Campomanes Hermanos, S.A.
- Carbones de Arlanza, S.A.
- Carbones de Linares, S.A.
- Carbones de Pedraforca, S.A.
- Carbones del Puerto, S.A.
- Carbones el Túnel, S.L.
- Carbones San Isidro y María, S.A.
- Carbonifera del Narcea, S.A.
- Compañía Minera Jove, S.A.
- Compañía General Minera de Teruel, S.A.
- Coto minero del Narcea, S.A.
- Coto minero del Sil, S.A.
- Empresa Nacional Carbonífera del Sur, S.A.
- Endesa, S.A.
- Gonzalez y Diez, S.A.
- Hijos de Baldomero García, S.A.
- Hullas del Coto Cortés, S.A.
- Hullera Vasco-leonesa, S.A.
- Hulleras del Norte, S.A.
- Industrial y Comercial Minera, S.A.
- La Carbonífera del Ebro, S.A.
- Lignitos de Meirama, S.A.
- Malaba, S.A.
- Mina Adelina, S.A.
- Mina Escobal, S.A.

Wednesday 2 July 2003

- Mina La Camocha, S.A.
- Mina La Sierra, S.A.
- Mina Los Compadres, S.A.
- Minas de Navaleo, S.A.
- Minas del Principado, S.A.
- Minas de Valdeloso, S.A.
- Minas Escucha, S.A.
- Mina Mora primera bis, S.A.
- Minas y explotaciones industriales, S.A.
- Minas y ferrocarriles de Utrillas, S.A.
- Minera del Bajo Segre, S.A.
- Minera Martín Aznar, S.A.
- Minero Siderúrgica de Ponferrada, S.A.
- Muñoz Sole hermanos, S.A.
- Promotora de Minas de carbón, S.A.
- Sociedad Anónima Minera Catalano-aragonesa.
- Sociedad minera Santa Bárbara, S.A.
- Unión Minera del Norte, S.A.
- Union Minera Ebro Segre, S.A.
- Viloría Hermanos, S.A.
- Virgilio Riesco, S.A.
- Otras entidades que operan en virtud de la Ley 22/1973, de 21 de julio, de Minas y su normativa de desarrollo.

France

- Entities exploring for or extracting coal or other solid fuels pursuant to the code minier and its implementing rules, particularly Decree No 95-427 of 19 April 1995.

Ireland

- Bord na Mona plc. set up and operating pursuant to the Turf Development Act 1946 to 1998.

Italy

- Carbosulcis s.p.a.

Luxembourg

—

Netherlands

—

Austria

- Entities authorised to explore for or extract coal or other solid fuels pursuant to the Mineralrohstoffgesetz, BGBl. I No 38/1999, as amended.

Portugal

- Empresa Nacional de Urânio.

Finland

- Entities benefiting from a special concession for the exploration for or extraction of solid fuels pursuant to the laki oikeudesta luovuttaa valtion kiinteistövarallisuutta/lagn om rätt att överlåta statlig fastighetsförmögenhet 973/2002.

Sweden

- Entities benefitting from a concession for the exploration for or extraction of coal or other solid fuels on the basis of a concession pursuant to minerallagen (1991:45) or lagen (1985:620) om vissa torvfyndigheter, or which have been granted an authorisation pursuant to lagen (1966:314) om kontinentalsockeln.

United Kingdom

- Any licensed operator (within the meaning of the Coal Industry Act 1994)
- The Department of Enterprise, Trade and Investment (Northern Ireland)
- A person operating by virtue of a prospecting licence, a mining lease, a mining licence or a mining permission as defined by section 57(1) of the Mineral Development Act (Northern Ireland) 1969

ANNEX IX

CONTRACTING ENTITIES IN THE FIELD OF MARITIME OR INLAND PORT OR OTHER TERMINAL FACILITIES

Belgium

- Gemeentelijk Havenbedrijf van Antwerpen
- Havenbedrijf van Gent
- Maatschappij der Brugse Zeevaartinrichtigen
- Port autonome de Charleroi
- Port autonome de Namur
- Port autonome de Liège
- Port autonome du Centre et de l'Ouest

Wednesday 2 July 2003

- Société régionale du Port de Bruxelles/Gewestelijk Vennootschap van de Haven van Brussel
- Zeekanaal en Watergebonden Grondbeheer Vlaanderen

Denmark

- Ports as defined in § 1 of lov nr. 326 om havne of 28 May 1999.

Germany

- Seaports owned totally or partially by territorial authorities (Länder, Kreise, Gemeinden).
- Inland ports subject to the Hafenordnung pursuant to the Wassergesetze of the Länder.

Greece

- 'Όργανισμός Λιμένος Πειραιώς Ανώνυμη Εταιρεία' ('Ο.Λ.Π. Α.Ε.'), pursuant to Law No 2688/99.
- 'Όργανισμός Λιμένος Θεσσαλονίκης Ανώνυμη Εταιρεία' ('Ο.Λ.Θ. Α.Ε.'), pursuant to Law No 2688/99.
- 'Όργανισμός Λιμένος Αλεξανδρούπολης Ανώνυμη Εταιρεία' ('Ο.Λ.Α. Α.Ε.'), pursuant to Law No 2932/01.
- 'Όργανισμός Λιμένος Βόλου Ανώνυμη Εταιρεία' ('Ο.Λ.Β. Α.Ε.'), pursuant to Law No 2932/01.
- 'Όργανισμός Λιμένος Ελευσίνας Ανώνυμη Εταιρεία' ('Ο.Λ.Ε. Α.Ε.'), pursuant to Law No 2932/01.
- 'Όργανισμός Λιμένος Ηγουμενίτσας Ανώνυμη Εταιρεία' ('Ο.Λ.ΗΓ. Α.Ε.'), pursuant to Law No 2932/01.
- 'Όργανισμός Λιμένος Ηρακλείου Ανώνυμη Εταιρεία' ('Ο.Λ.Η. Α.Ε.'), pursuant to Law No 2932/01.
- 'Όργανισμός Λιμένος Καβάλας Ανώνυμη Εταιρεία' ('Ο.Λ.Κ. Α.Ε.'), pursuant to Law No 2932/01.
- 'Όργανισμός Λιμένος Κέρκυρας Ανώνυμη Εταιρεία' ('Ο.Λ.ΚΕ. Α.Ε.'), pursuant to Law No 2932/01.
- 'Όργανισμός Λιμένος Λαυρίου Ανώνυμη Εταιρεία' ('Ο.Λ.Λ. Α.Ε.'), pursuant to Law No 2932/01.
-
- 'Όργανισμός Λιμένος Ραΐνης Ανώνυμη Εταιρεία' ('Ο.Λ.Ρ. Α.Ε.'), pursuant to Law No 2932/01.
- Other ports, governed by Presidential Decree No 649/1977. (Εποπτεία, οργάνωση, λειτουργία και διοικητικός έλεγχος λιμένων).

Spain

- Ente público Puertos del Estado
- Autoridad Portuaria de Alicante
- Autoridad Portuaria de Almería — Motril
- Autoridad Portuaria de Avilés
- Autoridad Portuaria de la Bahía de Algeciras
- Autoridad Portuaria de la Bahía de Cádiz
- Autoridad Portuaria de Baleares
- Autoridad Portuaria de Barcelona
- Autoridad Portuaria de Bilbao
- Autoridad Portuaria de Cartagena
- Autoridad Portuaria de Castellón

Wednesday 2 July 2003

- Autoridad Portuaria de Ceuta
- Autoridad Portuaria de Ferrol — San Cibrao
- Autoridad Portuaria de Gijón
- Autoridad Portuaria de Huelva
- Autoridad Portuaria de Las Palmas
- Autoridad Portuaria de Málaga
- Autoridad Portuaria de Marín y Ría de Pontevedra
- Autoridad Portuaria de Melilla
- Autoridad Portuaria de Pasajes
- Autoridad Portuaria de Santa Cruz de Tenerife
- Autoridad Portuaria de Santander
- Autoridad Portuaria de Sevilla
- Autoridad Portuaria de Tarragona
- Autoridad Portuaria de Valencia
- Autoridad Portuaria de Vigo
- Autoridad Portuaria de Villagarcía de Arousa
- Otras entidades Portuarias de las Comunidades Autónomas de Andalucía, Asturias, Baleares, Canarias, Cantabria, Cataluña, Galicia, Murcia, País Vasco y Valencia.

France

- Port autonome de Paris set up pursuant to loi n° 68-917 relative au port autonome de Paris of 24 October 1968.
- Port autonome de Strasbourg set up pursuant to the convention entre l'État et la ville de Strasbourg relative à la construction du port rhénan de Strasbourg et à l'exécution de travaux d'extension de ce port of 20 May 1923, approved by the Law of 26 April 1924.
- Ports autonomes operating pursuant to Articles L. 111-1 et seq. of the code des ports maritimes.
- Ports non autonomes operating pursuant to Articles R. 121-1 et seq. of the code des ports maritimes.
- Ports managed by the regional or département authorities or operating pursuant to a concession granted by the regional or département authorities pursuant to Article 6 of Law No 83-663 of 22 July 1983 supplementing loi n° 83-8 relative à la répartition des compétences entre les communes, les départements et l'État of 7 January 1983.
- Voies navigables de France, State-owned company subject to the provisions of Article 124 of Law No 90-1168 du 29 December 1990, as amended.

Ireland

- Ports operating pursuant to Harbours Acts 1946 to 2000
- Port of Rosslare Harbour operating pursuant to the Fishguard and Rosslare Railways and Harbours Acts 1899.

Wednesday 2 July 2003

Italy

- National ports and other ports managed by the Capitaneria di Porto pursuant to the Codice della navigazione, Royal Decree No 327 of 30 March 1942.
- Autonomous ports (enti portuali) set up by special laws pursuant to Article 19 of the Codice della navigazione, Royal Decree No 327 of 30 March 1942.

Luxembourg

- Port de Mertert, set up and operating pursuant to the loi relative à l'aménagement et à l'exploitation d'un port fluvial sur la Moselle of 22 July 1963, as amended.

Netherlands

- Contracting entities in the field of sea port or inland port or other terminal equipment.

Austria

- Inland ports owned totally or partially by the Länder and/or Gemeinden.

Portugal

- APDL — Administração dos Portos do Douro e Leixões, S.A., pursuant to Decree-Law No 335/98 of 3 November 1998.
- APL — Administração do Porto de Lisboa, S.A., pursuant to Decree-Law No 336/98 of 3 November 1998.
- APS — Administração do Porto de Sines, S.A., pursuant to Decree-Law No 337/98 of 3 November 1998.
- APSS — Administração dos Portos de Setúbal e Sesimbra, S.A., pursuant to Decree-Law No 338/98 of 3 November 1998.
- APA — Administração do Porto de Aveiro, S.A., pursuant to Decree-Law No 339/98 of 3 November 1998.
- IPN — Instituto Portuário do Norte, pursuant to Decree-Law No 242/99 of 28 June 1999.
- ICP — Instituto Portuário do Centro, pursuant to Decree-Law No 243/99 of 28 June 1999.
- IPS — Instituto Portuário do Sul, pursuant to Decree-Law No 244/99 of 28 June 1999.
- IDN — Instituto da Navegabilidade do Douro, pursuant to Decree-Law No 138-A/97 of 3 June 1997.

Finland

- Ports operating pursuant to the laki kunnallisista satamajärjestyksistä ja liikennemaksuista/lagen om kommunala hamnanordningar och trafikavgifter (955/1976) and ports instituted under a licence pursuant to section 3 of the laki yksityisistä yleisistä satamista/lagen om privata allmänna hamnar (1156/1994).
- Saimaan kanavan hoitokunta/Förvaltningsnämnden för Saima kanal.

Sweden

- Ports and terminal facilities according to lagen (1983:293) om inrättande, utvidgning och avlysning av allmän farled och allmän hamn and förordningen (1983:744) om trafiken på Göta kanal.

Wednesday 2 July 2003

United Kingdom

- A local authority which exploits a geographical area for the purpose of providing maritime or inland port or other terminal facilities to carriers by sea or inland waterway
- A harbour authority within the meaning of section 57 of the Harbours Act 1964
- British Waterways Board
- A harbour authority as defined by section 38(1) of the Harbours Act (Northern Ireland) 1970

ANNEX X

CONTRACTING ENTITIES IN THE FIELD OF AIRPORT INSTALLATIONS

Belgium

- Belgocontrol
- Brussels International Airport Company
- Luchthaven van Deurne
- Luchthaven van Oostende
- SA Brussels South Charleroi Airport
- SA Société de Développement et de Promotion de l'Aéroport de Bierset

Denmark

- Airports operating on the basis of an authorisation pursuant to § 55(1) of the lov om luftfart, see Consolidation Act No 543 of 13 June 2001.

Germany

- Airports as defined in Article 38(2)(1) of the Luftverkehrs-Zulassungs-Ordnung of 19 June 1964, as last amended on 21 August 2002.

Greece

- 'Υπηρεσία Πολιτικής Αεροπορίας' ('ΥΠΑ') operating pursuant to Legislative Decree No 714/70, as amended by Law No 1340/83; the organisation of the company is laid down by Presidential Decree No. 56/89, as amended subsequently.
- The company 'Διεθνής Αερολιμένας Αθηνών' at Spata operating pursuant to Legislative Decree No 2338/95 Κύρωση Σύμβασης Ανάπτυξης του Νέου Διεθνούς Αεροδρομίου της Αθήνας στα Σπάτα, 'ίδρυση της εταιρείας "Διεθνής Αερολιμένας Αθηνών Α.Ε." έγκριση περιβαλλοντικών όρων και άλλες διατάξεις).
- 'Φορείς Διαχείρισης' in accordance with Presidential Decree No 158/02 "Ίδρυση, κατασκευή, εξοπλισμός, οργάνωση, διοίκηση, λειτουργία και εκμετάλλευση πολιτικών αερολιμένων από φυσικά πρόσωπα, νομικά πρόσωπα ιδιωτικού δικαίου και Οργανισμούς Τοπικής Αυτοδιοίκησης' (Greek Official Gazette A 137).

Spain

- Ente público Aeropuertos Españoles y Navegación Aérea (AENA).

Wednesday 2 July 2003

France

- Airports operated by State-owned companies pursuant to Articles L. 251-1, L.260-1 and L. 270-1 of the code de l'aviation civile.
- Airports operating on the basis of a concession granted by the State pursuant to Article R.223-2 of the code de l'aviation civile.
- Airports operating pursuant to an arrêté préfectoral portant autorisation d'occupation temporaire.
- Airports set up by a public authority and which are the subject of a convention as laid down in Article L. 221-1 of the code de l'aviation civile.

Ireland

- Airports of Dublin, Cork and Shannon managed by Aer Rianta — Irish Airports.
- Airports operating on the basis of a public use licence granted pursuant to the Irish Aviation Authority Act 1993 as amended by the Air Navigation and Transport (Amendment) Act, 1998, and at which any scheduled air services are performed by aircraft for the public transport of passengers, mail or cargo.

Italy

- AAAVTAG.
- Managing entities set up by special laws.
- Entities operating airport facilities on the basis of a concession granted pursuant to Article 694 of the Codice della navigazione, Royal Decree No 347 of 30 March 1942.
- R.A.I. Registro Aeronautico Italiano.

Luxembourg

- Aéroport du Findel.

Netherlands

- Airports operating pursuant to Articles 18 and following of the Luchtvaartwet.

Austria

- Entities authorised to provide airport facilities pursuant to the Luftfahrtgesetz, BGBl. No 253/1957, as amended.

Portugal

- ANA — Aeroportos de Portugal, S.A., set up pursuant to Decree-Law No 404/98 of 18 December 1998.
- NAV — Empresa Pública de Navegação Aérea de Portugal, E. P., set up pursuant to Decree-Law No 404/98 of 18 December 1998.
- ANAM — Aeroportos e Navegação Aérea da Madeira, S. A., set up pursuant to Decree-Law No 453/91 of 11 December 1991.

Finland

- Airports managed by the 'Ilmailulaitos/Luftfartsverket', or by a municipal or public enterprise pursuant to the ilmailulaki/luftfartslagen (281/1995).

Sweden

- Publicly-owned and operated airports in accordance with luftfartslagen (1957:297).
- Privately-owned and operated airports with an operating licence under the act, where this licence corresponds to the criteria of Article 2(3) of the Directive.

United Kingdom

- A local authority which exploits a geographical area for the purpose of providing airport or other terminal facilities to carriers by air.
- An airport operator within the meaning of the Airports Act 1986 who has the management of an airport subject to economic regulation under Part IV of that Act.
- Highland and Islands Airports Limited.
- An airport operator within the meaning of the Airports (Northern Ireland) Order 1994.

 ANNEX XI

List of Community legislation referred to in Article 31(3)

A. TRANSPORT OR DISTRIBUTION OF GAS OR HEAT

Directive 98/30/EC of the European Parliament and of the Council of 22 June 1998 concerning common rules for the internal market in natural gas ⁽¹⁾

B. PRODUCTION, TRANSMISSION OR DISTRIBUTION OF ELECTRICITY

Directive 96/92/EC of the European Parliament and of the Council of 19 December 1996 concerning common rules for the internal market in electricity ⁽²⁾

C. PRODUCTION, TRANSPORT OR DISTRIBUTION OF DRINKING WATER

—

D. CONTRACTING ENTITIES IN THE FIELD OF RAIL SERVICES

Council Directive 91/440/EEC of 29 July 1991 on the development of the Community's railways ⁽³⁾

Directive 2001/13/EC of the European Parliament and of the Council of 26 February 2001 amending Council Directive 95/18/EC on the licensing of railway undertakings ⁽⁴⁾

Directive 2001/14/EC of the European Parliament and of the Council of 26 February 2001 on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification ⁽⁵⁾

⁽¹⁾ OJ L 204, 21.7.1998, p. 1.

⁽²⁾ OJ L 27, 30.1.1997, p. 20.

⁽³⁾ OJ L 237, 24.8.1991, p. 25. Directive as amended by European Parliament and Council Directive 2001/12/EC (OJ L 75, 15.3.2001, p. 1).

⁽⁴⁾ OJ L 75, 15.3.2001, p. 26.

⁽⁵⁾ OL L 75, 15.3.2001, p. 29. Directive as amended by Commission Decision 2002/844/EC (OJ L 289, 26.10.2002, p. 30).

Wednesday 2 July 2003

E. CONTRACTING ENTITIES IN THE FIELD OF URBAN RAILWAY, TRAMWAY, TROLLEYBUS OR MOTOR BUS SERVICES

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F. CONTRACTING ENTITIES IN THE FIELD OF POSTAL SERVICES

Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service ⁽¹⁾

G. EXPLORATION FOR AND EXTRACTION OF OIL OR GAS

Directive 94/22/EC of the European Parliament and of the Council of 30 May 1994 on the conditions for granting and using authorisations for the prospection, exploration and production of hydrocarbons ⁽²⁾

H. EXPLORATION FOR AND EXTRACTION OF COAL OR OTHER SOLID FUELS

Directive 94/22/EC, where the requirements of that Directive also apply to coal and other solid fuels in accordance with national legislation

I. CONTRACTING ENTITIES IN THE FIELD OF SEAPORT OR INLAND PORT OR OTHER TERMINAL EQUIPMENT

—

J. CONTRACTING ENTITIES IN THE FIELD OF AIRPORT INSTALLATIONS

⁽¹⁾ OJ L 15, 21.1.1998, p. 14. Directive last amended by Directive 2002/39/EC (OJ L 176, 5.7.2002, p. 21).

⁽²⁾ OJ L 164, 30.6.1994, p. 3.

ANNEX XII

LIST OF ACTIVITIES AS SET OUT IN ARTICLE 1(2), (b) ⁽¹⁾

NACE ⁽²⁾					CPV Code
SECTION F			CONSTRUCTION		
Division	Group	Class	Subject	Notes	
45			Construction	This division includes: construction of new buildings and works, restoring and common repairs	45000000
	45.1		Site preparation		45100000

⁽¹⁾ In the event of any difference of interpretation between the CPV and the NACE, the NACE nomenclature will apply.

⁽²⁾ Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Community (OJ L 293, 24.10.1990, p. 1), Regulation as last amended by Commission Regulation (EC) No 29/2002 (OJ L 6, 10.1.2002, p. 3).

Wednesday 2 July 2003

NACE ⁽¹⁾					CPV Code
SECTION F			CONSTRUCTION		
Division	Group	Class	Subject	Notes	
		45.11	Demolition and wrecking of buildings; earth moving	<p>This class includes:</p> <ul style="list-style-type: none"> — demolition of buildings and other structures — clearing of building sites — earth moving: excavation, land-fill, levelling and grading of construction sites, trench digging, rock removal, blasting, etc. — site preparation for mining: overburden removal and other development and preparation of mineral properties and sites <p>This class also includes:</p> <ul style="list-style-type: none"> — building site drainage — drainage of agricultural or forestry land 	45110000
		45.12	Test drilling and boring	<p>This class includes:</p> <ul style="list-style-type: none"> — test drilling, test boring and core sampling for construction, geophysical, geological or similar purposes <p>This class excludes:</p> <ul style="list-style-type: none"> — drilling of production oil or gas wells, see 11.20 — water well drilling, see 45.25 — shaft sinking, see 45.25 — oil and gas field exploration, geophysical, geological and seismic surveying, see 74.20 	45120000
	45.2		Building of complete constructions or parts thereof; civil engineering		45200000

⁽¹⁾ Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Community (OJ L 293, 24.10.1990, p. 1), Regulation as last amended by Commission Regulation (EC) No 29/2002 (OJ L 6, 10.1.2002, p. 3).

Wednesday 2 July 2003

NACE ⁽¹⁾					CPV Code
SECTION F			CONSTRUCTION		
Division	Group	Class	Subject	Notes	
		45.21	General construction of buildings and civil engineering works	<p>This class includes:</p> <ul style="list-style-type: none"> — construction of all types of buildings construction of civil engineering constructions — bridges, including those for elevated highways, viaducts, tunnels and subways — long-distance pipelines, communication and power lines — urban pipelines, urban communication and powerlines; ancillary urban works — assembly and erection of prefabricated constructions on the site <p>This class excludes:</p> <ul style="list-style-type: none"> — service activities incidental to oil and gas extraction, see 11.20 — erection of complete prefabricated constructions from self-manufactured parts not of concrete, see divisions 20, 26 and 28 — construction work, other than buildings, for stadiums, swimming pools, gymnasiums, tennis courts, golf courses and other sports installations, see 45.23 — building installation, see 45.3 — building completion, see 45.4 — architectural and engineering activities, see 74.20 — project management for construction, see 74.20 	45210000
		45.22	Erection of roof covering and frames	<p>This class includes:</p> <ul style="list-style-type: none"> — erection of roofs — roof covering — waterproofing 	45220000

⁽¹⁾ Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Community (OJ L 293, 24.10.1990, p. 1), Regulation as last amended by Commission Regulation (EC) No 29/2002 (OJ L 6, 10.1.2002, p. 3).

Wednesday 2 July 2003

NACE ⁽¹⁾					CPV Code
SECTION F			CONSTRUCTION		
Division	Group	Class	Subject	Notes	
		45.23	Construction of highways, roads, airfields and sport facilities	<p>This class includes:</p> <ul style="list-style-type: none"> — construction of highways, streets, roads, other vehicular and pedestrian ways — construction of railways — construction of airfield runways — construction work, other than buildings, for stadiums, swimming pools, gymnasiums, tennis courts, golf courses and other sports installations — painting of markings on road surfaces and car parks <p>This class excludes:</p> <ul style="list-style-type: none"> — preliminary earth moving, see 45.11 	45230000
		45.24	Construction of water projects	<p>This class includes</p> <ul style="list-style-type: none"> — construction of: — waterways, harbour and river works, pleasure ports (marinas), locks, etc. — dams and dykes — dredging — subsurface work 	45240000
		45.25	Other construction work involving special trades	<p>This class includes:</p> <ul style="list-style-type: none"> — construction activities specialising in one aspect common to different kinds of structures, requiring specialised skill or equipment: — construction of foundations, including pile driving — water well drilling and construction, shaft sinking — erection of non-self-manufactured steel elements — steel bending — bricklaying and stone setting — scaffolds and work platform erecting and dismantling, including renting of scaffolds and work platforms — erection of chimneys and industrial ovens <p>This class excludes:</p> <ul style="list-style-type: none"> — renting of scaffolds without erection and dismantling, see 71.32 	45250000

⁽¹⁾ Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Community (OJ L 293, 24.10.1990, p. 1), Regulation as last amended by Commission Regulation (EC) No 29/2002 (OJ L 6, 10.1.2002, p. 3).

Wednesday 2 July 2003

NACE ⁽¹⁾					CPV Code
SECTION F			CONSTRUCTION		
Division	Group	Class	Subject	Notes	
	45.3		Building installation		45300000
		45.31	Installation of electrical wiring and fittings	This class includes: — installation in buildings or other construction projects of: — electrical wiring and fittings — telecommunications systems — electrical heating systems — residential antennas and aerials — fire alarms — burglar alarm systems — lifts and escalators — lightning conductors, etc.	45310000
		45.32	Insulation work activities	This class includes: — installation in buildings or other construction projects of thermal, sound or vibration insulation This class excludes: — waterproofing, see 45.22	45320000
		45.33	Plumbing	This class includes: — installation in buildings or other construction projects of: — plumbing and sanitary equipment — gas fittings — heating, ventilation, refrigeration or air-conditioning equipment and ducts — sprinkler systems This class excludes: — installation of electrical heating systems, see 45.31	45330000

⁽¹⁾ Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Community (OJ L 293, 24.10.1990, p. 1), Regulation as last amended by Commission Regulation (EC) No 29/2002 (OJ L 6, 10.1.2002, p. 3).

Wednesday 2 July 2003

NACE ⁽¹⁾					CPV Code
SECTION F			CONSTRUCTION		
Division	Group	Class	Subject	Notes	
		45.34	Other building installation	This class includes: — installation of illumination and signalling systems for roads, railways, airports and harbours — installation in buildings or other construction projects of fittings and fixtures n.e.c.	45340000
	45.4		Building completion		45400000
		45.41	Plastering	This class includes: — application in buildings or other construction projects of interior and exterior plaster or stucco, including related lathing materials	45410000
		45.42	Joinery installation	This class includes: — installation of not self-manufactured doors, windows, door and window frames, fitted kitchens, staircases, shop fittings and the like, of wood or other materials — interior completion such as ceilings, wooden wall coverings, movable partitions, etc. This class excludes: — laying of parquet and other wood floor coverings, see 45.43	45420000

⁽¹⁾ Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Community (OJ L 293, 24.10.1990, p. 1), Regulation as last amended by Commission Regulation (EC) No 29/2002 (OJ L 6, 10.1.2002, p. 3).

Wednesday 2 July 2003

NACE ⁽¹⁾					CPV Code
SECTION F			CONSTRUCTION		
Division	Group	Class	Subject	Notes	
		45.43	Floor and wall covering	<p>This class includes:</p> <ul style="list-style-type: none"> — laying, tiling, hanging or fitting in buildings or other construction projects of: — ceramic, concrete or cut stone wall or floor tiles — parquet and other wood floor coverings — carpets and linoleum floor coverings, including of rubber or plastic — terrazzo, marble, granite or slate floor or wall coverings — wallpaper 	45430000
		45.44	Painting and glazing	<p>This class includes:</p> <ul style="list-style-type: none"> — interior and exterior painting of buildings, — painting of civil engineering structures — installation of glass, mirrors, etc <p>This class excludes:</p> <ul style="list-style-type: none"> — installation of windows, see 45.42 	45440000
		45.45	Other building completion	<p>This class includes:</p> <ul style="list-style-type: none"> — installation of private swimming pools — steam cleaning, sand blasting and similar activities for building exteriors — other building completion and finishing work n.e.c <p>This class excludes:</p> <ul style="list-style-type: none"> — interior cleaning of buildings and other structures, see 74.70 	45450000

⁽¹⁾ Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Community (OJ L 293, 24.10.1990, p. 1), Regulation as last amended by Commission Regulation (EC) No 29/2002 (OJ L 6, 10.1.2002, p. 3).

Wednesday 2 July 2003

NACE ⁽¹⁾					CPV Code
SECTION F			CONSTRUCTION		
Division	Group	Class	Subject	Notes	
	45.5		Renting of construction or demolition equipment with operator		45500000
		45.50	Renting of construction or demolition equipment with operator	This class excludes: — renting of construction or demolition machinery and equipment without operators, see 71.32	45500000

 ANNEX XIII

INFORMATION TO BE INCLUDED IN CONTRACT NOTICES

A. OPEN PROCEDURES

1. Name, address, telegraphic address, electronic address, telephone number, telex and fax number of the contracting entity.
2. Where appropriate, state whether the contract is reserved for sheltered workshops or whether its execution is reserved in the context of sheltered employment programmes.
3. Nature of the contract (supply, works or service, where appropriate, state if it is a framework agreement or a dynamic purchasing system).

Category of service within the meaning of Annex XVII A or XVII B and description (nomenclature reference No(s)).

Where appropriate, state whether tenders are requested for purchase, lease, rental or hire purchase or any combination of these.

4. Place of delivery, site or place of performance of service.
5. For supplies and works:
 - (a) Nature and quantity of the goods to be supplied (nomenclature reference No(s)), including any options for further procurement and, if possible, the estimated time available for exercising these options as well as the number of renewals, if any. In the case of recurring contracts, also, if possible, an estimate of the timing of the subsequent calls for competition for the goods to be procured or the nature and extent of the services to be provided and general nature of the work (nomenclature reference No(s));

⁽¹⁾ Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Community (OJ L 293, 24.10.1990, p. 1), Regulation as last amended by Commission Regulation (EC) No 29/2002 (OJ L 6, 10.1.2002, p. 3).

Wednesday 2 July 2003

- (b) Indication of whether the suppliers may tender for some and/or all the goods required.

If, for works contracts, the work or the contract is subdivided into several lots, the order of size of the different lots and the possibility of tendering for one, for several or for all the lots;
 - (c) For works contracts: information concerning the purpose of the work or the contract where the latter also involves the drawing-up of projects.
6. For services:
- (a) The nature and quantity of the goods to be supplied, including any options for further procurement and, if possible, the estimated time available for exercising these options as well as the number of renewals, if any. In the case of recurring contracts, also, if possible, an estimate of the timing of the subsequent calls for competition for the services to be procured;
 - (b) Indication of whether the execution of the service is reserved by law, regulation or administrative provision to a particular profession;
 - (c) Reference of the law, regulation or administrative provision;
 - (d) Indication of whether legal persons should indicate the names and professional qualifications of the staff to be responsible for the execution of the service;
 - (e) Indication of whether service providers may tender for a part of the services concerned.
7. Where known, indication of whether authorisation to submit variants exists or not.
8. Time-limits for delivery or completion or duration of service contract and, as far as possible, the starting date.
9. a) Address from which the contract documents and additional documents may be requested;
- (b) Where appropriate, the amount and terms of payment of the sum to be paid to obtain such documents.
10. a) Final date for receipt of tenders or indicative tenders where a dynamic purchasing system is introduced;
- (b) Address to which they should be sent;
- (c) Language or languages in which they should be drawn up.
11. a) Where applicable, the persons authorised to be present at the opening of tenders;
- (b) Date, time and place of such opening.
12. Where applicable, any deposits and guarantees required.
13. Main terms concerning financing and payment and/or references to the provisions in which these are contained.
14. Where appropriate, the legal form to be taken by the grouping of economic operators to whom the contract is awarded.
15. Minimum economic and technical conditions required of the economic operator to whom the contract is awarded.
16. Period during which the tenderer is bound to keep open his tender.
17. Where appropriate, particular conditions to which performance of the contract is subject.

Wednesday 2 July 2003

18. Criteria referred to in *Article 56* to be used for award of the contract: 'lowest price' or 'most economically advantageous tender'. Criteria representing the most economically advantageous tender as well as their weighting or, where appropriate, the order of importance of these criteria shall be mentioned where they do not appear in the specifications.
19. Where appropriate, the reference to publication in the Official Journal of the European Union of the periodic information notice or of the notice of the publication of this notice on the buyer profile to which the contract refers.
20. Name and address of the body responsible for appeal and, where appropriate, mediation procedures. Precise information concerning time-limits for lodging appeals, or, if need be, the name, address, telephone number, fax number and e-mail address of the department from which this information may be obtained.
21. Date of dispatch of the notice by the contracting entity.
22. Date of receipt of the notice by the Office for Official Publications of the European Communities (to be supplied by that Office).
23. Any other relevant information.

B. RESTRICTED PROCEDURES

1. Name, address, telegraphic address, electronic address, telephone number, telex and fax number of the contracting entity.
2. Where appropriate, state whether the contract is reserved for sheltered workshops or whether its execution is reserved in the context of sheltered employment programmes.
3. Nature of the contract (supplies, works or services; where appropriate, state if it is a framework agreement).

Category of service within the meaning of Annex XVII A or XVII B and description (nomenclature reference No(s)).

Where appropriate, state whether tenders are requested for purchase, lease, rental or hire purchase or any combination of these.

4. Place of delivery, site or place of performance of service.
5. For supplies and works:
 - (a) The nature and quantity of the goods to be supplied (nomenclature reference No(s)), including any options for further procurement and, if possible, the estimated time available for exercising these options as well as the number of renewals, if any. In the case of recurring contracts, also, if possible, an estimate of the timing of the subsequent calls for competition for the goods to be procured or the nature and extent of the services to be provided and general nature of the work (nomenclature reference No(s));
 - (b) Indication of whether the suppliers may tender for some and/or all the goods required.

If, for works contracts, the work or the contract is subdivided into several lots, the order of size of the different lots and the possibility of tendering for one, for several or for all the lots;
 - (c) Information concerning the purpose of the work or the contract where the latter also involves the drawing-up of projects.

Wednesday 2 July 2003

6. For services:
 - (a) The nature and quantity of the goods to be supplied, including any options for further procurement and, if possible, the estimated time available for exercising these options as well as the number of renewals, if any. In the case of recurring contracts, also, if possible, an estimate of the timing of the subsequent calls for competition for the services to be procured;
 - (b) Indication of whether the execution of the service is reserved by law, regulation or administrative provision to a particular profession;
 - (c) Reference to the law, regulation or administrative provision;
 - (d) Indication of whether legal persons should indicate the names and professional qualifications of the staff to be responsible for the execution of the service;
 - (e) Indication of whether service providers may tender for a part of the services concerned.
7. Where known, indication of whether authorisation to submit variants exists or not.
8. Time-limits for delivery or completion or duration of service contract and, as far as possible, for starting.
9. Where appropriate, the legal form to be taken by the grouping of economic operators to whom the contract is awarded.
10.
 - a) Final date for receipt of requests to participate;
 - (b) Address to which they should be sent;
 - (c) Language or languages in which they should be drawn up.
11. Final date for dispatch of invitations to tender.
12. Where applicable, any deposits and guarantees required.
13. Main terms concerning financing and payment and/or references to the provisions in which these are contained.
14. Information concerning the economic operator's position and the minimum economic and technical conditions required of him.
15. Criteria referred to in *Article 56* to be used for award of the contract: 'lowest price' or 'most economically advantageous tender'. Criteria representing the most economically advantageous tender as well as their weighting or, where appropriate, the order of importance of these criteria shall be mentioned where they do not appear in the specifications or will not be indicated in the invitation to tender.
16. Where appropriate, particular conditions to which performance of the contract is subject.
17. Where appropriate, the reference to publication in the Official Journal of the European Union of the periodic information notice or of the notice of the publication of this notice on the buyer profile to which the contract refers.
18. Name and address of the body responsible for appeal and, where appropriate, mediation procedures. Precise information concerning time-limits for lodging appeals, or, if need be, the name, address, telephone number, fax number and e-mail address of the service from which this information may be obtained.

Wednesday 2 July 2003

19. Date of dispatch of the notice by the contracting entities.
20. Date of receipt of the notice by the Office for Official Publications of the European Communities (to be supplied by that Office).
21. Any other relevant information.

C. NEGOTIATED PROCEDURES

1. Name, address, telegraphic address, electronic address, telephone number, telex and fax number of the contracting entity.
2. Where appropriate, state whether the contract is reserved for sheltered workshops or whether its execution is reserved in the context of sheltered employment programmes.
3. Nature of the contract (supplies, works or services; where appropriate, state if it is a framework agreement).

Category of service within the meaning of Annex XVII A or XVII B and description (nomenclature reference No(s)).

Where appropriate, state whether tenders are requested for purchase, lease, rental or hire purchase or any combination of these.

4. Place of delivery, site or place of performance of service.
5. For supplies and works:
 - (a) The nature and quantity of the goods to be supplied (nomenclature reference No(s)), including any options for further procurement and, if possible, the estimated time available for exercising these options as well as the number of renewals, if any. In the case of recurring contracts, also, if possible, an estimate of the timing of the subsequent calls for competition for the goods to be procured or the nature and extent of the services to be provided and general nature of the work (nomenclature reference No(s));
 - (b) Indication of whether the suppliers may tender for some and/or all the goods required. If, for works contracts, the work or the contract is subdivided into several lots, the order of size of the different lots and the possibility of tendering for one, for several or for all the lots;
 - (c) For works contracts: information concerning the purpose of the work or the contract where the latter also involves the drawing-up of projects.
6. For services:
 - (a) The nature and quantity of the goods to be supplied, including any options for further procurement and, if possible, the estimated time available for exercising these options as well as the number of renewals, if any. In the case of recurring contracts, also, if possible, an estimate of the timing of the subsequent calls for competition for the services to be procured;
 - (b) Indication of whether the execution of the service is reserved by law, regulation or administrative provision to a particular profession;
 - (c) Reference of the law, regulation or administrative provision;
 - (d) Indication of whether legal persons should indicate the names and professional qualifications of the staff to be responsible for the execution of the service;
 - (e) Indication of whether service providers may tender for a part of the services concerned.

Wednesday 2 July 2003

7. Where known, indication of whether authorisation to submit variants exists or not.
8. Time-limits for delivery or completion or duration of service contract and, as far as possible, for starting.
9. Where appropriate, the legal form to be taken by the grouping of economic operators to whom the contract is awarded.
10. a) Final date for receipt of requests to participate;
(b) Address to which they should be sent;
(c) Language or languages in which they should be drawn up.
11. Where appropriate, any deposits and guarantees required.
12. Main terms concerning financing and payment and/or references to the provisions in which these are contained.
13. Information concerning the economic operator's position and the minimum economic and technical conditions required of him.
14. Criteria referred to in *Article 56* to be used for award of the contract: 'lowest price' or 'most economically advantageous tender'. Criteria representing the most economically advantageous tender as well as their weighting or, where appropriate, the order of importance of these criteria shall be mentioned where they do not appear in the specifications or will not be indicated in the invitation to negotiate.
15. Where appropriate, the names and addresses of the economic operators already selected by the contracting entity.
16. Where applicable, date(s) of previous publications in the *Official Journal of the European Union*.
17. Where appropriate, particular conditions to which performance of the contract is subject.
18. Where appropriate, the reference to publication in the *Official Journal of the European Union* of the periodic information notice or of the notice of the publication of this notice on the buyer profile to which the contract refers.
19. Name and address of the body responsible for appeal and, where appropriate, mediation procedures. Precise information concerning time-limits for lodging appeals, or, if need be, the name, address, telephone number, fax number and e-mail address of the service from which this information may be obtained.
20. Date of dispatch of the notice by the contracting entity.
21. Date of receipt of the notice by the Office for Official Publications of the European Communities (to be supplied by that Office).
22. Any other relevant information.

D. SIMPLIFIED CONTRACT NOTICE FOR USE IN A DYNAMIC PURCHASING SYSTEM ⁽¹⁾

1. Country of contracting entity.
2. Name and e-mail address of contracting entity.

⁽¹⁾ With a view to admission to the system in order to be able subsequently to participate in the invitation to tender for the specific contract.

Wednesday 2 July 2003

3. Publication reference of the contract notice on the dynamic purchasing system.
4. E-mail address at which the contract documents and additional documents relating to the dynamic purchasing system are available.
5. Subject-matter of contract: description by reference number(s) of CPV nomenclature and quantity or extent of the contract to be awarded.
6. Timeframe for submitting indicative tenders.

ANNEX XIV

INFORMATION TO BE INCLUDED IN THE NOTICE ON THE EXISTENCE OF A QUALIFICATION SYSTEM

1. Name, address, telegraphic address, electronic address, telephone number, telex and fax number of the contracting entity.
 2. Where appropriate, state whether the contract is reserved for sheltered workshops or whether its execution is reserved in the context of sheltered employment programmes.
 3. Purpose of the qualification system (description of the goods, services or works or categories thereof to be procured through the system — nomenclature reference No(s)).
 4. Conditions to be fulfilled by the economic operators in view of their qualification pursuant to the system and the methods according to which each of those conditions will be verified. Where the description of such conditions and verification methods is voluminous and based on documents available to interested economic operators, a summary of the main conditions and methods and a reference to those documents shall be sufficient.
 5. Period of validity of the qualification system and the formalities for its renewal.
 6. Reference to the fact that the notice acts as the call for competition.
 7. Address where further information and documentation concerning the qualification system can be obtained (if different from the addresses mentioned under 1).
 8. Name and address of the body responsible for appeal and, where appropriate, mediation procedures. Precise information concerning time-limits for lodging appeals, or, if need be, the name, address, telephone number, fax number and e-mail address of the service from which this information may be obtained.
 9. Where known, criteria referred to in *Article 56* to be used for award of the contract: 'lowest price' or 'most economically advantageous tender'. Criteria representing the most economically advantageous tender as well as their weighting or, where appropriate, the order of importance of these criteria, shall be mentioned where they do not appear in the specifications or will not be indicated in the invitation to tender or to negotiate.
 10. Any other relevant information.
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Wednesday 2 July 2003

ANNEX XV

A. INFORMATION TO BE INCLUDED IN THE PERIODIC INDICATIVE NOTICE

I. HEADINGS TO BE COMPLETED IN ALL CASES

1. Name, address, telegraphic address, electronic address, telephone number, telex and fax number of the contracting entity or the service from which additional information may be obtained.
2. a) For supply contracts: nature and quantity or value of the services or products to be supplied (nomenclature reference No(s)).

(b) For works contracts: nature and extent of the services to be provided, the general characteristics of the work or of the lots by reference to the work (nomenclature reference No(s)).

(c) For service contracts: intended total procurement in each of the service categories listed in Annex XVII A (nomenclature reference No(s)).
3. Date of dispatch of the notice or of dispatch of the notice of the publication of this notice on the buyer profile.
4. Date of receipt of the notice by the Office for Official Publications of the European Communities (to be supplied by that Office).
5. Any other relevant information.

II. INFORMATION WHICH SHOULD BE SUPPLIED WHERE THE NOTICE IS USED AS A MEANS OF CALLING FOR COMPETITION OR PERMITS THE REDUCTION OF THE TIME-LIMITS FOR THE RECEIPT OF TENDERS

6. A reference to the fact that interested suppliers should advise the entity of their interest in the contract or contracts.
7. Where appropriate, state whether the contract is reserved for sheltered workshops or whether its execution is reserved in the context of sheltered employment programmes.
8. Time-limit for the receipt of applications for an invitation to tender or to negotiate.
9. Nature and quantity of the goods to be supplied or general nature of the work or category of service within the meaning of Annex XVII A and description, stating if framework agreement(s) are envisaged, including any options for further procurement and the estimated time available for exercising these options as well as the number of renewals, if any. In the case of recurring contracts, also, an estimate of the timing of the subsequent calls for competition.
10. State whether purchase, lease, rental or hire-purchase or any combination of these is involved.
11. Time-limits for delivery or completion or duration of service contract and, as far as possible, for starting.
12. Address to which interested undertakings should send their expressions of interest in writing.

Time-limit for receipt of expressions of interest.

Language or languages authorised for the presentation of candidatures or tenders.
13. Economic and technical conditions, and financial and technical guarantees required of suppliers.

Wednesday 2 July 2003

14. a) Estimated date for initiating the award procedures in respect of the contract or contracts (if known);

 (b) Type of award procedure (restricted or negotiated);

 (c) The amount of and payment details for any sum to be paid to obtain documents concerning the consultation.
 15. Where appropriate, particular conditions to which performance of the contract is subject.
 16. Name and address of the body responsible for appeal and, where appropriate, mediation procedures. Precise information concerning time-limits for lodging appeals, or, if need be, the name, address, telephone number, fax number and e-mail address of the service from which this information may be obtained.
 17. Where known, criteria referred to in *Article 56* to be used for award of the contract: 'lowest price' or 'most economically advantageous tender'. Criteria representing the most economically advantageous tender as well as their weighting or, where appropriate, the order of importance of these criteria shall be mentioned, where they do not appear in the specifications, or will not be indicated in the invitation to confirm interest referred to in *Article 48(5)* or in the invitation tender or to negotiate.
- B. INFORMATION TO BE INCLUDED IN NOTICES OF PUBLICATION OF A PERIODIC INDICATIVE NOTICE ON A BUYER PROFILE NOT USED AS A MEANS OF CALLING FOR COMPETITION
1. Country of the contracting entity.
 2. Name of the contracting entity.
 3. Internet address of the 'buyer profile' (URL).
 4. CPV Nomenclature reference No(s).

ANNEX XVI

INFORMATION TO BE INCLUDED IN THE CONTRACT AWARD NOTICE

- I. Information for publication in the Official Journal of the European Union ⁽¹⁾
 1. Name and address of the contracting entity.
 2. Nature of the contract (supplies, works or services and Nomenclature reference No(s); where appropriate state if it is a framework agreement).
 3. At least a summary indication of the nature and quantity of the products, works or services provided.
 4. a) Form of the call for competition (notice on the existence of a system of qualification; periodic notice; call for tenders);

 (b) Reference of publication of the notice in the Official Journal of the European Union;

 (c) In the case of contracts awarded without a prior call for competition, indication of the relevant provision of *Article 41(3)* or *Article 33*.

⁽¹⁾ Information in headings 6, 9 and 11 is deemed information not intended for publication where the awarding entity considers that publication thereof might be detrimental to a sensitive commercial interest.

Wednesday 2 July 2003

5. Award procedure (open, restricted or negotiated).
 6. Number of tenders received.
 7. Date of award of the contract.
 8. Price paid for bargain purchases pursuant to *Article 41(3)(j)*.
 9. Name and address of the economic operator(s).
 10. State, where appropriate, whether the contract has been, or may be, subcontracted.
 11. Price paid or the prices of the highest and lowest tenders taken into account in the award of the contract.
 12. Name and address of the body responsible for the appeal and, where appropriate, mediation procedures. Precise information concerning the time-limit for lodging appeals, or, if need be, the name, address, telephone number, fax number and e-mail address of the service from which this information may be obtained.
 13. Optional information:
 - value and share of the contract which has been or may be subcontracted to third parties,
 - award criteria.
 - II. Information not intended for publication
 14. Number of contracts awarded (where an award has been split between several suppliers).
 15. Value of each contract awarded.
 16. Country of origin of the product or service (Community origin or non-Community origin; if the latter, broken down by third country).
 17. Which award criteria were used (most economically advantageous; lowest price)?
 18. Was the contract awarded to a tenderer who submitted a variant, in accordance with *Article 37(1)*?
 19. Were any tenders excluded on the grounds that they were abnormally low, in accordance with *Article 58*?
 20. Date of transmission of the notice by the contracting entity.
 21. In the case of contracts for services listed in Annex XVII B, agreement by the contracting entity to publication of the notice (*Article 44(4)*).
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Wednesday 2 July 2003

ANNEX XVII

A. SERVICES WITHIN THE MEANING OF ARTICLE 32 ⁽¹⁾

Category No	Subject	CPC ⁽²⁾ reference No	CPV reference No(s)
1	Maintenance and repair services	6112, 6122, 633, 886	50000000, 50100000, 50110000, 50111110, 50112000, 50112100, 50112110, 50112111, 50112120, 50112200, 50112300, 50113000, 50113100, 50113200, 50114000, 50114100, 50114200, 50115000, 50115100, 50115200, 50116000, 50116100, 50116200, 50116300, 50116400, 50116500, 50116510, 50116600, 50117000, 50117100, 50117200, 50117300, 50118000, 50118100, 50118110, 50118200, 50118300, 50118400, 50118500, 50200000, 50210000, 50211000, 50211100, 50211200, 50211210, 50211211, 50211212, 50211300, 50211310, 50212000, 50220000, 50221000, 50221100, 50221200, 50221300, 50221400, 50222000, 50222100, 50223000, 50224000, 50224100, 50224200, 50225000, 50230000, 50231000, 50231100, 50232000, 50232100, 50232200, 50240000, 50241000, 50241100, 50241200, 50242000, 50243000, 50244000, 50245000, 50246000, 50246100, 50246200, 50246300, 50246400, 50314000, 50315000, 50330000, 50331000, 50332000, 50333000, 50333100, 50333200, 50334000, 50334100, 50334110, 50334120, 50334130, 50334140, 50334200, 50334300, 50334400, 50340000, 50341000, 50341100, 50341200, 50342000, 50343000, 50344000, 50344100, 50344200, 50400000, 50410000, 50411000, 50411100, 50411200, 50411300, 50411400, 50411500, 50412000, 50413000, 50413100, 50413200, 50420000, 50421000, 50421100, 50421200, 50422000, 50430000, 50431000, 50432000, 50433000, 50510000, 50511000, 50511100, 50511200, 50512000, 50513000, 50514000, 50514100, 50514200, 50530000, 50531000, 50531100, 50531200, 50531300, 50531400, 50531600, 50532000, 50532100, 50532200, 50532300, 50532400, 50800000, 50810000, 50820000, 50821000, 50822000, 50830000, 50840000, 50841000, 50842000, 50850000, 50860000, 50870000, 50880000, 50881000, 50882000, 50883000, 50884000, 50911000, 50911100, 50911110, 50911120, 50911130, 50911200, 50911210, 50911220, 50912100, 50913100, 50913300, 50913310, 50913400, 50913500, 50913510, 50914000, 50914100, 50914200, 50914300, 50914400, 50914500, 50914600, 50920000, 50921000, 50921100, 50922000, 50923000, 50924000, 50930000, 50931000, 50931100, 50931200, 50931300, 50931400, 50932000, 50932100, 50932200, 50933000, 50934000, 50935000, 50940000, 50941000, 50942000, 50951000, 50952000, 50952100, 50952110, 50952200, 50952400, 50952500, 50960000, 50961000, 50961100, 50961110, 50961200, 50962000, 50970000, 50971000, 50971100, 50971200, 50972000, 50973000, 50973100, 50973200, 50973300,

⁽¹⁾ In the event of any difference of interpretation between the CPV and the CPC, the CPC nomenclature will apply.

⁽²⁾ CPC nomenclature (provisional version) is used to define the scope of Directive 93/38/EEC as regards service contracts.

Wednesday 2 July 2003

Category No	Subject	CPC ⁽¹⁾ reference No	CPV reference No(s)
			50973400, 50974000, 50974100, 50974200, 50974300, 50975000, 50975100, 50975200, 50975300, 50976000, 50976100, 50976200, 74732000, 74732100, 74741000, 74742000, 74743000
2	Land transport services ⁽²⁾ , including armoured car services, and courier services, except transport of mail	712 (except 71235), 7512, 87304	55521200, 60110000, 60112000, 60112100, 60112200, 60112300, 60113000, 60113100, 60113310, 60113400, 60114000, 60115000, 60115100, 60115110, 60116000, 60116100, 60116200, 60116300, 60122110, 60122120, 60122130, 60122140, 60122150, 60122160, 60122161, 60122170, 60123100, 60123200, 60123300, 60123400, 60123500, 60123600, 64120000, 64121000, 64122000, 74612000
3	Air transport services of passengers and freight, except transport of mail	73 (except 7321)	62110000, 62122000, 62210000, 62230000, 62300000
4	Transport of mail by land ⁽²⁾ and by air	71235, 7321	62121000
5	Telecommunications services	752	64200000, 64210000, 64211000, 64212000, 64213000, 64214000, 64214200, 64216000, 64216100, 64216110, 64216120, 64216130, 64216140, 64216200, 64216210, 64216300, 64221000, 64222000, 64223000, 64224000, 64225000, 64226000, 72315000, 72318000, 72511100
6	Financial services: (a) insurance services (b) banking and investment services ⁽³⁾	ex 81, 812, 814	66000000, 66100000, 66110000, 66120000, 66130000, 66140000, 66200000, 66300000, 66310000, 66311000, 66312000, 66313000, 66314000, 66315000, 66316000, 66317000, 66320000, 66321000, 66330000, 66331000, 66332000, 66333000, 66334000, 66335000, 66340000, 66341000, 66342000, 66343000, 66343100, 66343200, 66350000, 66360000, 66370000, 66371000, 66372000, 66373000, 66374000, 66380000, 66381000, 66382000, 66383000, 66384000, 67200000, 67210000, 67211000, 67212000, 67220000, 67221000, 67230000, 67240000, 67250000, 67251000, 67260000
7	Computer services and related services	84	50310000, 50311000, 50311400, 50312000, 50312100, 50312110, 50312120, 50312200, 50312210, 50312220, 50312300, 50312310, 50312320, 50312400, 50312410, 50312420, 50312500, 50312510, 50312520, 50312600,

⁽¹⁾ CPC nomenclature (provisional version) is used to define the scope of Directive 93/38/EEC as regards service contracts.

⁽²⁾ Except for rail transport services covered by category 18.

⁽³⁾ Except financial services relating to the issue, sale, purchase or transfer of securities or other financial instruments. Also excluded: contracts involving the acquisition or rental, by whatever financial means, of land, existing buildings or other immovable property or concerning rights thereon; nevertheless, financial service contracts concluded at the same time as, before or after the contract of acquisition or rental, in whatever form, shall be subject to this Directive.

Wednesday 2 July 2003

Category No	Subject	CPC ⁽¹⁾ reference No	CPV reference No(s)
			50312610, 50312620, 50313000, 50313100, 50313200, 50316000, 50317000, 50320000, 50321000, 50322000, 50323000, 50323100, 50323200, 50324000, 50324100, 50324200, 72000000, 72100000, 72110000, 72120000, 72130000, 72140000, 72150000, 72200000, 72210000, 72211000, 72212000, 72220000, 72221000, 72222000, 72222100, 72222200, 72222300, 72223000, 72224000, 72224100, 72224200, 72225000, 72226000, 72227000, 72228000, 72230000, 72231000, 72232000, 72240000, 72241000, 72243000, 72245000, 72246000, 72250000, 72251000, 72252000, 72253000, 72253100, 72253200, 72254000, 72254100, 72260000, 72261000, 72262000, 72263000, 72264000, 72265000, 72266000, 72267000, 72268000, 72300000, 72310000, 72311000, 72311100, 72311200, 72311300, 72312000, 72312100, 72312200, 72313000, 72314000, 72315100, 72316000, 72317000, 72319000, 72320000, 72321000, 72510000, 72511000, 72511110, 72512000, 72514000, 72514100, 72514200, 72514300, 72520000, 72521000, 72521100, 72540000, 72541000, 72541100, 72550000, 72560000, 72570000, 72580000, 72590000, 72591000
8	R&D services ⁽²⁾	85	63368000, 73000000, 73100000, 73110000, 73111000, 73112000
9	Accounting, auditing and bookkeeping services	862	74121000, 74121100, 74121110, 74121112, 74121113, 74121120, 74121200, 74121210, 74121220, 74121230, 74121240, 74121250, 74541000
10	Market research and public opinion polling services	864	74130000, 74131000, 74131100, 74131110, 74131120, 74131121, 74131130, 74131200, 74131300, 74131400, 74131500, 74131600, 74132000, 74133000, 74423100, 74423110
11	Management consulting services ⁽³⁾ and related services	865, 866	73200000, 73210000, 73220000, 73300000, 74121111, 74141000, 74141100, 74141110, 74141200, 74141300, 74141400, 74141500, 74141510, 74141600, 74141610, 74141620, 74141700, 74141800, 74141900, 74142200, 74150000, 74871000, 90311000, 93620000
12	Architectural services; engineering services and integrated engineering services; urban planning and landscape engineering services; related scientific and technical consulting services; technical testing and analysis services	867	72242000, 72244000, 74142300, 74142310, 74220000, 74221000, 74222000, 74223000, 74224000, 74225000, 74225100, 74230000, 74231100, 74231110, 74231120, 74231130, 74231200, 74231300, 74231310, 74231320, 74231400, 74231500, 74231510, 74231520, 74231521, 74231530, 74231540, 74231600, 74231700, 74231710, 74231720, 74231721, 74231800, 74231900, 74232000, 74232100, 74232110, 74232120, 74232200, 74232210, 74232220, 74232230, 74232240, 74232300,

⁽¹⁾ CPC nomenclature (provisional version) is used to define the scope of Directive 93/38/EEC as regards service contracts.

⁽²⁾ Except R&D services other than those where the benefits accrue exclusively to the contracting entity for its use in the conduct of its own affairs on condition that the service provided is wholly remunerated by the contracting entity.

⁽³⁾ Except arbitration and conciliation services.

Wednesday 2 July 2003

Category No	Subject	CPC ⁽¹⁾ reference No	CPV reference No(s)
			74232310, 74232320, 74232400, 74232500, 74232600, 74233000, 74233100, 74233200, 74233300, 74233400, 74233500, 74233600, 74233700, 74240000, 74250000, 74251000, 74252000, 74252100, 74260000, 74261000, 74262000, 74262100, 74263000, 74270000, 74271000, 74271100, 74271200, 74271210, 74271220, 74271300, 74271400, 74271500, 74271700, 74271710, 74271720, 74271800, 74272000, 74272100, 74272110, 74272111, 74272112, 74272113, 74272300, 74273000, 74273100, 74273200, 74274000, 74274100, 74274200, 74274300, 74274400, 74274500, 74275000, 74275100, 74275200, 74276000, 74276100, 74276200, 74276300, 74276400, 74300000, 74310000, 74311000, 74312000, 74312100, 74313000, 74313100, 74313110, 74313120, 74313130, 74313140, 74313141, 74313142, 74313143, 74313144, 74313145, 74313146, 74313147, 74313200, 74313210, 74313220, 74874000
13	Advertising services	871	74410000, 74411000, 74412000, 78225000
14	Building-cleaning services and property management services	874, 82201 to 82206	70300000, 70310000, 70311000, 70320000, 70321000, 70322000, 70330000, 70331000, 70331100, 70332000, 70332100, 70332200, 70332300, 74710000, 74720000, 74721000, 74721100, 74721210, 74721300, 74722000, 74724000, 74730000, 74731000, 74744000, 74750000, 74760000, 93411200, 93411300, 93411400
15	Publishing and printing services on a fee or contract basis	88442	74831530, 78000000, 78100000, 78110000, 78111000, 78112000, 78113000, 78113100, 78114000, 78114100, 78114200, 78114300, 78114400, 78115000, 78115100, 78116000, 78117000, 78118000, 78119000, 78120000, 78121000, 78122000, 78122100, 78123000, 78124000, 78125000, 78130000, 78131000, 78132000, 78133000, 78134000, 78135000, 78135100, 78136000, 78140000, 78141000, 78142000, 78150000, 78151000, 78152000, 78153000, 78160000, 78170000, 78180000, 78200000, 78210000, 78220000, 78221000, 78222000, 78223000, 78224000, 78230000, 78240000, 78300000, 78310000, 78311000, 78312000
16	Sewage and refuse disposal services; sanitation and similar services	94	71221110, 74734000, 74735000, 85142200, 90000000, 90100000, 90110000, 90111000, 90111100, 90111200, 90111300, 90112000, 90112100, 90112200, 90112210, 90112300, 90113000, 90114000, 90120000, 90121000, 90121100, 90121110, 90121120, 90121130, 90121140, 90121200, 90121300, 90121310, 90121320, 90121330, 90121340, 90121400, 90122000, 90122100, 90122110, 90122111,

⁽¹⁾ CPC nomenclature (provisional version) is used to define the scope of Directive 93/38/EEC as regards service contracts.

Wednesday 2 July 2003

Category No	Subject	CPC ⁽¹⁾ reference No	CPV reference No(s)
			90122112, 90122113, 90122120, 90122121 90122122, 90122123, 90122124, 90122130, 90122131, 90122200, 90122210, 90122220, 90122230, 90122240, 90122300, 90122310, 90122320, 90122330, 90122340, 90200000, 90210000, 90211000, 90212000, 90213000, 90220000, 90221000, 90240000, 90300000, 90310000, 90312000, 90313000, 90313100, 90313110, 90313120, 90314000, 90315000, 90315100, 90315200, 90315300, 90320000

B. SERVICES WITHIN THE MEANING OF ARTICLE 33

Category No	Subject	CPC reference No	CPV reference No(s)
17	Hotel and restaurant services	64	55000000, 55100000, 55200000, 55210000, 55220000, 55221000, 55240000, 55241000, 55242000, 55243000, 55250000, 55260000, 55270000, 55300000, 55310000, 55311000, 55312000, 55320000, 55321000, 55322000, 55330000, 55400000, 55410000, 55500000, 55510000, 55511000, 55512000, 55520000, 55521000, 55521100, 55522000, 55523000, 55523100, 55524000, 93410000, 93411000
18	Transport services by rail	711	60111000, 60121000, 60121100, 60121200, 60121300, 60121400, 60121500, 60121600
19	Water transport services	72	61000000, 61100000, 61110000, 61200000, 61210000, 61220000, 61230000, 61240000, 61250000, 61400000, 63370000, 63371000, 63372000, 71221120, 71221130
20	Supporting and auxiliary transport services	74	62224000, 62224100, 62226000, 63000000, 63100000, 63110000, 63111000, 63112000, 63112100, 63112110, 63120000, 63121000, 63121100, 63121110, 63122000, 63200000, 63210000, 63220000, 63221000, 63222000, 63222100, 63223000, 63223100, 63223110, 63223200, 63223210, 63224000, 63225000, 63226000, 63300000, 63310000, 63311000, 63313000, 63314000, 63315000, 63320000, 63330000, 63340000, 63341000, 63341100, 63342000, 63343000, 63343100, 63344000, 63350000, 63351000, 63352000, 63353000, 63360000, 63361000, 63362000, 63363000, 63364000, 63365000, 63366000, 63366100, 63369000, 63400000, 63410000, 63420000, 63430000, 63500000, 63510000, 63511000, 63512000, 63514000, 63515000, 63516000, 63520000, 63521000, 63522000, 63523000, 63524000, 63600000, 71221140, 74322000, 93600000
21	Legal services	861	74110000, 74111000, 74111100, 74111200, 74112000, 74112100, 74112110, 74113000, 74113100, 74113200, 74113210, 74114000

⁽¹⁾ CPC nomenclature (provisional version) is used to define the scope of Directive 93/38/EEC as regards service contracts.

Wednesday 2 July 2003

Category No	Subject	CPC reference No	CPV reference No(s)
22	Personnel placement and supply services ⁽¹⁾	872	74512000, 74522000, 95100000, 95110000, 95120000, 95130000, 95131000, 95132000, 95133000
23	Investigation and security services, except armoured car services	873 (except 87304)	74611000, 74613000, 74614000, 74614100, 74614110, 74615000, 74620000
24	Education and vocational education services	92	80000000, 80100000, 80110000, 80200000, 80210000, 80211000, 80212000, 80220000, 80300000, 80310000, 80320000, 80330000, 80340000, 80400000, 80411000, 80411100, 80411200, 80412000, 80421000, 80422000, 80422100, 80423000, 80423100, 80423110, 80423120, 80423200, 80423300, 80423320, 80424000, 80425000, 80426000, 80426100, 80426200, 80427000, 80428000, 80430000, 92312212, 92312213
25	Health and social services	93	60113300, 74511000, 85000000, 85100000, 85110000, 85111000, 85111100, 85111200, 85111300, 85111320, 85111400, 85111500, 85111600, 85111700, 85111800, 85112000, 85112100, 85120000, 85121000, 85121100, 85121200, 85121300, 85130000, 85131000, 85131100, 85131110, 85140000, 85141000, 85141100, 85141200, 85141210, 85141211, 85141212, 85141220, 85142000, 85142100, 85142200, 85142300, 85142400, 85143000, 85144000, 85144100, 85145000, 85146000, 85146100, 85146200, 85147000, 85148000, 85149000, 85200000, 85300000, 85310000, 85311000, 85311100, 85311200, 85311300, 85312000, 85312100, 85312200, 85312300, 85312310, 85312320, 85312330, 85312400, 85320000, 85323000
26	Recreational, cultural and sporting services	96	74875000, 74875100, 74875200, 77310000, 77311000, 77313000, 77400000, 80413000, 80414000, 80415000, 92000000, 92100000, 92110000, 92111000, 92111100, 92111200, 92111210, 92111220, 92111230, 92111240, 92111250, 92111260, 92111300, 92111310, 92111320, 92112000, 92120000, 92121000, 92122000, 92130000, 92140000, 92200000, 92210000, 92211000, 92220000, 92221000, 92300000, 92310000, 92311000, 92312000, 92312100, 92312110, 92312120, 92312130, 92312140, 92312200, 92312210, 92312220, 92312230, 92312240, 92312250, 92320000, 92330000, 92331000, 92331100, 92331200, 92332000, 92340000, 92341000, 92342000, 92342100, 92342200, 92350000, 92351000, 92351100, 92351200, 92352000, 92352100, 92352200, 92360000, 92400000, 92500000, 92510000, 92511000, 92512000, 92520000, 92521000, 92521100, 92521200, 92521210, 92521220, 92522000, 92522100, 92522200, 92530000, 92531000, 92532000, 92533000, 92534000, 92600000, 92610000, 92620000, 92621000, 92622000

⁽¹⁾ Except employment contracts.

Wednesday 2 July 2003

Category No	Subject	CPC reference No	CPV reference No(s)
27	Other services		50111100, 50232110, 50246500, 50520000, 50521000, 50522000, 50523000, 50531500, 50531510, 50700000, 50710000, 50711000, 50712000, 50720000, 50730000, 50731000, 50732000, 50732100, 50740000, 50760000, 50761000, 50762000, 50911230, 50912200, 50913200, 50915000, 50915100, 50915200, 50952300, 50977000, 52000000, 52100000, 52200000, 52300000, 52400000, 52500000, 52600000, 52700000, 52800000, 52900000, 60113200, 60200000, 60210000, 60220000, 61300000, 62221000, 62222000, 62223000, 63367000, 64110000, 64111000, 64112000, 64113000, 64114000, 64115000, 64116000, 64214100, 64214400, 65000000, 65100000, 65110000, 65120000, 65130000, 65200000, 65210000, 65300000, 65310000, 65320000, 65400000, 65410000, 65500000, 67100000, 67110000, 67120000, 67121000, 67122000, 67130000, 67140000, 67300000, 70100000, 70110000, 70111000, 70112000, 70120000, 70121000, 70121100, 70121200, 70122000, 70122100, 70122110, 70122200, 70122210, 70123000, 70123100, 70123200, 70130000, 70311100, 70311200, 70333000, 71000000, 71100000, 71110000, 71120000, 71130000, 71140000, 71150000, 71160000, 71170000, 71180000, 71181000, 71211300, 71211310, 71211320, 71211400, 71211600, 71211900, 71300000, 71310000, 71311000, 71320000, 71321000, 71321100, 71321200, 71321300, 71321400, 71330000, 71331000, 71332000, 71332100, 71332200, 71333000, 71340000, 71350000, 71360000, 71380000, 74122000, 74122100, 74122200, 74271600, 74271900, 74321000, 74321100, 74420000, 74421000, 74422000, 74423000, 74423200, 74423210, 74542000, 74543000, 74731100, 74810000, 74811000, 74811100, 74811200, 74811300, 74811310, 74811320, 74811330, 74811340, 74812000, 74813000, 74820000, 74821000, 74830000, 74831000, 74831100, 74831110, 74831200, 74831210, 74831300, 74831400, 74831500, 74831510, 74831520, 74831600, 74832000, 74832100, 74841000, 74842000, 74844000, 74850000, 74851000, 74860000, 74861000, 74870000, 74872000, 74873100, 74876000, 74877000, 75000000, 75100000, 75110000, 75111000, 75111100, 75111200, 75112000, 75112100, 75120000, 75121000, 75122000, 75123000, 75124000, 75125000, 75130000, 75131000, 75131100, 75200000, 75210000, 75211000, 75211100, 75211110, 75211200, 75211300, 75220000, 75221000, 75222000, 75230000, 75231000, 75231100, 75231200, 75231210, 75231220, 75231230, 75231240, 75240000, 75241000, 75241100, 75242000, 75242100, 75242110, 75250000, 75251000, 75251100, 75251110, 75251120, 75252000, 75300000, 75310000, 75311000, 75312000, 75313000, 75313100, 75314000, 75320000, 75330000, 75340000, 76000000, 76100000, 76110000, 76111000, 76120000, 76200000, 76210000, 76211000, 76211100, 76211200, 76300000, 76310000, 76320000, 76330000, 76340000, 76400000, 76410000,

Wednesday 2 July 2003

Category No	Subject	CPC reference No	CPV reference No(s)
			76411000, 76420000, 76430000, 76431000, 76440000, 76450000, 76460000, 76470000, 76480000, 76490000, 76491000, 76492000, 76500000, 76510000, 76520000, 76521000, 76522000, 76530000, 76531000, 77000000, 77100000, 77110000, 77120000, 77210000, 77211000, 77211100, 77211300, 77220000, 77230000, 77330000, 77500000, 77510000, 77600000, 77610000, 77700000, 78400000, 85321000, 85322000, 90114100, 90115000, 90122132, 90123000, 90123100, 90123200, 90123300, 90230000, 91000000, 91100000, 91110000, 91120000, 91130000, 91131000, 91200000, 91300000, 91310000, 91320000, 91330000, 91331000, 91331100, 92230000, 92312211, 93100000, 93110000, 93111000, 93112000, 93120000, 93121000, 93130000, 93140000, 93150000, 93160000, 93200000, 93210000, 93211000, 93220000, 93221000, 93221100, 93221200, 93221300, 93300000, 93310000, 93320000, 93330000, 93411100, 93500000, 93510000, 93511000, 93511100, 93621000, 93700000, 93710000, 93711000, 93711100, 93711110, 93711200, 93712000, 93910000, 93930000, 93940000, 93950000, 95000000, 99000000, 99100000

ANNEX XVIII

INFORMATION TO BE INCLUDED IN THE DESIGN CONTEST NOTICE

1. Name, address, electronic address telephone, telex and fax numbers of the contracting authority and of the service from which additional documents may be obtained.
2. Project description (nomenclature reference No(s)).
3. Nature of the contest: open or restricted.
4. In the case of open contests: final date for receipt of projects.
5. In the case of restricted contests:
 - a) the number of participants envisaged, or range;
 - b) where applicable, names of participants already selected;
 - c) criteria for the selection of participants;
 - d) final date for receipt of requests to participate.
6. Where applicable, indication of whether participation is reserved to a particular profession.
7. Criteria to be applied in the evaluation of projects.
8. Where applicable, names of the selected members of the jury.
9. Indication of whether the decision of the jury is binding on the authority.

Wednesday 2 July 2003

10. Where applicable, number and value of prizes.
11. Where applicable, details of payments to all participants.
12. Indication of whether the prize-winners are permitted any follow-up contracts.
13. Name and address of the body responsible for the appeal and, where appropriate, mediation procedures. Precise information concerning the time-limit for lodging appeals, or, if need be, the name, address, telephone number, fax number and e-mail address of the service from which this information may be obtained.
14. Date of dispatch of the notice.
15. Date of receipt of the notice by the Office for Official Publications of the European Communities.
16. Any other relevant information

ANNEX XIX

INFORMATION TO BE INCLUDED IN THE RESULTS OF DESIGN CONTEST NOTICES

1. Name, address, telegraphic address and telephone, telex and fax numbers of the contracting authority.
2. Project description (nomenclature reference No(s)).
3. Total number of participants.
4. Number of foreign participants.
5. Winner(s) of the contest.
6. Where applicable, the prize(s).
7. Other information.
8. Reference of the design contest notice.
9. Name and address of the body responsible for the appeal and, where appropriate, mediation procedures. Precise information concerning the time-limit for lodging appeals, or, if need be, the name, address, telephone number, fax number and e-mail address of the service from which this information may be obtained.
10. Date of dispatch of the notice.
11. Date of receipt of the notice by the Office for Official Publications of the European Communities.

ANNEX XX

FEATURES CONCERNING PUBLICATION

1. Publication of notices
 - (a) Notices referred to in *Articles 42, 43, 44 and 64* must be sent by the contracting entities to the Office for Official Publications of the European Communities in the format required by Commission Directive 2001/78/EC of 13 September 2001 (*Directive on the use of standard forms in the publication of public contract notices*). The periodic indicative notices referred to in *Article 42(1)*, published on a buyer profile as described in paragraph 2(b), must also use that format, as must the notice of such publication;

Wednesday 2 July 2003

- (b) Notices referred to in *Articles 42, 43, 44 and 64* must be published by the Office for Official Publications of the European Communities or by the contracting entities in the event of a periodic indicative notice published on a buyer profile in accordance with *Article 42(1)*.

In addition, contracting authorities may publish this information on the Internet on a 'buyer profile' as referred to in point 2(b);

- (c) The Office for Official Publications of the European Communities will give the contracting authority the confirmation referred to in *Article 45(7)*.

2. Publication of complementary or additional information

- (a) Contracting entities are encouraged to publish the specifications and the additional documents in their entirety on the Internet;
- (b) The buyer profile may include periodic indicative notices as referred to in *Article 42(1)*, information on ongoing invitations to tender, scheduled purchases, contracts concluded, procedures cancelled and any useful general information, such as a contact point, a telephone and a fax number, a postal address and an e-mail address.

3. Format and modalities for the electronic transmission of notices

The format and procedure for sending notices electronically are accessible at the Internet address '<http://simap.eu.int>'.

ANNEX XXI

DEFINITION OF CERTAIN TECHNICAL SPECIFICATIONS

For the purposes of this Directive,

1. a) 'Technical specification', in the case of service or supply contracts, means a specification in a document defining the required characteristics of a product or a service, such as quality levels, environmental performance levels, design for all requirements (including accessibility for disabled persons) and conformity assessment, performance, use of the product, safety or dimensions, including requirements relevant to the product as regards the name under which the product is sold, terminology, symbols, testing and test methods, packaging, marking and labelling, user instructions, production processes and methods and conformity assessment procedures;
- (b) 'Technical specification', in the case of works contracts, means the totality of the technical prescriptions contained in particular in the tender documents, defining the characteristics required of a material, product or supply, which permits a material, a product or a supply to be described in a manner such that it fulfils the use for which it is intended by the contracting entity. These characteristics shall include levels of environmental performance, design for all requirements (including accessibility for disabled persons) and conformity assessment, performance, safety or dimensions, including the procedures concerning quality assurance, terminology, symbols, testing and test methods, packaging, marking and labelling, user instructions, and production processes and methods. They shall also include rules relating to design and costing, the test, inspection and acceptance conditions for works and methods or techniques of construction and all other technical conditions which the contracting entity is in a position to prescribe, under general or specific regulations, in relation to the finished works and to the materials or parts which they involve;

Wednesday 2 July 2003

2. 'Standard' means a technical specification approved by a recognised standardisation body for repeated or continuous application, compliance with which is not compulsory and which falls into one of the following categories:
- 'international standard': a standard adopted by an international standards organisation and made available to the general public;
 - 'European standard': a standard adopted by a European standards organisation and made available to the general public;
 - 'national standard': a standard adopted by a national standards organisation and made available to the general public;
3. 'European technical approval' means a favourable technical assessment of the fitness for use of a product, based on the fulfilment of the essential requirements for building works, by means of the inherent characteristics of the product and the defined conditions of application and use. European technical approvals are issued by an approval body designated for this purpose by the Member State;
4. 'Common technical specifications' means a technical specification laid down in accordance with a procedure recognised by the Member States which has been published in the Official Journal of the European Union;
5. 'Technical reference': any product produced by European standardisation bodies, other than official standards, according to procedures adapted to developments in market needs .

 ANNEX XXII

Summary table of the time-limits laid down in Article 46

Open procedures

Time-limit for receipt of tenders — without a periodic indicative notice					
Time-limit	Electronic transmission of the notice	Contract documents available electronically	Electronic transmission plus 'electronic' contract documents	Effect on first subparagraph of paragraph 7	Effect on second subparagraph of paragraph 7
52	45	47	40	none	none
With publication of a periodic indicative notice					
A: Time-limit in general	Electronic transmission of the notice	Contract documents available electronically	Electronic transmission plus 'electronic' contract documents	Effect on first subparagraph of paragraph 7	Effect on second subparagraph of paragraph 7
36	29	31	24	none	none

Wednesday 2 July 2003

B: Minimum time-limit	Electronic transmission of the notice	Contract documents available electronically	Electronic transmission plus 'electronic' contract documents	Effect on first subparagraph of paragraph 7	Effect on second subparagraph of paragraph 7
22	15	17	10	The period of 10 days is extended to 15 days	The period of 17 days is extended to 22 days

Restricted and negotiated procedures

Time-limit for the receipt of requests to participate:					
General time-limit	Electronic transmission of the notice	Contract documents available electronically	Electronic transmission plus 'electronic' contract documents	Effect on first subparagraph of paragraph 8	Effect on second subparagraph of paragraph 8
37	30	Not applicable (n.a.)	n.a.	none	n.a.
Minimum time-limit	Electronic transmission of the notice	Contract documents available electronically	Electronic transmission plus 'electronic' contract documents	Effect on first subparagraph of paragraph 8	Effect on second subparagraph of paragraph 8
22	15	n.a.	n.a.	none	n.a.
Minimum time-limit	Electronic transmission of the notice	Contract documents available electronically	Electronic transmission plus 'electronic' contract documents	Effect on first subparagraph of paragraph 8	Effect on second subparagraph of paragraph 8
15	8	n.a.	n.a.	The period of 8 days is extended to 15 days	n.a.
Time-limit for the receipt of tenders					
A: Time-limit in general	Electronic transmission of the notice	Contract documents available electronically	Electronic transmission plus 'electronic' contract documents	Effect on first subparagraph of paragraph 8	Effect on second subparagraph of paragraph 8

Wednesday 2 July 2003

24	n.a.	19	n.a.	n.a.	none
B: Minimum time-limit	Electronic transmission of the notice	Contract documents available electronically	Electronic transmission plus 'electronic' contract documents	Effect on first subparagraph of paragraph 8	Effect on second subparagraph of paragraph 8
10	n.a.	5	n.a.	n.a.	The period of 5 days is extended to 10 days
C: Time-limit set by agreement	Electronic transmission of the notice	Contract documents available electronically	Electronic transmission plus 'electronic' contract documents	Effect on first subparagraph of paragraph 8	Effect on second subparagraph of paragraph 8
	n.a.	n.a.	n.a.	n.a.	n.a.

ANNEX XXIII

LIST OF CORE INTERNATIONAL LABOUR STANDARDS WITHIN THE MEANING OF ARTICLE 60(3)(d)

Core international labour standards within the meaning of Article 60(3)(d), are the following ILO Conventions:

- *Convention 87 on Freedom of Association and the Protection of the Right to Organise;*
 - *Convention 98 on the Right to Organise and Collective Bargaining;*
 - *Convention 29 on Forced Labour;*
 - *Convention 105 on the Abolition of Forced Labour;*
 - *Convention 138 on Minimum Age;*
 - *Convention 111 on Discrimination (Employment and Occupation);*
 - *Convention 100 on Equal Remuneration;*
 - *Convention 182 on Worst Forms of Child Labour.*
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Wednesday 2 July 2003

ANNEX XXIV

REQUIREMENTS RELATING TO DEVICES FOR THE ELECTRONIC RECEIPT OF TENDERS, REQUESTS TO PARTICIPATE, APPLICATIONS FOR QUALIFICATION AS WELL AS PLANS AND PROJECTS IN CONTESTS

Devices for the electronic receipt of tenders, requests to participate, applications for qualification as well as plans and projects in contests must guarantee, through technical means and appropriate procedures, at least that:

- a) electronic signatures relating to tenders, requests to participate and applications for qualification as well as to the forwarding of plans and projects comply with national provisions adopted pursuant to Directive 1999/93/EC;
- b) the exact time and date of the receipt of tenders, requests to participate, applications for qualification as well as the submission of plans and projects can be determined precisely;
- c) it may be reasonably ensured that, before the time-limits laid down, no-one can have access to data transmitted under these requirements;
- d) if that access prohibition is infringed, it may be reasonably ensured that the infringement is clearly detectable;
- e) only authorised persons may set or change the dates for opening data received;
- f) during the various stages of the qualification procedure, the contract award procedure or contest, access to all data submitted, or to part thereof, must be possible only through simultaneous action by authorised persons;
- g) simultaneous action by authorised persons must give access to data transmitted only after the prescribed date;
- h) data received and opened in accordance with these requirements must remain accessible only to persons authorised to acquaint themselves therewith.

ANNEX XXV

Time-limits for transposition and implementation

Directive	Time-limits for transposition	Time-limits for implementation
93/38/EEC (OJ L 199, 9.8.1993, p. 84)	1.7.1994	Spain: 1.1.1997; Greece and Portugal: 1.1.1998
98/4/EC (OJ L 101, 1.4.1998, p. 1)	16.2.1999	Greece and Portugal: 16.2.2000

Wednesday 2 July 2003

ANNEX XXVI

Correlation table ⁽¹⁾

This Directive	Directive 93/38/EEC	
Article 1(1)	Article 1(1), 1st sentence	
Article 1(2)(a)	Article 1(4), 1st sentence,	Adapted
Article 1(2)(b), 1st sentence	Article 1(4)(b), 1st sentence	Amended
Article 1(2)(b), 2nd sentence	Article 14(10), 2nd sentence	Adapted
Article 1(2)(c), 1st subparagraph	Article 1(4)(a)	Adapted
Article 1(2)(c), 2nd subparagraph		New
Article 1(2)(d), 1st subparagraph	Article 1(4)(c), 1st part	Adapted
Article 1(2)(d), 2nd subparagraph	Article 1(4), 2nd subparagraph	Adapted
Article 1(2)(d), 3rd subparagraph		New
Article 1(3)(a)		New
Article 1(3)(b)		New
Article 1(4)	Article 1(5)	Adapted
Article 1(5)		New
Article 1(6)		New
Article 1(7), 1st paragraph	Article 1(6), in fine	Amended
Article 1(7), 2nd paragraph		New
Article 1(7), 3rd subparagraph	Article 1(6), 1st sentence	Adapted
Article 1(8)		New
Article 1(9)(a) to (c)	Article 1(7)	Adapted
Article 1(9)(d)	Article 1(16)	Adapted
Article 1(10)		New

⁽¹⁾ 'Adapted' indicates that the wording has been reformulated without changing the scope of the text of the repealed Directive. Changes to the scope of the provisions of the repealed Directive are denoted by the word 'Amended'.

Wednesday 2 July 2003

This Directive	Directive 93/38/EEC	
Article 1(11)	New	
Article 1(12)		New
	Article 1(14) and (15)	Deleted
Article 2(1)(a)	Article 1(1)	
Article 2(1)(b)	Article 1(2)	
Article 2(2)	Article 2(1)	Adapted
Article 2(3)	Article 2(3)	Amended
Article 3(1)	Article 2(2)(a)(iii)	Adapted
Article 3(2)	Article 2(5)(b)	Adapted
Article 3(3)	Article 2(2)(a)(ii)	Adapted
Article 3(4)	Article 2(5)(a)	Adapted
Article 4(1)	Article 2(2)(a)(i)	Adapted
Article 4(2)	Article 6(2)	Adapted
Article 4(3)	Article 2(5)(a)	Adapted
Article 5(1)	Article 2(2)(c)	Amended
Article 5(2)	Article 2(4)	Amended
Article 6		New
Article 7	Article 2(2)(b)	
	Article 2(2)(d)	Deleted
Article 8	Article 2(6)	Amended
Article 9		New
Article 10	Article 4(2)	Amended
Article 11		New
Article 12(1), 1st subparagraph	Article 33(2)	
Article 12(1), 2nd subparagraph	Article 33(3)	Amended
Article 12(2)	Article 33(1)	Amended

Wednesday 2 July 2003

This Directive	Directive 93/38/EEC	
Article 13	Article 42a	
Article 14(1)	Article 4(3)	
Article 14(2)	Article 4(4)	Amended
Article 15	Article 5	
Article 16		New
Article 17	Article 14(1)	Amended
Article 18(1)	Article 14(2) and (6)	Amended
Article 18(2)	Article 14.(13)	Adapted
Article 18(3)	Article 14(9)	Amended
Article 18(4)	Article 14(11)	Adapted
Article 18(5)	Article 14(12)	Adapted
Article 18(6)(a), 1st subparagraph	Article 14(10), 3rd sentence	Amended
Article 18(6)(a), 2nd subparagraph	Article 14(10), 2nd subparagraph, 2nd sentence	Adapted
Article 18(6)(a), 3rd subparagraph	Article 14(10), 2nd subparagraph, 3rd sentence	Amended
Article 18(6)(b), 1st subparagraph	Article 14(10), 2nd subparagraph, 1st sentence	Amended
Article 18(6)(b), 2nd subparagraph	Article 14(10), 2nd subparagraph, 2nd sentence	Adapted
Article 18(6)(b), 3rd subparagraph		New
Article 18(7)	Article 14(7)	Amended
Article 18(8)	Article 14(8)	
Article 18(9)	Article 14(4)	Amended
Article 18(10)	Article 14(3)	Amended
Article 18(11)	Article 14(5)	
Article 19		New

Wednesday 2 July 2003

This Directive	Directive 93/38/EEC	
Article 20	Article 7	
Article 21	Article 6(1) and (3)	Adapted
Article 22	Article 10	
Article 23(a)	Article 12, 1	Amended
Article 23(b)	Article 12, 2	
Article 23(c)	Article 12, 3	
Article 24(1)	Article 1(3)	
Article 24(2)	Article 13(1), 1st subparagraph, points (a) and (b)	Amended
Article 24(3), 1st subparagraph, point (a)	Article 13(1), 1st subparagraph in fine	Amended
Article 24, 1st subparagraph, points (b) and (c)		New
Article 24(3), 2nd subparagraph		New
Article 24(3), 3rd subparagraph	Article 13(1), 2nd subparagraph	Amended
Article 24(4)(a)	Article 13(1), 1st subparagraph, point (b)	Amended
Article 24(4)(b)		New
Article 24(4) in fine		New
Article 24(5)	Article 13(2)	Amended
Article 25(a)	Article 1(4)(c)(i)	
Article 25(b)	Article 1(4)(c)(iii)	
Article 25(c)	Article 1(4)(c)(iv)	Amended
Article 25(d)	Article 1(4)(c)(v)	
Article 25(e)	Article 1(4)(c)(vi)	
	Article 1(4)(c)(ii) and Annex XVI A, footnote 2	Deleted
Article 26	Article 11	Amended

Wednesday 2 July 2003

This Directive	Directive 93/38/EEC	
Article 27(a)	Article 9(1)(a)	Adapted
Article 27(b)	Article 9(1)(b)	Adapted
	Article 9(2)	Deleted
	Article 3(1)	Deleted
Article 28	Article 3(2)	Amended
	Article 3(3) to (5)	Deleted
Article 29		New
Article 30		New
Article 31		New
	Article 8	Deleted
Article 32	Article 15	Adapted
Article 33	Article 16	
Article 34	Article 17	
Article 35	Article 18 and Article 34(4)	Amended
Article 36	Article 19	Adapted
Article 37(1)	Article 34(3)	Amended
Article 37(2)		New
Article 38	Article 27	Amended
Article 39		New
Article 40(1)	Article 29(1)	Amended
Article 40(2)	Article 29(2)	
Article 41(1)	Article 4(1)	
Article 41(2) and (3)	Article 20(1) and (2)	
Article 42(1), 1st subparagraph	Article 22(1)	Amended
Article 42(1), 2nd to 6th subparagraph		New

Wednesday 2 July 2003

This Directive	Directive 93/38/EEC	
Article 42(2)	Article 22(4)	
Article 42(3)	Article 30(9)	Adapted
Article 43(1)	Article 21(1)	
Article 43(2)		New
Article 43(2)(a) and (b)	Article 21(2)(a) and (b)	Adapted
Article 43(2)(c), 1st sentence	Article 22(3), 1st sentence	
Article 43(2)(c), 2nd sentence	Article 22(3), 2nd sentence	
Article 44(1)	Article 24(1)	Amended
Article 44(2)	Article 24(2)	Adapted
Article 44(3)	Article 24(3), 1st to 3rd sentences	Adapted
Article 44(4)	Article 24(3), 4th sentence	Adapted
Article 44(5)	Article 24(4)	Adapted
Article 45(1)		New
Article 45(2)		New
Article 45(3), 1st subparagraph		New
Article 45(3), 2nd subparagraph, 1st sentence	Article 25 (3), 1st sentence	Amended
Article 45(3), 2nd subparagraph, 2nd sentence	Article 25(3), 2nd sentence	Adapted
Article 45(4), 1st subparagraph	Article 25(2)	Amended
Article 45(4), 2nd subparagraph	Article 25(4)	
Article 45(5)	Article 25(5)	Amended
Article 45(6)	Article 25(1)	
Article 45(7)		New
Article 45(8)		New
	Article 25(3), 3rd sentence	Deleted
Article 46(1)		New

Wednesday 2 July 2003

This Directive	Directive 93/38/EEC	
Article 46(2)	Article 26(1), 1st subparagraph, 1st sentence	
Article 46(3)	Article 26(2)	Adapted
Article 46(4)	Article 26(1), 2nd and 3rd sentences	Adapted
Article 46(5) to (8)		New
Article 46(9)	Article 28(3)	Amended
Article 46(10)		New
Article 47(1)	Article 28(1)	Amended
Article 47(2)	Article 28(2)	Amended
Article 48(1), 1st sentence	Article 28(4), 1st sentence	
Article 48(1), 2nd sentence, 1st indent		New
Article 48(1), 2nd sentence, 2nd indent	Article 28(4), 2nd sentence	Amended
Article 48(2)		New
Article 48(3)	Article 28(2)	Amended
Article 48(4), (a) to (d)	Article 28(4), (a) to (d) and (f)	Adapted
	Article 28(4)(f)	Deleted
Article 48(4)(e)	Article 28(4)(e)	Amended
Article 48(4)(f)		New
Article 48(5)(a) to (h)	Article 21(2)(c)	Adapted
Article 48(3)(i)		New
Article 49(1)	Article 28(6), 1st and 2nd sentences and 1st indent	Amended
Article 49(2)		New
Article 49(3)	Article 28(6), 2nd and 4th indent	Amended
Article 49(4)		New
Article 49(5)		New

Wednesday 2 July 2003

This Directive	Directive 93/38/EEC	
Article 49(6)	Article 28(5)	Amended
Article 49(7)		New
Article 50(1)	Article 41(3)	Amended
Article 50(2), 1st subparagraph	Article 41(4), 1st subparagraph	Amended
Article 50(2), 2nd subparagraph	Article 41(2), 2nd subparagraph	Adapted
Article 50(3)	Article 30(4)	
Article 50(4)	Article 30(6)	Amended
Article 50(5)	Article 30(8)	Amended
Article 51(1)	Article 41(1)	Amended
Article 51(2)	Article 41(2)	
Article 52		New
Article 53(1)	Article 30(5)	Amended
Article 53(2)	Article 32	Amended
Article 53(3)		New
Article 54(1)	Article 30(1)	
Article 54(2)	Article 30(2)	Amended
Article 54(3)		New
Article 54(4)		New
Article 54(5)		New
Article 54(6)	Article 30(3)	
Article 54(7)	Article 30(7)	
Article 54(8)		New
Article 54(9)	Article 21(3)	
	Article 21(5)	Deleted
Article 55(1)		New

Wednesday 2 July 2003

This Directive	Directive 93/38/EEC	
Article 55(2)	Article 31(1)	
Article 55(3)	Article 31(3)	Adapted
Article 55(4), 1st subparagraph	Article 31(2)	Adapted
Article 55(4), 2nd subparagraph		New
Article 55(5)		New
Article 55(6)		
Article 56(1)	Article 34(1)	
Article 56(2)	Article 34(2)	Amended
	Article 35(1) and (2)	Deleted
Article 57		New
Article 58(1) and (2)	Article 34(5), 1st and 2nd subparagraphs	Amended
Article 58(3)	Article 34(5), 3rd subparagraph	Amended
Article 59(1) and (2)	Article 36(1) and (2)	
Article 59(3)	Article 36(3) and (4)	Adapted
Article 59(4) and (5)	Article 36(5) and (6)	
Article 60	Article 37	Adapted
Article 61(1)	Article 23(3)	
Article 61(2)	Article 23(4)	
Article 62(1) and (2)	Article 23(1) and (2)	Amended
Article 63(1)	Article 6(1), Article 12	Amended
Article 63(2)		New
Article 64(1), 1st subparagraph	Article 21(4)	Amended
Article 64(1), 2nd subparagraph	Article 24(1) and (2), 2nd sentence	Adapted
Article 64(2)	Article 25	Amended
Article 65		New

Wednesday 2 July 2003

This Directive	Directive 93/38/EEC	
Article 66(1)	Article 4(1)	Adapted
Article 66(2)	Article 23(5)	
Article 66(3)	Article 23(6), 1st subparagraph	
Article 67	Article 23(6), 2nd subparagraph	Amended
Article 68	Article 42	Amended
	Article 39	Deleted
Article 69(1)	Article 40(5)	Amended
Article 69(2)		New
Article 69(3)		New
Article 70(1), 1st subparagraph	Article 14(15), 1st sentence	Amended
Article 70(1), 2nd subparagraph	Article 14(15), 2nd sentence	Amended
Article 70(2), 1st subparagraph		New
Article 70(2), 2nd subparagraph	Article 14(14), 1st and 2nd sentences	Amended
Article 70(3)	Article 14(14), 3rd sentence and (15), 3rd sentence	Adapted
Article 71(1), point (a)	Article 40(1)	Amended
Article 71(1), point (b)	Article 40(2)	Adapted
Article 71(1), point (c)	Article 40(3)	Amended
Article 71(1), point (d)	Article 40(3)	Amended
Article 71(1), point (e)		New
Article 71(1), points (f), (g) and (h)		New
Article 71(1), point (i)	Article 40(2) and 42(2)	Adapted
Article 71(1), point (j)	Article 14(16)	Adapted
	Article 40(4)	Deleted
	Article 43 and Article 44	Deleted

Wednesday 2 July 2003

This Directive	Directive 93/38/EEC	
Annex I	Annex III	Adapted
Annex II	Annex II	Adapted
Annex III	Annex I	Adapted
Annex IV	Annex VI	Adapted
Annex V	Annex VII	Adapted
Annex VI		New
Annex VII	Annex IV	Adapted
Annex VIII	Annex V	Adapted
Annex IX	Annex IX	Adapted
Annex X	Annex VIII	Adapted
Annex XI		New
Annex XII	Annex XI	Adapted
Annex XIII, A to C	Annex XII	Amended
Annex XIII, D		New
Annex XIV	Annex XIII	Amended
Annex XV, A	Annex XIV	Amended
Annex XV, B		New
Annex XVI	Annex XV	Amended
Annex XVII A	Annex XVI A	Amended
Annex XVII B	Annex XVI B	Adapted
Annexes XVIII and XIX	Annexes XVII and XVIII	Amended
Annex XX, point 1(a)		New
Annex XX, point 1(b)	Article 25(2)	Amended
Annex XX, point 1(c)		New
Annex XX, points 2 and 3		New

Wednesday 2 July 2003

This Directive	Directive 93/38/EEC	
Annex XXI, point 1	Article 1(8)	Amended
Annex XXI, point 2, 1st sentence	Article 1(9)	Adapted
Annex XXI, point 2, 1st indent		New
Annex XXI, point 2, 2nd indent	Article 1(10)	Amended
Annex XXI, point 2, 3rd indent		New
Annex XXI, point 3	Article 1(12)	Amended
Annex XXI, point 4	Article 1(11)	
	Article 1(13)	Deleted
Annex XXII		New
Annex XXIII		New
Annex XXIV		New
Annex XXV		New
Annex XXVI		New

P5_TA(2003)0314

Genetically modified food and feed ***II

European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council regulation on genetically modified food and feed (5204/3/2003 — C5-0133/2003 — 2001/0173(COD))

(Codecision procedure: second reading)

The European Parliament,

- having regard to the Council common position (5204/3/2003 — C5-0133/2003) ⁽¹⁾,
- having regard to its position at first reading ⁽²⁾ on the Commission proposal to Parliament and the Council (COM(2001) 425) ⁽³⁾,

⁽¹⁾ OJ C 113 E, 13.5.2003, p. 31.

⁽²⁾ P5_TA(2002)0354.

⁽³⁾ OJ C 304 E, 30.10.2001, p. 221.

Wednesday 2 July 2003

- having regard to amended proposal (COM(2002) 559) ⁽¹⁾,
 - having regard to Article 251(2) of the EC Treaty,
 - having regard to Rule 80 of its Rules of Procedure,
 - having regard to the recommendation for second reading of the Committee on the Environment, Public Health and Consumer Policy (A5-0202/2003),
1. Amends the common position as follows;
 2. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ Not published yet in the Official Journal.

P5_TC2-COD(2001)0173

Position of the European Parliament adopted at second reading on 2 July 2003 with a view to the adoption of European Parliament and Council Regulation (EC) No .../2003 on genetically modified food and feed

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 37, 95 and 152 (4) (b) thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the Opinion of the European Economic and Social Committee ⁽²⁾,

Having regard to the Opinion of the Committee of the Regions ⁽³⁾,

Acting in accordance with the procedure referred to in Article 251 of the Treaty ⁽⁴⁾,

Whereas:

- (1) The free movement of safe and wholesome food and feed is an essential aspect of the internal market and contributes significantly to the health and wellbeing of citizens, and to their social and economic interests.
- (2) A high level of protection of human life and health should be ensured in the pursuit of Community policies.
- (3) In order to protect human and animal health, food and feed consisting of, containing or produced from genetically modified organisms (hereinafter referred to as 'genetically modified food and feed') should undergo a safety assessment through a Community procedure before being placed on the market within the Community.
- (4) Differences between national laws, regulations and administrative provisions concerning the assessment and authorisation of genetically modified food and feed may hinder their free movement, creating conditions of unequal and unfair competition.

⁽¹⁾ OJ C 304 E, 30.10.2001, p. 221.

⁽²⁾ OJ C 221, 17.9.2002, p. 114.

⁽³⁾ OJ C 278, 14.11.2002, p. 31.

⁽⁴⁾ Position of the European Parliament of 3 July 2002 (not yet published in the Official Journal), Council Common Position of 17 March 2003 (OJ C 113E, 13.5.2003, p. 31), Position of the European Parliament of 2 July 2003 (not yet published in the Official Journal) and Council Decision of 22 July 2003.

Wednesday 2 July 2003

- (5) An authorisation procedure involving Member States and the Commission has been established for genetically modified foods in Regulation (EC) No 258/97 of the European Parliament and of the Council of 27 January 1997 concerning novel foods and novel food ingredients ⁽¹⁾. This procedure should be streamlined and made more transparent.
- (6) Regulation (EC) No 258/97 also provides for a notification procedure for novel foods which are substantially equivalent to existing foods. Whilst substantial equivalence is a key step in the procedure for assessment of the safety of genetically modified foods, it is not a safety assessment in itself. In order to ensure clarity, transparency and a harmonised framework for authorisation of genetically modified food, this notification procedure should be abandoned in respect of genetically modified foods.
- (7) Feed consisting of or containing genetically modified organisms (GMOs) has so far been authorised, subject to the authorisation procedure provided by Council Directive 90/220/EEC of 23 April 1990 ⁽²⁾ and Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms ⁽³⁾; no authorisation procedure exists for feed produced from GMOs; a single, efficient and transparent Community authorisation procedure for feed consisting of, containing or produced from GMOs should be established.
- (8) The provisions of this Regulation should also apply to feed intended for animals which are not destined for food production.
- (9) The new authorisation procedures for genetically modified food and feed should include the new principles introduced in Directive 2001/18/EC. They should also make use of the new framework for risk assessment in matters of food safety set up by Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority, and laying down procedures in matters of food safety ⁽⁴⁾. Thus, genetically modified food and feed should only be authorised for placing on the Community market after a scientific evaluation of the highest possible standard, to be undertaken under the responsibility of the European Food Safety Authority (Authority), of any risks which they present for human and animal health and, as the case may be, for the environment. This scientific evaluation should be followed by a risk management decision by the Community, under a regulatory procedure ensuring close cooperation between the Commission and the Member States.
- (10) Experience has shown that authorisation should not be granted for a single use, when a product is likely to be used both for food and feed purposes; therefore such products should only be authorised when fulfilling authorisation criteria for both food and feed.
- (11) Under this Regulation, authorisation may be granted either to a GMO to be used as a source material for production of food or feed and products for food and/or feed use which contain, consist of or are produced from it, or to foods or feed produced from a GMO. Thus, where a GMO used in the production of food and/or feed has been authorised under this Regulation, foods and/or feed containing, consisting of or produced from that GMO will not need an authorisation under this Regulation, but will be subject to the requirements referred to in the authorisation granted in respect of the GMO. Furthermore, foods covered by an authorisation granted under this Regulation will be exempted from the requirements of Regulation (EC) No 258/97 concerning novel foods and novel food ingredients, except where they fall under one or more of the categories referred to in Article 1(2)(a) of Regulation (EC) No 258/97 in respect of a characteristic which has not been considered for the purpose of the authorisation granted under this Regulation.

⁽¹⁾ OJ L 43, 14.2.1997, p. 1.

⁽²⁾ OJ L 117, 8.5.1990, p. 15. Directive repealed by Directive 2001/18/EC.

⁽³⁾ OJ L 106, 17.4.2001, p. 1. Directive as last amended by Council Decision 2002/811/EC (OJ L 280, 18.10.2002, p. 27).

⁽⁴⁾ OJ L 31, 1.2.2002, p. 1.

Wednesday 2 July 2003

- (12) Council Directive 89/107/EEC of 21 December 1988 on the approximation of laws of the Member States concerning food additives authorised for use in foodstuffs intended for human consumption⁽¹⁾ provides for authorisation of additives used in foodstuffs. In addition to this authorisation procedure, food additives containing, consisting of or produced from GMOs should fall also within the scope of this Regulation for the safety assessment of the genetic modification, while the final authorisation should be granted under the procedure referred to in Directive 89/107/EEC.
- (13) Flavourings falling within the scope of Council Directive 88/388/EEC of 22 June 1988 on the approximation of the laws of the Member States relating to flavourings for use in foodstuffs and to source materials for their production⁽²⁾ which contain, consist of or are produced from GMOs should also fall within the scope of this Regulation for the safety assessment of the genetic modification.
- (14) Council Directive 82/471/EEC of 30 June 1982 concerning certain products used in animal nutrition⁽³⁾ provides for an approval procedure for feed materials produced using different technologies that may pose risk to human or animal health and the environment. These feed materials containing, consisting of or produced from GMOs should fall instead within the scope of this Regulation.
- (15) Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs⁽⁴⁾, provides for an authorisation procedure for placing on the market additives used in feedingstuffs. In addition to this authorisation procedure, feed additives containing, consisting of or produced from GMOs should also fall within the scope of this Regulation.
- (16) This Regulation should cover food and feed produced 'from' a GMO but not food and feed 'with' a GMO. The determining criterion is whether or not material derived from the genetically modified source material is present in the food or in the feed. Processing aids which are only used during the food or feed production process are not covered by the definition of food or feed and, therefore, are not included in the scope of this Regulation. Nor are food and feed which are manufactured with the help of a genetically modified processing aid included in the scope of this Regulation. Thus, products obtained from animals fed with genetically modified feed or treated with genetically modified medicinal products will be subject neither to the authorisation requirements nor to the labelling requirements referred to in this Regulation.
- (17) In accordance with Article 153 of the Treaty, the Community is to contribute to promoting the right of consumers to information. In addition to other types of information to the public provided for in this Regulation, the labelling of products enables the consumer to make an informed choice and facilitates fairness of transactions between seller and purchaser.
- (18) Article 2 of Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs⁽⁵⁾ provides that labelling must not mislead the purchaser as to the characteristics of the foodstuff and among other things, in particular, as to its nature, identity, properties, composition, method of production and manufacturing.

⁽¹⁾ OJ L 40, 11.2.1989, p. 27. Directive as amended by Directive 94/34/EC of the European Parliament and of the Council. (OJ L 237, 10.9.1994, p. 1).

⁽²⁾ OJ L 184, 15.7.1988, p. 61. Directive as amended by Commission Directive 91/71/EEC (OJ L 42, 15.2.1991, p. 25).

⁽³⁾ OJ L 213, 21.7.1982, p. 8. Directive as last amended by Directive 1999/20/EC. (OJ L 80, 25.3.1999, p. 20).

⁽⁴⁾ OJ L 270, 14.12.1970, p. 1. Directive as last amended by Regulation (EC) No 1756/2002. (OJ L 265, 3.10.2002, p. 1).

⁽⁵⁾ OJ L 109, 6.3.2000, p. 29. Directive as amended by Commission Directive 2001/101/EC. (OJ L 310, 28.11.2001, p. 19).

Wednesday 2 July 2003

- (19) Additional requirements for the labelling of genetically modified foods are laid down in Regulation (EC) No 258/97, in Council Regulation (EC) No 1139/98 of 26 May 1998 concerning the compulsory indication, on the labelling of certain foodstuffs produced from genetically modified organisms, of particulars other than those provided for in Directive 79/112/EEC ⁽¹⁾ and in Commission Regulation (EC) No 50/2000 of 10 January 2000 on the labelling of foodstuffs and food ingredients containing additives and flavourings that have been genetically modified or have been produced from genetically modified organisms ⁽²⁾.
- (20) Harmonised labelling requirements should be laid down for genetically modified feed to provide final users, in particular livestock farmers, with accurate information on the composition and properties of feed, thereby enabling the user to make an informed choice.
- (21) The labelling should include objective information to the effect that a food or feed consists of, contains or is produced from GMOs. Clear labelling, irrespective of the detectability of DNA or protein resulting from the genetic modification in the final product, meets the demands expressed in numerous surveys by a large majority of consumers, facilitates informed choice and precludes potential misleading of consumers as regards methods of manufacture or production.
- (22) In addition, the labelling should give information about any characteristic or property which renders a food or feed different from its conventional counterpart with respect to composition, nutritional value or nutritional effects, intended use of the food or feed and health implications for certain sections of the population, as well as any characteristic or property which gives rise to ethical or religious concerns.
- (23) Regulation (EC) No .../2003 of the European Parliament and of the Council of .../.../... concerning the traceability and labelling of genetically modified organisms and traceability of food and feed products produced from genetically modified organisms ⁽³⁾ ensures that relevant information concerning any genetic modification is available at each stage of the placing on the market of GMOs and food and feed produced therefrom and should thereby facilitate accurate labelling.
- (24) Despite the fact that some operators avoid using genetically modified food and feed, such material may be present in minute traces in conventional food and feed as a result of adventitious or technically unavoidable presence during seed production, cultivation, harvest, transport or processing. In such cases, this food or feed should not be subject to the labelling requirements of this Regulation. In order to achieve this objective, a threshold should be established for the adventitious or technically unavoidable presence of genetically modified material in foods or feed, both when the marketing of such material is authorised in the Community and when this presence is tolerated by virtue of this Regulation.
- (25) It is appropriate to provide that, when the combined level of adventitious or technically unavoidable presence of genetically modified materials in a food or feed or in one of its components is higher than the set threshold, such presence should be indicated in accordance with this Regulation and that detailed provisions should be adopted for its implementation. The possibility of establishing lower thresholds, in particular for foods and feed containing or consisting of GMOs or in order to take into account advances in science and technology, should be provided for.

⁽¹⁾ OJ L 159, 3.6.1998, p. 4. Regulation as amended by Commission Regulation (EC) No 49/2000 (OJ L 6, 11.1.2000, p. 13).

⁽²⁾ OJ L 6, 11.1.2000, p. 15.

⁽³⁾ OJ L ...

Wednesday 2 July 2003

- (26) It is indispensable that operators strive to avoid any accidental presence of genetically modified material not authorised under Community legislation in food or feed. However, in order to ensure the practicability and feasibility of this Regulation, a specific threshold, with the possibility of establishing lower levels in particular for GMOs sold directly to the final consumer, should be established as a transitional measure for minute traces in food or feed of this genetically modified material, where the presence of such material is adventitious or technically unavoidable and provided that all specific conditions set in this Regulation are met. Directive 2001/18/EC should be amended accordingly. The application of this measure should be reviewed in the context of the general review of the implementation of this Regulation.
- (27) In order to establish that the presence of this material is adventitious or technically unavoidable, operators must be in a position to demonstrate to the competent authorities that they have taken appropriate steps to avoid the presence of the genetically modified food or feed.
- (28) Operators should avoid the unintended presence of GMOs in other products. The Commission should gather information and develop on this basis guidelines on the co-existence of genetically modified, conventional and organic crops. Moreover, the Commission is invited to bring forward, as soon as possible, any further necessary proposal.
- (29) The traceability and labelling of GMOs at all stages of placing on the market, including the possibility of establishing thresholds, is ensured by Directive 2001/18/EC and Regulation (EC) No .../2003.
- (30) It is necessary to establish harmonised procedures for risk assessment and authorisation that are efficient, time-limited and transparent, and criteria for evaluation of the potential risks arising from genetically modified foods and feed.
- (31) In order to ensure a harmonised scientific assessment of genetically modified foods and feed, such assessments should be carried out by the Authority. However, as specific acts or omissions on the part of the Authority under this Regulation could produce direct legal effects on applicants, it is appropriate to provide for the possibility of an administrative review of such acts or omissions.
- (32) It is recognised that, in some cases, scientific risk assessment alone cannot provide all the information on which a risk management decision should be based, and that other legitimate factors relevant to the matter under consideration may be taken into account.
- (33) Where the application concerns products containing or consisting of a genetically modified organism, the applicant should have the choice of either supplying an authorisation for the deliberate release into the environment already obtained under Part C of Directive 2001/18/EC, without prejudice to the conditions set by that authorisation, or of applying for the environmental risk assessment to be carried out at the same time as the safety assessment under this Regulation. In the latter case, it is necessary for the evaluation of the environmental risk to comply with the requirements referred to in Directive 2001/18/EC and for the national competent authorities designated by Member States for this purpose to be consulted by the Authority. In addition, it is appropriate to give the Authority the possibility of asking one of these competent authorities to carry out the environmental risk assessment. It is also appropriate, in accordance with Article 12(4) of Directive 2001/18/EC, for the national competent authorities designated under the said Directive in all cases concerning GMOs and food and/or feed containing or consisting of a GMO to be consulted by the Authority before it finalises the environmental risk assessment.

Wednesday 2 July 2003

- (34) In the case of GMOs to be used as seeds or other plant-propagating materials falling within the scope of this Regulation, the Authority should be under an obligation to delegate the environmental risk assessment to a national competent authority. Nonetheless, authorisations under this Regulation should be without prejudice to the provisions of Directives 68/193/EEC ⁽¹⁾, 2002/53/EC ⁽²⁾ and 2002/55/EC ⁽³⁾, which provide in particular for the rules and the criteria for the acceptance of varieties and their official acceptance for inclusion in common catalogues; nor should they affect the provisions of Directives 66/401/EEC ⁽⁴⁾, 66/402/EEC ⁽⁵⁾, 68/193/EEC, 92/33/EEC ⁽⁶⁾, 92/34/EEC ⁽⁷⁾, 2002/54/EC ⁽⁸⁾, 2002/55/EC, 2002/56/EC ⁽⁹⁾ or 2002/57/EC ⁽¹⁰⁾ which regulate in particular the certification and the marketing of seeds and other plant-propagating materials.
- (35) It is necessary to introduce, where appropriate and on the basis of the conclusions of the risk assessment, post-market monitoring requirements for the use of genetically modified foods for human consumption and for the use of genetically modified feed for animal consumption. In the case of GMOs, a monitoring plan concerning environmental effects is compulsory under Directive 2001/18/EC.
- (36) To facilitate controls on genetically modified food and feed, applicants for authorisation should propose appropriate methods for sampling, identification and detection, and deposit samples of the genetically modified food and feed with the Authority; methods of sampling and detection should be validated, where appropriate, by the Community reference laboratory.
- (37) Technological progress and scientific developments should be taken into account when implementing this Regulation.
- (38) Food and feed falling within the scope of this Regulation which have been lawfully placed on the Community market before the date of application of this Regulation should continue to be allowed on the market, subject to the transmission to the Commission by the operators of information concerning the risk assessment, methods for sampling, identification and detection as appropriate, including the transmission of samples of the food and feed and their control samples within six months after the date of application of this Regulation.
- (39) A register of genetically modified food and feed authorised under this Regulation should be established, including product specific information, studies which demonstrate the safety of the product, including, where available, references to independent and peer-reviewed studies, and to methods for sampling, identification and detection. Non-confidential data should be made available to the public.
- (40) In order to stimulate research and development into GMOs for food and/or feed use, it is appropriate to protect the investment made by innovators in gathering the information and data supporting an application under this Regulation. This protection should however be limited in time in order to avoid the unnecessary repetition of studies and trials which would be against the public interest.

⁽¹⁾ OJ L 93, 17.4.1968, p. 15. Directive as last amended by Directive 2002/11/EC (OJ L 53, 23.2.2002, p. 20).

⁽²⁾ OJ L 193, 20.7.2002, p. 1.

⁽³⁾ OJ L 193, 20.7.2002, p. 33.

⁽⁴⁾ OJ L 125, 11.7.1966, p. 2298. Directive as last amended by Directive 2001/64/EC (OJ L 234, 1.9.2001, p. 60).

⁽⁵⁾ OJ L 125, 11.7.1966, p. 2309. Directive as last amended by Directive 2001/64/EC.

⁽⁶⁾ OJ L 157, 10.6.1992, p. 1. Directive as last amended by Commission Decision 2002/111/EC (OJ L 41, 13.2.2002, p. 43).

⁽⁷⁾ OJ L 157, 10.6.1992, p. 10. Directive as last amended by Commission Decision 2002/112/EC (OJ L 41, 13.2.2002, p. 44).

⁽⁸⁾ OJ L 193, 20.7.2002, p. 12.

⁽⁹⁾ OJ L 193, 20.7.2002, p. 60. Directive amended by Commission Decision 2003/66/EC (OJ L 25, 30.1.2003, p. 42).

⁽¹⁰⁾ OJ L 193, 20.7.2002, p. 74. Directive amended by Directive 2002/68/EC (OJ L 195, 24.7.2002, p. 32).

Wednesday 2 July 2003

- (41) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽¹⁾.
- (42) Provision should be made for consultation of the European Group on Ethics in Science and New Technologies established by Commission Decision of 16 December 1997, or any other appropriate body established by the Commission, with a view to obtaining advice on ethical issues regarding the placing on the market of genetically modified food or feed. Such consultations should be without prejudice to the competence of Member States as regards ethical issues.
- (43) In order to provide a high level of protection of human life and health, animal health and welfare, environment and consumer interests in relation to genetically modified food and feed, requirements arising from this Regulation should apply in a non-discriminatory manner to products originating in the Community and imported from third countries, in accordance with the general principles referred to in Regulation (EC) No 178/2002. The content of this Regulation takes account of the international trade commitments of the European Communities and of the requirements of the Cartagena Protocol on Biosafety to the Convention on Biological Diversity as regards importer obligations and notification.
- (44) Certain instruments of Community law should be repealed and others amended as a result of this Regulation.
- (45) The implementation of this Regulation should be reviewed in the light of experience gained in the short term, and the impact of the application of this Regulation on human and animal health, consumer protection, consumer information and the functioning of the internal market should be monitored by the Commission,

HAVE ADOPTED THIS REGULATION:

CHAPTER I

OBJECTIVE AND DEFINITIONS

Article 1

Objective

The objective of this Regulation, in accordance with the general principles laid down in Regulation (EC) No 178/2002, is to:

- a) provide the basis for ensuring a high level of protection of human life and health, animal health and welfare, environment and consumer interests in relation to genetically modified food and feed, whilst ensuring the effective functioning of the internal market;
- b) lay down Community procedures for the authorisation and supervision of genetically modified food and feed;
- c) lay down provisions for the labelling of genetically modified food and feed.

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

Wednesday 2 July 2003

Article 2
Definitions

For the purposes of this Regulation:

- 1) the definitions of 'food', 'feed', 'final consumer', 'food business' and 'feed business' given in Regulation (EC) No 178/2002 shall apply;
- 2) the definition of 'traceability', laid down in Regulation (EC) No .../2003 of the European Parliament and of the Council of concerning the traceability and labelling of genetically modified organisms and traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC⁽¹⁾, shall apply.
- 3) 'operator' means the natural or legal person responsible for ensuring that the requirements of this Regulation are met within the food businesses or feed businesses under its control;
- 4) the definitions of 'organism', 'deliberate release' and 'environmental risk assessment' referred to in Directive 2001/18/EC shall apply;
- 5) 'genetically modified organism' or 'GMO' means a genetically modified organism as defined in Article 2(2) of Directive 2001/18/EC, excluding organisms obtained through the techniques of genetic modification listed in Annex I B to Directive 2001/18/EC;
- 6) 'genetically modified food' means food containing, consisting of or produced from GMOs;
- 7) 'genetically modified feed' means feed containing, consisting of or produced from GMOs;
- 8) 'genetically modified organism for food use' means a GMO that may be used as food or as a source material for the production of food;
- 9) 'genetically modified organism for feed use' means a GMO that may be used as feed or as a source material for the production of feed;
- 10) 'produced from GMOs' means derived, in whole or in part, from GMOs, but not containing or consisting of GMOs;
- 11) 'control sample' means the GMO or its genetic material (positive sample) and the parental organism or its genetic material that has been used for the purpose of the genetic modification (negative sample);
- 12) 'conventional counterpart' means a similar food or feed produced without the help of genetic modification and for which there is a well-established history of safe use;
- 13) 'ingredient' means 'ingredient' as referred to in Article 6(4) of Directive 2000/13/EC;
- 14) 'placing on the market' means the holding of food or feed for the purpose of sale, including offering for sale, or any other form of transfer, whether free of charge or not, and the sale, distribution and other forms of transfer themselves.

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Wednesday 2 July 2003

- 15) 'pre-packaged food' means any single item for presentation as such consisting of a food and the packaging into which it was put before being offered for sale, whether such packaging encloses the food completely or only partially, provided that the contents cannot be altered without opening or changing the packaging.
- 16) 'mass caterer' means 'mass caterer' as referred to in Article 1 of Directive 2000/13/EC.

CHAPTER II
GENETICALLY MODIFIED FOOD

Section 1
Authorisation and supervision

Article 3
Scope

1. This Section shall apply to:
- (a) GMOs for food use;
 - (b) food containing or consisting of GMOs;
 - (c) food produced from or containing ingredients produced from GMOs.
2. Where necessary, it may be determined in accordance with the procedure referred to in Article 35(2) whether a type of food falls within the scope of this Section.

Article 4
Requirements

1. Food referred to in Article 3(1) must not:
- (a) have adverse effects on human health, animal health or the environment;
 - (b) mislead the consumer;
 - (c) differ from the food which it is intended to replace to such an extent that its normal consumption would be nutritionally disadvantageous for the consumer.
2. No person shall place on the market a GMO for food use or food referred to in Article 3(1) unless it is covered by an authorisation granted in accordance with this Section and the relevant conditions of the authorisation are satisfied.
3. No GMO for food use or food referred to in Article 3(1) shall be authorised unless the applicant for such authorisation has adequately and sufficiently demonstrated that it satisfies the requirements of paragraph 1 of this Article.
4. The authorisation referred to in paragraph 2 may cover:
- (a) a GMO and foods containing or consisting of that GMO as well as foods produced from or containing ingredients produced from that GMO, or

Wednesday 2 July 2003

- (b) food produced from a GMO as well as foods produced from or containing that food;
 - (c) an ingredient produced from a GMO as well as food containing that ingredient.
5. An authorisation as referred to in paragraph 2 shall not be granted, refused, renewed, modified, suspended or revoked except on the grounds and under the procedures set out in this Regulation.
6. The applicant for an authorisation as referred to in paragraph 2 and, after the authorisation is granted, the authorisation-holder or his representative, shall be established in the Community.
7. Authorisation under this Regulation shall be without prejudice to Directive 2002/53/EC, Directive 2002/55/EC and Directive 68/193/EEC.

Article 5

Application for authorisation

1. To obtain the authorisation referred to in Article 4(2), an application shall be submitted in accordance with the following provisions.
2. The application shall be sent to the national competent authority of a Member State.
 - (a) The national competent authority:
 - i) shall acknowledge receipt of the application in writing to the applicant within 14 days of its receipt. The acknowledgement shall state the date of receipt of the application;
 - ii) shall inform without delay the European Food Safety Authority (hereinafter referred to as 'the Authority'); and
 - iii) shall make the application and any supplementary information supplied by the applicant available to the Authority.
 - (b) The Authority
 - i) shall inform without delay the other Member States and the Commission of the application and shall make the application and any supplementary information supplied by the applicant available to them;
 - ii) shall make the summary of the dossier referred to in paragraph 3(1) available to the public.
3. The application shall be accompanied by the following:
 - (a) the name and the address of the applicant;
 - (b) the designation of the food, and its specification, including the transformation event(s) used;
 - (c) where applicable, the information to be provided for the purpose of complying with Annex II to the Cartagena Protocol on Biosafety to the Convention on Biological Diversity (hereinafter referred to as the 'Cartagena Protocol');
 - (d) where applicable, a detailed description of the method of production and manufacturing;
 - (e) a copy of the studies, including, where available, independent, peer-reviewed studies, which have been carried out and any other material which is available to demonstrate that the food complies with the criteria referred to in Article 4(1);
 - (f) either an analysis, supported by appropriate information and data, showing that the characteristics of the food are not different from those of its conventional counterpart, having regard to the accepted limits of natural variations for such characteristics and to the criteria specified in Article 13(2)(a), or a proposal for labelling the food in accordance with Article 13(2)(a) and (3);

Wednesday 2 July 2003

- (g) either a reasoned statement that the food does not give rise to ethical or religious concerns, or a proposal for labelling it in accordance with Article 13(2)(b);
- (h) where appropriate, the conditions for placing on the market the food or foods produced from it, including specific conditions for use and handling;
- (i) methods for detection, sampling (including references to existing official or standardised sampling methods) and identification of the transformation event and, where applicable, for the detection and identification of the transformation event in the food and/or in foods produced from it;
- (j) samples of the food and their control samples, and information as to the place where the reference material can be accessed;
- (k) where appropriate, a proposal for post-market monitoring regarding use of the food for human consumption;
- (l) a summary of the dossier in a standardised form.

4. In the case of an application relating to a GMO for food use, references to 'food' in paragraph 3 shall be interpreted as referring to food containing, consisting of or produced from the GMO in respect of which an application is made.

5. In the case of GMOs or food containing or consisting of GMOs, the application shall also be accompanied by:

- (a) the complete technical dossier supplying the information required by Annexes III and IV to Directive 2001/18/EC and information and conclusions about the risk assessment carried out in accordance with the principles set out in Annex II to Directive 2001/18/EC or, where the placing on the market of the GMO has been authorised under Part C of Directive 2001/18/EC, a copy of the authorisation decision;
- (b) a monitoring plan for environmental effects conforming with Annex VII to Directive 2001/18/EC, including a proposal for the duration of the monitoring plan; this duration may be different from the proposed period for the consent.

In such case, Articles 13 to 24 of Directive 2001/18/EC shall not apply.

6. Where the application concerns a substance, the use and placing on the market of which is subject, under other provisions of Community law, to its inclusion on a list of substances registered or authorised to the exclusion of others, this must be stated in the application and the status of the substance under the relevant legislation must be indicated.

7. The Commission, having first consulted the Authority, shall establish, in accordance with the procedure referred to in Article 35(2), implementing rules for the application of this Article, including rules concerning the preparation and the presentation of the application.

8. Before the date of application of this Regulation, the Authority shall publish detailed guidance to assist the applicant in the preparation and the presentation of the application.

Article 6

Opinion of the Authority

1. In giving its opinion, the Authority shall endeavour to respect a time limit of six months as from the receipt of a valid application. Such time limit shall be extended whenever the Authority seeks supplementary information from the applicant as provided for in paragraph 2.

Wednesday 2 July 2003

2. The Authority or a national competent authority through the Authority may, where appropriate, request the applicant to supplement the particulars accompanying the application within a specific time limit.
3. In order to prepare its opinion the Authority:
 - (a) shall verify that the particulars and documents submitted by the applicant are in accordance with Article 5, and examine whether the food complies with the criteria referred to in Article 4(1);
 - (b) may ask the appropriate food assessment body of a Member State to carry out a safety assessment of the food in accordance with Article 36 of Regulation (EC) No 178/2002;
 - (c) may ask a competent authority designated in accordance with Article 4 of Directive 2001/18/EC to carry out an environmental risk assessment; however, if the application concerns GMOs to be used as seeds or other plant-propagating material, the Authority shall ask a national competent authority to carry out the environmental risk assessment;
 - (d) shall forward to the Community reference laboratory referred to in Article 32 the particulars referred to in Article 5(3)(i) and (j). The Community reference laboratory shall test and validate the method of detection and identification proposed by the applicant;
 - (e) shall, in verifying the application of Article 13(2)(a), examine the information and data submitted by the applicant to show that the characteristics of the food are not different from those of its conventional counterpart, having regard to the accepted limits of natural variations for such characteristics.
4. In the case of GMOs or food containing or consisting of GMOs, the environmental safety requirements referred to in Directive 2001/18/EC shall apply to the evaluation to ensure that all appropriate measures are taken to prevent the adverse effects on human and animal health and the environment which might arise from the deliberate release of GMOs. During evaluation of requests for the placing on the market of products consisting of or containing GMOs, the national competent authority within the meaning of Directive 2001/18/EC designated by each Member State for this purpose shall be consulted by the Authority. The competent authorities shall have three months after the date of receiving the request within which to make their opinion known.
5. In the event of an opinion in favour of authorising the food, the opinion shall also include the following particulars:
 - (a) the name and address of the applicant;
 - (b) the designation of the food, and its specification;
 - (c) where applicable, the information required under Annex II to the Cartagena Protocol;
 - (d) the proposal for the labelling of the food and/or foods produced from it;
 - (e) where applicable, any conditions or restrictions which should be imposed on the placing on the market and/or specific conditions or restrictions for use and handling, including post-market monitoring requirements based on the outcome of the risk assessment and, in the case of GMOs or food containing or consisting of GMOs, conditions for the protection of particular ecosystems/environment and/or geographical areas;
 - (f) the method, validated by the Community reference laboratory, for detection, including sampling, identification of the transformation event and, where applicable, for the detection and identification of the transformation event in the food and/or in foods produced from it; an indication of where appropriate reference material can be accessed;

Wednesday 2 July 2003

(g) where appropriate, the monitoring plan referred to in Article 5(5)(b).

6. The Authority shall forward its opinion to the Commission, the Member States and the applicant, including a report describing its assessment of the food and stating the reasons for its opinion and the information on which this opinion is based, including the opinions of the competent authorities when consulted in accordance with paragraph 4.

7. The Authority, in conformity with Article 38(1) of Regulation (EC) No 178/2002, shall make its opinion public, after deletion of any information identified as confidential in accordance with Article 30 of this Regulation. The public may make comments to the Commission within 30 days from such publication.

Article 7

Authorisation

1. Within three months after receiving the opinion of the Authority, the Commission shall submit to the Committee referred in Article 35 a draft of the decision to be taken in respect of the application, taking into account the opinion of the Authority, any relevant provisions of Community law and other legitimate factors relevant to the matter under consideration. Where the draft decision is not in accordance with the opinion of the Authority, the Commission shall provide an explanation for the differences.

2. Any draft decision which envisages the granting of authorisation shall include the particulars referred to in Article 6(5), the name of the authorisation-holder and, where appropriate, the unique identifier attributed to the GMO as referred to in the Regulation (EC) No .../2003 (*).

3. A final decision on the application shall be adopted in accordance with the procedure referred to in Article 35(2).

4. The Commission shall without delay inform the applicant of the decision taken and publish details of the decision in the Official Journal of the European Union.

5. The authorisation granted in accordance with the procedure referred to in this Regulation shall be valid throughout the Community for ten years and shall be renewable in accordance with Article 11. The authorised food shall be entered in the Register referred to in Article 28. Each entry in the Register shall mention the date of authorisation and shall include the particulars referred to in paragraph 2.

6. The authorisation under this Section shall be without prejudice to other provisions of Community law governing the use and placing on the market of substances which may only be used if they are included in a list of substances registered or authorised to the exclusion of others.

7. The granting of authorisation shall not lessen the general civil and criminal liability of any food operator in respect of the food concerned.

8. References made in Parts A and D of Directive 2001/18/EC to GMOs authorised under Part C of that Directive shall be considered as applying equally to GMOs authorised under this Regulation.

(*) GMO Traceability Regulation.

Wednesday 2 July 2003

Article 8

Status of existing products

1. By way of derogation from Article 4(2), products falling within the scope of this Section which have been lawfully placed on the market in the Community before the date of application of this Regulation may continue to be placed on the market, used and processed provided that the following conditions are met:

- (a) in the case of products placed on the market under Directive 90/220/EEC before the entry into force of Regulation (EC) No 258/97 or in accordance with the provisions referred to in Regulation (EC) No 258/97, operators responsible for placing on the market the products concerned shall, within six months after the date of application of this Regulation, notify the Commission of the date on which they were first placed on the market in the Community;
- (b) in the case of products which have been lawfully placed on the market in the Community but are not covered by point (a), operators responsible for placing on the market the products concerned shall, within six months after the date of application of this Regulation, notify the Commission that the products were placed on the market in the Community before the date of application of this Regulation.

2. The notification referred to in paragraph 1 shall be accompanied by the particulars mentioned in Article 5(3) and (5), as appropriate, which the Commission shall forward to the Authority and the Member States. The Authority shall forward to the Community reference laboratory the particulars referred to in Article 5(3)(i) and (j). The Community reference laboratory shall test and validate the method of detection and identification proposed by the applicant.

3. Within one year from the date of application of this Regulation and after verification that all the information required has been submitted and examined, the products concerned shall be entered in the Register. Each entry in the Register shall include the particulars referred to in Article 7(2) as appropriate and, in the case of the products referred to in paragraph 1(a), shall mention the date on which the products concerned were first placed on the market.

4. Within nine years from the date on which the products referred to in paragraph 1(a) were first placed on the market, but in no case earlier than three years after the date of application of this Regulation, operators responsible for placing them on the market shall submit an application in accordance with Article 11, which shall apply *mutatis mutandis*.

Within three years from the date of application of this Regulation, operators responsible for placing on the market products referred to in paragraph 1(b) shall submit an application in accordance with Article 11, which shall apply *mutatis mutandis*.

5. Products referred to in paragraph 1 and food containing them or produced from them shall be subject to the provisions of this Regulation, in particular Articles 9, 10 and 34, which shall apply *mutatis mutandis*.

6. Where the notification and accompanying particulars referred to in paragraphs 1 and 2 are not supplied within the period specified or are found to be incorrect, or where an application is not submitted as required by paragraph 4 within the period specified, the Commission, acting in accordance with the procedure referred to in Article 35(2), shall adopt a measure requiring the product concerned and any products derived from it to be withdrawn from the market. Such a measure may provide for a limited period of time within which existing stocks of the product may be used up.

7. In the case of authorisations not issued to a specific holder, the operator who imports, produces or manufactures the products referred to in this Article shall submit the information or the application to Commission.

8. Detailed rules for implementing this Article shall be adopted in accordance with the procedure referred to in Article 35(2).

Wednesday 2 July 2003

Article 9

Supervision

1. After an authorisation has been issued in accordance with this Regulation, the authorisation-holder and parties concerned shall comply with any conditions or restrictions which have been imposed in the authorisation and shall in particular make sure that products not covered by the authorisation are not placed on the market as food or feed. Where post-market monitoring as referred to in Article 5(3)(k) and/or monitoring as referred to in Article 5(5)(b) has been imposed on the authorisation-holder, the authorisation-holder shall ensure that it is carried out and shall submit reports to the Commission in accordance with the terms of the authorisation. The monitoring reports referred to shall be made accessible to the public after deletion of any information identified as confidential in accordance with Article 30.
2. If the authorisation-holder proposes to modify the terms of the authorisation, the authorisation-holder shall submit an application in accordance with Article 5(2). Articles 5, 6 and 7 shall apply *mutatis mutandis*.
3. The authorisation-holder shall forthwith inform the Commission of any new scientific or technical information which might influence the evaluation of the safety in use of the food. In particular, the authorisation-holder shall forthwith inform the Commission of any prohibition or restriction imposed by the competent authority of any third country in which the food is placed on the market.
4. The Commission shall make the information supplied by the applicant available to the Authority and the Member States without delay.

Article 10

Modification, suspension and revocation of authorisations

1. On its own initiative or following a request from a Member State or from the Commission, the Authority shall issue an opinion on whether an authorisation for a product referred to in Article 3(1) still meets the conditions set by this Regulation. It shall forthwith transmit this opinion to the Commission, the authorisation-holder and the Member States. The Authority, in conformity with Article 38(1) of Regulation (EC) No 178/2002, shall make its opinion public, after deletion of any information identified as confidential in accordance with Article 30 of this Regulation. The public may make comments to the Commission within 30 days from such publication.
2. The Commission shall examine the opinion of the Authority as soon as possible. Any appropriate measures shall be taken in accordance with Article 34. If appropriate, the authorisation shall be modified, suspended or revoked in accordance with the procedure referred to in Article 7.
3. Articles 5(2), 6 and 7 shall apply *mutatis mutandis*.

Article 11

Renewal of authorisations

1. Authorisations under this Regulation shall be renewable for ten-year periods, on application to the Commission by the authorisation-holder at the latest one year before the expiry date of the authorisation.
2. The application shall be accompanied by the following:
 - (a) a copy of the authorisation for placing the food on the market;
 - (b) a report on the results of the monitoring, if so specified in the authorisation;

Wednesday 2 July 2003

- (c) any other new information which has become available with regard to the evaluation of the safety in use of the food and the risks of the food to the consumer or the environment;
- (d) where appropriate, a proposal for amending or complementing the conditions of the original authorisation, inter alia the conditions concerning future monitoring.

3. Articles 5(2), 6 and 7 shall apply mutatis mutandis.

4. Where, for reasons beyond the control of the authorisation-holder, no decision is taken on the renewal of an authorisation before its expiry date, the period of authorisation of the product shall automatically be extended until a decision is taken.

5. The Commission, having first consulted the Authority, may establish, in accordance with the procedure referred to in Article 35(2), implementing rules for the application of this Article, including rules concerning the preparation and the presentation of the application.

6. The Authority shall publish detailed guidance to assist the applicant in the preparation and the presentation of its application.

SECTION 2

Labelling

Article 12

Scope

1. This Section shall apply to foods which are to be delivered as such to the final consumer or mass caterers in the Community and which:

- (a) contain or consist of GMOs, or
- (b) are produced from or contain ingredients produced from GMOs.

2. This Section shall not apply to foods containing material which contains, consists of or is produced from GMOs in a proportion no higher than 0,9 per cent of the food ingredients considered individually or food consisting of a single ingredient, provided that this presence is adventitious or technically unavoidable.

3. In order to establish that the presence of this material is adventitious or technically unavoidable, operators must be in a position to supply evidence to satisfy the competent authorities that they have taken appropriate steps to avoid the presence of such material.

4. Appropriate lower thresholds may be established in accordance with the procedure referred to in Article 35(2) in particular in respect of foods containing or consisting of GMOs or in order to take into account advances in science and technology.

Article 13

Requirements

1. Without prejudice to the other requirements of Community law concerning the labelling of foodstuffs, foods falling within the scope of this Section shall be subject to the following specific labelling requirements:

- (a) where the food consists of more than one ingredient, the words 'genetically modified' or 'produced from genetically modified [name of the ingredient]' shall appear in the list of ingredients provided for in Article 6 of Directive 2000/13/EC in parentheses immediately following the ingredient concerned;

Wednesday 2 July 2003

- (b) where the ingredient is designated by the name of a category, the words 'contains genetically modified [name of organism]' or 'contains [name of ingredient] produced from genetically modified [name of organism]' shall appear in the list of ingredients;
- (c) where there is no list of ingredients, the words 'genetically modified' or 'produced from genetically modified [name of organism]' shall appear clearly on the labelling;
- (d) the indications referred to in (a) and (b) may appear in a footnote to the list of ingredients. In this case they shall be printed in a font of at least the same size as the list of ingredients. Where there is no list of ingredients, they shall appear clearly on the labelling;
- (e) where the food is offered for sale to the final consumer as non-pre-packaged food, or as pre-packaged food in small containers of which the largest surface has an area of less than 10 cm², the information required under this paragraph must be permanently and visibly displayed either on the food display or immediately next to it, or on the packaging material, in a font sufficiently large for it to be easily identified and read.

2. In addition to the labelling requirements referred to in paragraph 1, the labelling shall also mention any characteristic or property, as specified in the authorisation, in the following cases:

- (a) where a food is different from its conventional counterpart as regards the following characteristics or properties:
 - i) composition;
 - ii) nutritional value or nutritional effects;
 - iii) intended use of the food;
 - iv) implications for the health of certain sections of the population,
- (b) where a food may give rise to ethical or religious concerns.

3. In addition to the labelling requirements referred to in paragraph 1 and as specified in the authorisation, the labelling of foods falling within the scope of this Section which do not have a conventional counterpart shall contain appropriate information about the nature and the characteristics of the foods concerned.

Article 14

Implementing measures

1. Detailed rules for implementing this Section, amongst other things regarding the measures necessary for operators to comply with the labelling requirements, may be adopted in accordance with the procedure referred to in Article 35(2).

2. Specific rules concerning the information to be given by mass caterers providing food to the final consumer may be adopted in accordance with the procedure referred to in Article 35(2). In order to take into account the specific situation of mass caterers, such rules may provide for adaptation of the requirements of Article 13(1)(e).

Wednesday 2 July 2003

CHAPTER III
GENETICALLY MODIFIED FEED

SECTION 1
Authorisation and Supervision

Article 15
Scope

1. This Section shall apply to:
 - (a) GMOs for feed use;
 - (b) feed containing or consisting of GMOs;
 - (c) feed produced from GMOs.
2. Where necessary, it may be determined in accordance with the procedure referred to in Article 35(2) whether a type of feed falls within the scope of this Section.

Article 16
Requirements

1. Feed referred to in Article 15(1) must not:
 - (a) have adverse effects on human health, animal health or the environment;
 - (b) mislead the user;
 - (c) harm or mislead the consumer by impairing the distinctive features of the animal products;
 - (d) differ from feed which it is intended to replace to such an extent that its normal consumption would be nutritionally disadvantageous for animals or humans.
2. No person shall place on the market, use or process a product referred to in Article 15(1) unless it is covered by an authorisation granted in accordance with this Section and the relevant conditions of the authorisation are satisfied.
3. No product referred to in Article 15(1) shall be authorised unless the applicant for such authorisation has adequately and sufficiently demonstrated that it satisfies the requirements of paragraph 1 of this Article.
4. The authorisation referred to in paragraph 2 may cover:
 - (a) a GMO and feed containing or consisting of that GMO as well as feed produced from that GMO, or
 - (b) feed produced from a GMO as well as feeds produced from or containing that feed.
5. An authorisation as referred to in paragraph 2 shall not be granted, refused, renewed, modified, suspended or revoked except on the grounds and under the procedures set out in this Regulation.
6. The applicant for an authorisation as referred to in paragraph 2 and, after the authorisation is granted, the authorisation-holder or his representative, shall be established in the Community.
7. Authorisation under this Regulation shall be without prejudice to Directive 2002/53/EC, Directive 2002/55/EC and Directive 68/193/EEC.

Article 17

Application for authorisation

1. To obtain the authorisation referred to in Article 16(2), an application shall be submitted in accordance with the following provisions.
2. The application shall be sent to the national competent authority of a Member State.
 - (a) The national competent authority:
 - i) shall acknowledge receipt of the application in writing to the applicant within 14 days of its receipt. The acknowledgement shall state the date of receipt of the application;
 - ii) shall inform the Authority without delay; and
 - iii) shall make the application and any supplementary information supplied by the applicant available to the Authority.
 - (b) The Authority:
 - i) shall inform without delay the other Member States and the Commission of the application and shall make the application and any supplementary information supplied by the applicant available to them;
 - ii) shall make the summary of the dossier referred to in paragraph 3(1) available to the public.
3. The application shall be accompanied by the following:
 - (a) the name and the address of the applicant;
 - (b) the designation of the feed and its specification, including the transformation event(s) used;
 - (c) where applicable, the information to be provided for the purpose of complying with Annex II to the Cartagena Protocol;
 - (d) where applicable, a detailed description of the method of production and manufacturing and intended uses of the feed;
 - (e) a copy of the studies including, where available, independent, peer-reviewed studies, which have been carried out and any other material which is available to demonstrate that the feed complies with the criteria referred to in Article 16(1), and, in particular for feed falling within the scope of Council Directive 82/471/EEC of 30 June 1982 concerning certain products used in animal nutrition ⁽¹⁾, the information required under Council Directive 83/228/EEC of 18 April 1983 on the fixing of guidelines for the assessment of certain products used in animal nutrition ⁽²⁾;
 - (f) either an analysis, supported by appropriate information and data, showing that the characteristics of the feed are not different from those of its conventional counterpart, having regard to the accepted limits of natural variations for such characteristics and to the criteria specified in Article 25(2)(c), or a proposal for labelling the feed in accordance with Article 25(2)(c) and (3);
 - (g) either a reasoned statement that the feed does not give rise to ethical or religious concerns, or a proposal for labelling it in accordance with Article 25(2)(d);
 - (h) where appropriate, the conditions for placing the feed on the market, including specific conditions for use and handling;

⁽¹⁾ OJ L 213, 21.7.1982, p. 8. Directive as last amended by Directive 1999/20/EC (OJ L 80, 25.3.1999, p. 20).

⁽²⁾ OJ L 126, 13.5.1983, p. 23.

Wednesday 2 July 2003

- (i) methods for detection, sampling (including references to existing official or standardised sampling methods) and identification of the transformation event and, where applicable, for the detection and identification of the transformation event in the feed and/or in the feed produced from it;
 - (j) samples of the feed and their control samples and information as to the place where the reference material can be accessed;
 - (k) where appropriate, a proposal for post-market monitoring for the use of the feed for animal consumption;
 - (l) a summary of the dossier in a standardised form.
4. In the case of an application relating to a GMO for feed use, references to 'feed' in paragraph 3 shall be interpreted as referring to feed containing, consisting of or produced from the GMO in respect of which an application is made.
5. In the case of GMOs or feed containing or consisting of GMOs, the application shall also be accompanied by:
- (a) the complete technical dossier supplying the information required by Annexes III and IV to Directive 2001/18/EC and information and conclusions about the risk assessment carried out in accordance with the principles set out in Annex II to Directive 2001/18/EC or, where the placing on the market of the GMOs has been authorised under Part C of Directive 2001/18/EC, a copy of the authorisation decision;
 - (b) a monitoring plan for environmental effects conforming with Annex VII to Directive 2001/18/EC, including a proposal for the duration of the monitoring plan; this duration may be different from the proposed period for the consent.

In such case, Articles 13 to 24 of Directive 2001/18/EC shall not apply.

6. Where the application concerns a substance, the use and placing on the market of which is subject under other provisions of Community law to its inclusion on a list of substances registered or authorised to the exclusion of others, this must be stated in the application and the status of the substance under the relevant legislation must be indicated.

7. The Commission, having first consulted the Authority, shall establish, in accordance with the procedure referred to in Article 35(2), implementing rules for the application of this Article, including rules concerning the preparation and the presentation of the application.

8. Before the date of application of this Regulation, the Authority shall publish detailed guidance to assist the applicant in the preparation and the presentation of the application.

Article 18

Opinion of the Authority

1. In giving its opinion, the Authority shall endeavour to comply with a time limit of six months as from the receipt of a valid application. Such time limit shall be extended whenever the Authority seeks supplementary information from the applicant as provided in paragraph 2.

2. The Authority or a national competent authority through the Authority may, where appropriate, request the applicant to supplement the particulars accompanying the application within a specific time limit.

3. In order to prepare its opinion, the Authority:

- (a) shall verify that the particulars and documents submitted by the applicant are in accordance with Article 17, and examine whether the feed complies with the criteria laid down in Article 16(1);

Wednesday 2 July 2003

- (b) may ask the appropriate feed assessment body of a Member State to carry out a safety assessment of the feed in accordance with Article 36 of Regulation (EC) No 178/2002;
- (c) may ask a competent authority designated in accordance with Article 4 of Directive 2001/18/EC to carry out an environmental risk assessment; however, if the application concerns GMOs to be used as seeds or other plant-propagating material, the Authority shall ask a national competent authority to carry out the environmental risk assessment;
- (d) shall forward to the Community reference laboratory the particulars referred to in Article 17(3)(i) and (j). The Community reference laboratory shall test and validate the method of detection and identification proposed by the applicant;
- (e) shall, in verifying the application of Article 25(2)(c), examine the information and data submitted by the applicant to show that the characteristics of the feed are not different from those of its conventional counterpart, having regard to the accepted limits of natural variations for such characteristics.

4. In the case of GMOs or feed containing or consisting of GMOs, the environmental safety requirements referred to in Directive 2001/18/EC shall apply to the evaluation to ensure that all appropriate measures are taken to prevent the adverse effects on human and animal health and the environment which might arise from the deliberate release of GMOs. During evaluation of requests for the placing on the market of products consisting of or containing GMOs, the national competent authority within the meaning of Directive 2001/18/EC, designated by each Member State for this purpose shall be consulted by the Authority. The competent authorities shall have three months after the date of receiving the request within which to make their opinion known.

5. In the event of an opinion in favour of authorising the feed, the opinion shall also include the following particulars:

- (a) the name and address of the applicant;
- (b) the designation of the feed, and its specification;
- (c) where applicable, the information required under Annex II to the Cartagena Protocol;
- (d) the proposal for the labelling of the feed;
- (e) where applicable, any conditions or restrictions which should be imposed on the placing on the market and/or specific conditions or restrictions for use and handling, including post-market monitoring requirements based on the outcome of the risk assessment and, in the case of GMOs or feed containing or consisting of GMOs, conditions for the protection of particular ecosystems/environment and/or geographical areas;
- (f) the method, validated by the Community reference laboratory, for detection, including sampling, identification of the transformation event and, where applicable, for the detection and identification of the transformation event in the feed and/or in feed produced from it; an indication of where appropriate reference material can be accessed;
- (g) where appropriate, the monitoring plan as referred to in Article 17(5)(b).

6. The Authority shall forward its opinion to the Commission, the Member States and the applicant, including a report describing its assessment of the feed and stating the reasons for its opinion and the information on which this opinion is based, including the opinions of the competent authorities when consulted in accordance with paragraph 4.

Wednesday 2 July 2003

7. The Authority, in conformity with Article 38(1) of Regulation (EC) No 178/2002, shall make its opinion public, after deletion of any information identified as confidential in accordance with Article 30 of this Regulation. The public may make comments to the Commission within 30 days from such publication.

Article 19

Authorisation

1. Within three months after receiving the opinion of the Authority, the Commission shall submit to the Committee referred in Article 35 a draft of the decision to be taken in respect of the application, taking into account the opinion of the Authority, any relevant provisions of Community law and other legitimate factors relevant to the matter under consideration. Where the draft decision is not in accordance with the opinion of the Authority, the Commission shall provide an explanation for the differences.

2. Any draft decision which envisages the granting of authorisation shall include the particulars referred to in Article 18(5), the name of the authorisation-holder and, where appropriate, the unique identifier attributed to the GMO as referred to in Regulation (EC) No .../2003 (*).

3. A final decision on the application shall be adopted in accordance with the procedure referred to in Article 35(2).

4. The Commission shall without delay inform the applicant of the decision taken and publish details of the decision in the Official Journal of the European Union.

5. The authorisation granted in accordance with the procedure referred to in this Regulation shall be valid throughout the Community for ten years and shall be renewable in accordance with Article 23. The authorised feed shall be entered in the Register referred to in Article 28. Each entry in the Register shall mention the date of authorisation and shall include the particulars referred to in paragraph 2.

6. The authorisation under this Section shall be without prejudice to other provisions of Community law governing the use and placing on the market of substances which may only be used if they are included in a list of substances registered or authorised to the exclusion of others.

7. The granting of authorisation shall not lessen the general civil and criminal liability of any feed operator in respect of the feed concerned.

8. References made in Parts A and D of Directive 2001/18/EC to GMOs authorised under Part C of that Directive shall be considered as applying equally to GMOs authorised under this Regulation.

Article 20

Status of existing products

1. By way of derogation from Article 16(2), products falling within the scope of this Section which have been lawfully placed on the market in the Community before the date of application of this Regulation may continue to be placed on the market, used and processed provided that the following conditions are met:

- (a) in the case of products which have been authorised under Directives 90/220/EEC or 2001/18/EC, including use as feed, under Directive 82/471/EEC, which are produced from GMOs, or under Directive 70/524/EEC, which contain, consist of or are produced from GMOs, operators responsible for placing on the market the products concerned shall, within six months after the date of application of this Regulation, notify the Commission of the date on which they were first placed on the market in the Community;

(*) GMO Traceability Regulation.

Wednesday 2 July 2003

(b) in the case of products which have been lawfully placed on the market in the Community but which are not referred to in point (a), operators responsible for placing on the market in the Community the products concerned shall, within six months after the date of application of this Regulation, notify the Commission that the products were placed on the market in the Community before the date of application of this Regulation.

2. The notification referred to in paragraph 1 shall be accompanied by the particulars mentioned in Article 17(3) and (5), as appropriate, which the Commission shall forward to the Authority and the Member States. The Authority shall forward to the Community reference laboratory the particulars referred to in Article 17(3)(i) and (j). The Community reference laboratory shall test and validate the method of detection and identification proposed by the applicant.

3. Within one year from the date of application of this Regulation and after verification that all the information required has been submitted and examined, the products concerned shall be entered in the Register. Each entry in the Register shall include the particulars referred to in Article 19(2) as appropriate and, in the case of the products referred to in paragraph 1(a), shall mention the date on which the products concerned were first placed on the market.

4. Within nine years from the date on which the products referred to in paragraph 1(a) were first placed on the market, but in no case earlier than three years after the date of application of this Regulation, operators responsible for placing them on the market shall submit an application in accordance with Article 23, which shall apply *mutatis mutandis*.

Within three years from the date of application of this Regulation, operators responsible for placing on the market products referred to in paragraph 1(b) shall submit an application in accordance with Article 23, which shall apply *mutatis mutandis*.

5. Products referred to in paragraph 1 and feed containing them or produced from them shall be subject to the provisions of this Regulation, in particular Articles 21, 22 and 34, which shall apply *mutatis mutandis*.

6. Where the notification and accompanying particulars referred to in paragraphs 1 and 2 are not supplied within the period specified or are found to be incorrect, or where an application is not submitted as required by paragraph 4 within the period specified, the Commission, acting in accordance with the procedure laid down in Article 35(2), shall adopt a measure requiring the product concerned and any products derived from it to be withdrawn from the market. Such a measure may provide for a limited period of time within which existing stocks of the product may be used up.

7. In the case of authorisations not issued to a specific holder, the operator who imports, produces or manufactures the products referred to in this Article shall submit the information or the application to the Commission.

8. Detailed rules for implementing this Article shall be adopted in accordance with the procedure referred to in Article 35(2).

Article 21

Supervision

1. After an authorisation has been issued in accordance with this Regulation, the authorisation-holder and the parties concerned shall comply with any conditions or restrictions which have been imposed in the authorisation and shall in particular make sure that products not covered by the authorisation are not placed on the market as food or feed. Where post-market monitoring as referred to in Article 17(3)(k) and/or monitoring as referred to in Article 17(5)(b) has been imposed on the authorisation-holder, the authorisation-holder shall ensure that it is carried out and shall submit reports to the Commission in accordance with the terms of the authorisation. The monitoring reports referred to shall be made accessible to the public after deletion of any information identified as confidential in accordance with Article 30.

Wednesday 2 July 2003

2. If the authorisation-holder proposes to modify the terms of the authorisation, the authorisation-holder shall submit an application in accordance with Article 17(2). Articles 17, 18 and 19 shall apply *mutatis mutandis*.

3. The authorisation-holder shall forthwith inform the Commission of any new scientific or technical information which might influence the evaluation of the safety in use of the feed. In particular, the authorisation-holder shall forthwith inform the Commission of any prohibition or restriction imposed by the competent Authority of any third country in which the feed is placed on the market.

4. The Commission shall make the information supplied by the applicant available to the Authority and the Member States without delay.

Article 22

Modification, suspension and revocation of authorisations

1. On its own initiative or following a request from a Member State or from the Commission, the Authority shall issue an opinion on whether an authorisation for a product referred to in Article 15(1) still meets the conditions set by this Regulation. It shall forthwith transmit this opinion to the Commission, the authorisation-holder and the Member States. The Authority, in conformity with Article 38(1) of Regulation (EC) No 178/2002, shall make its opinion public, after deletion of any information identified as confidential in accordance with Article 30 of this Regulation. The public may make comments to the Commission within 30 days from such publication.

2. The Commission shall examine the opinion of the Authority as soon as possible. Any appropriate measures shall be taken in accordance with Article 34. If appropriate, the authorisation shall be modified, suspended or revoked in accordance with the procedure referred to in Article 19.

3. Articles 17(2), 18 and 19 shall apply *mutatis mutandis*.

Article 23

Renewal of authorisations

1. Authorisations under this Regulation shall be renewable for ten-year periods, on application to the Commission by the authorisation-holder at the latest one year before the expiry date of the authorisation.

2. The application shall be accompanied by the following particulars and documents:

(a) a copy of the authorisation for placing the feed on the market;

(b) a report on the results of the monitoring, if so specified in the authorisation;

(c) any other new information which has become available with regard to the evaluation of the safety in use of the feed and the risks of the feed to animals, humans or the environment;

(d) where appropriate, a proposal for amending or complementing the conditions of the original authorisation, *inter alia* the conditions concerning future monitoring.

3. Articles 17(2), 18 and 19 shall apply *mutatis mutandis*.

4. Where, for reasons beyond the control of the authorisation-holder, no decision is taken on the renewal of an authorisation before its expiry date, the period of authorisation of the product shall automatically be extended until a decision is taken.

5. The Commission, having first consulted the Authority, may establish, in accordance with the procedure referred to in Article 35(2), implementing rules for the application of this Article, including rules concerning the preparation and the presentation of the application.

Wednesday 2 July 2003

6. The Authority shall publish detailed guidance to assist the applicant in the preparation and the presentation of its application.

Section 2

Labelling

Article 24

Scope

1. This Section shall apply to feed referred to in Article 15(1).
2. This Section shall not apply to feed containing material which contains, consists of or is produced from GMOs in a proportion no higher than 0,9 per cent of the feed and of each feed of which it is composed, provided that this presence is adventitious or technically unavoidable.
3. In order to establish that the presence of this material is adventitious or technically unavoidable, operators must be in a position to supply evidence to satisfy the competent authorities that they have taken appropriate steps to avoid the presence of such materials.
4. Appropriate lower thresholds may be established in accordance with the procedure referred to in Article 35(2) in particular in respect of feed containing or consisting of GMOs or in order to take into account advances in science and technology.

Article 25

Requirements

1. Without prejudice to the other requirements of Community law concerning the labelling of feed, feed referred to in Article 15(1) shall be subject to the specific labelling requirements laid down below.
2. No person shall place a feed referred to in Article 15(1) on the market unless the particulars specified below are shown, in a clearly visible, legible and indelible manner, on an accompanying document or, where appropriate, on the packaging, on the container or on a label attached thereto.

Each feed of which a particular feed is composed shall be subject to the following rules:

- (a) for the feeds referred to in Article 15(1) (a) and (b), the words 'genetically modified [name of the organism]' shall appear in parentheses immediately following the specific name of the feed;

Alternatively, these words may appear in a footnote to the list of feed. It shall be printed in a font of at least the same size as the list of feed.

- (b) for the feed referred to in Article 15(1)(c), the words 'produced from genetically modified [name of the organism]' shall appear in parentheses immediately following the specific name of the feed;

Alternatively, these words may appear in a footnote to the list of feed. It shall be printed in a font of at least the same size as the list of feed.

Wednesday 2 July 2003

(c) as specified in the authorisation, any characteristic of the feed referred to in Article 15(1) such as those indicated hereunder, which is different from its conventional counterpart:

- i) composition;
- ii) nutritional properties;
- iii) intended use;
- iv) implications for the health of certain species or categories of animals.

(d) as specified in the authorisation, any characteristic or property where a feed may give rise to ethical or religious concerns.

3. In addition to the requirements referred to in paragraph 2(a) and (b) and as specified in the authorisation, the labelling or accompanying documents of feed falling within the scope of this Section which does not have a conventional counterpart shall contain appropriate information about the nature and the characteristics of the feed concerned.

Article 26

Implementing measures

Detailed rules for implementing this Section, amongst other things regarding the measures necessary for operators to comply with the labelling requirements, may be adopted in accordance with the procedure referred to in Article 35(2).

CHAPTER IV

COMMON PROVISIONS

Article 27

Products likely to be used as both food and feed

1. Where a product is likely to be used as both food and feed, a single application under Articles 5 and 17 shall be submitted and shall give rise to a single opinion from the Authority and a single Community decision.

2. The Authority shall consider whether the application for authorisation should be submitted both as food and feed.

Article 28

Community Register

1. The Commission shall establish and maintain a Community Register of Genetically Modified Food and Feed, hereinafter referred to as 'the Register'.

2. The Register shall be made available to the public.

Wednesday 2 July 2003

Article 29

Public access

1. The application for authorisation, supplementary information from the applicant, opinions from the competent authorities designated in accordance with Article 4 of Directive 2001/18/EC, monitoring reports and information from the authorisation holder, excluding confidential information, shall be made accessible to the public.
2. The Authority shall apply the principles of Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents ⁽¹⁾ when handling applications for access to documents held by the Authority.
3. Member States shall handle applications for access to documents received under this regulation in accordance with Article 5 of Regulation (EC) No 1049/2001.

Article 30

Confidentiality

1. The applicant may indicate which information submitted under this Regulation it wishes to be treated as confidential on the ground that its disclosure might significantly harm its competitive position. Verifiable justification must be given in such cases.
2. Without prejudice to paragraph 3, the Commission shall determine, after consultation with the applicant, which information should be kept confidential and shall inform the applicant of its decision.
3. Information relating to the following shall not be considered confidential:
 - (a) name and composition of the GMO, food or feed referred to in Articles 3(1) and 15(1) and, where appropriate, indication of the substrate and the micro-organism;
 - (b) general description of the GMO and the name and address of the authorisation-holder;
 - (c) physico-chemical and biological characteristics of the GMO, food or feed referred to in Articles 3(1) and 15(1);
 - (d) effects of the GMO, food or feed referred to in Articles 3(1) and 15(1) on human and animal health and on the environment;
 - (e) effects of the GMO, food or feed referred to in Articles 3(1) and 15(1) on the characteristics of animal products and its nutritional properties;
 - (f) methods for detection, including sampling and identification of the transformation event and, where applicable, for the detection and identification of the transformation event in the food or feed referred to in Articles 3(1) and 15(1);
 - (g) information on waste treatment and emergency response.
4. Notwithstanding paragraph 2, the Authority shall on request supply the Commission and Member States with all information in its possession.
5. The use of the detection methods and the reproduction of the reference materials, provided under Article 5(3) and 17(3) for the purpose of applying this Regulation to the GMOs, food or feed to which an application refers, shall not be restricted by the exercise of intellectual property rights or otherwise.

⁽¹⁾ OJ L 145, 31.5.2001, p. 43.

Wednesday 2 July 2003

6. The Commission, the Authority and the Member States shall take the necessary measures to ensure appropriate confidentiality of the information received by them under this Regulation except for information which must be made public if circumstances so require in order to protect human health, animal health or the environment.

7. If an applicant withdraws or has withdrawn an application, the Authority, the Commission and the Member States shall respect the confidentiality of commercial and industrial information, including research and development information, as well as information as to the confidentiality of which the Commission and the applicant disagree.

Article 31

Data protection

The scientific data and other information in the application dossier required under Article 5(3) and (5) and Article 17(3) and (5) may not be used for the benefit of another applicant for a period of ten years from the date of authorisation, unless the other applicant has agreed with the authorisation-holder that such data and information may be used.

On the expiry of this ten-year period, the findings of all or part of the evaluation conducted on the basis of the scientific data and information contained in the application dossier may be used by the Authority for the benefit of another applicant if the applicant can demonstrate that the food or feed for which it is seeking authorisation is essentially similar to a food or feed already authorised under this Regulation.

Article 32

Community reference laboratory

The Community reference laboratory and its duties and tasks shall be those referred to in the Annex.

National reference laboratories may be established in accordance with the procedure referred to in Article 35(2).

Applicants for authorisation of genetically modified food and feed shall contribute to supporting the costs of the tasks of the Community reference laboratory and the European Network of GMO laboratories mentioned in the Annex.

The contributions from applicants shall not exceed the costs incurred in carrying out the validation of detection methods.

Detailed rules for implementing this Article, the Annex and any changes to it may be adopted in accordance with the procedure referred to in Article 35(2).

Article 33

Consultation with the European Group on Ethics in Science and New Technologies

1. The Commission, on its own initiative or at the request of a Member State, may consult the European Group on Ethics in Science and New Technologies or any other appropriate body it might establish, with a view to obtaining its opinion on ethical issues.

2. The Commission shall make these opinions available to the public.

Article 34

Emergency measures

Where it is evident that products authorised by or in accordance with this Regulation are likely to constitute a serious risk to human health, animal health or the environment, or where, in the light of an opinion of the Authority issued under Article 10 or Article 22, the need to suspend or modify urgently an authorisation arises, measures shall be taken under the procedures provided for in Articles 53 and 54 of Regulation (EC) No 178/2002.

Article 35

Committee procedure

1. The Commission shall be assisted by the Standing Committee on the Food Chain and Animal Health, set up by Article 58 of Regulation (EC) No 178/2002, hereinafter referred to as the 'Committee'.
2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

Article 36

Administrative review

Any decision taken under, or failure to exercise, the powers vested in the Authority by this Regulation may be reviewed by the Commission on its own initiative or in response to a request from a Member State or from any person directly and individually concerned.

To this effect a request shall be submitted to the Commission within two months from the day on which the party concerned became aware of the act or omission in question.

The Commission shall take a decision within two months requiring, if appropriate, the Authority to withdraw its decision or to remedy its failure to act.

Article 37

Repeals

The following Regulations shall be repealed with effect from the date of application of this Regulation:

- Regulation (EC) No 1139/98;
- Regulation (EC) No 49/2000;
- Regulation (EC) No 50/2000.

Wednesday 2 July 2003

Article 38

Amendments to Regulation (EC) No 258/97

Regulation (EC) No 258/97 is hereby amended with effect from the date of application of this Regulation as follows:

(1) The following provisions shall be deleted:

- Article 1(2)(a) and (b);
- Article 3(2), second subparagraph, and (3);
- Article 8(1)(d);
- Article 9.

(2) In Article 3, the first sentence of paragraph 4 shall be replaced by the following:

‘(4) By way of derogation from paragraph 2, the procedure referred to in Article 5 shall apply to foods or food ingredients referred to in Article 1(2)(d) and (e) which, on the basis of the scientific evidence available and generally recognised or on the basis of an opinion delivered by one of the competent bodies referred to in Article 4(3), are substantially equivalent to existing foods or food ingredients as regards their composition, nutritional value, metabolism, intended use and the level of undesirable substances contained therein.’

Article 39

Amendment to Directive 82/471/EEC

The following paragraph shall be added to Article 1 of Directive 82/471/EEC with effect from the date of application of this Regulation:

‘3. This Directive does not apply to products which act as direct or indirect protein sources that fall within the scope of Regulation (EC) No .../2003 of the European Parliament and of the Council of on genetically modified food and feed (*).

(*) OJ L ...’

Article 40

Amendments to Directive 2002/53/EC

Directive 2002/53/EC is hereby amended with effect from the date of application of this Regulation as follows:

(1) Article 4(5) shall be replaced by the following:

‘5. Further, when material derived from a plant variety is intended to be used in food falling within the scope of Article 3, or in feed falling within the scope of Article 15 of Regulation (EC) No .../2003 of the European Parliament and of the Council of ... on genetically modified food and feed (*), the variety shall be accepted only if it has been approved in accordance with that Regulation.

(*) OJ L ...’

Wednesday 2 July 2003

(2) Article 7(5) shall be replaced by the following:

‘5. Member States shall ensure that a variety intended to be used in food or feed as defined in Articles 2 and 3 of Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority, and laying down procedures in matters of food safety (*) is accepted only if it has been authorised under the relevant legislation.

(*) OJ L 31, 1.2.2002, p. 1.’

Article 41

Amendments to Directive 2002/55/EC

Directive 2002/55/EC is hereby amended with effect from the date of application of this Regulation as follows:

(1) Article 4(3) shall be replaced by the following:

‘3. Further, when material derived from a plant variety is intended to be used in food falling within the scope of Article 3, or in feed falling within the scope of Article 15 of Regulation (EC) No .../2003 of the European Parliament and of the Council of ... on genetically modified food and feed (*), the variety shall be accepted only if it has been approved in accordance with that Regulation.

(*) OJ L ...’

(2) Article 7(5) shall be replaced by the following:

‘5. Member States shall ensure that a variety intended to be used in food or feed as defined in Articles 2 and 3 of Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority, and laying down procedures in matters of food safety (*) is accepted only if it has been authorised under the relevant legislation.

(*) OJ L 31, 1.2.2002, p. 1.’

Article 42

Amendment to Directive 68/193/EEC

Article 5ba(3) of Directive 68/193/EEC shall be replaced by the following wording with effect from the date of application of this Regulation:

‘3. a) Where products derived from vine-propagating material are intended to be used as or in food falling within the scope of Article 3 or as or in a feed falling within the scope of Article 15 of Regulation (EC) No .../2003 of the European Parliament and of the Council of ... on genetically modified food and feed (*), the vine variety concerned shall be accepted only if it has been authorised pursuant to the said Regulation.

Wednesday 2 July 2003

- b) Member States shall ensure that a vine variety, from the propagating material of which products were derived intended for use in food and feed pursuant to Articles 2 and 3 of Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority, and laying down procedures in matters of food safety (**) shall be accepted only if it has been authorised pursuant to the relevant legislation.

(*) OJ L ...

(**) OJ L 31, 1.2.2002, p. 1.'

Article 43

Amendments to Directive 2001/18/EC

Directive 2001/18/EC is hereby amended with effect from the date of entry into force of this Regulation, as follows:

- (1) The following Article shall be inserted:

'Article 12a

Transitional measures for adventitious or technically unavoidable presence of genetically modified organisms having benefited from a favourable risk evaluation

1. Placing on the market of traces of a GMO or combination of GMOs in products intended for direct use as food or feed or for processing shall be exempted from Articles 13 to 21 provided that they meet the conditions referred to in Article 47 of Regulation (EC) No .../2003 of the European Parliament and of the Council of ... on genetically modified food and feed (*).
2. This Article shall be applicable for a period of three years after the date of application of Regulation (EC) No .../2003.

(*) OJ L ...'

- (2) The following Article shall be inserted:

'Article 26a

Measures to avoid the unintended presence of GMOs.

1. Member States may take appropriate measures to avoid the unintended presence of GMOs in other products.
2. The Commission shall gather and coordinate information based on studies at Community and national level, observe the developments regarding coexistence in the Member States and, on the basis of the information and observations, develop guidelines on the coexistence of genetically modified, conventional and organic crops.'

Article 44

Information to be provided in accordance with the Cartagena Protocol

1. Any authorisation, renewal, modification, suspension or revocation of authorisation of a GMO, food or feed referred to in Articles 3(1)(a) or (b) or 15(1)(a) or (b) shall be notified by the Commission to the Parties to the Cartagena Protocol through the Biosafety Clearing-House in accordance with Article 11(1) or Article 12(1) of the Cartagena Protocol, as the case may be.

Wednesday 2 July 2003

The Commission shall provide a copy of the information, in writing, to the national focal point of each Party that informs the Secretariat in advance that it does not have access to the Biosafety Clearing-House.

2. The Commission shall also process requests for additional information made by any Party in accordance with Article 11(3) of the Cartagena Protocol and shall provide copies of the laws, regulations and guidelines in accordance with Article 11(5) of that Protocol.

Article 45

Penalties

The Member States shall lay down the rules on penalties applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive. The Member States shall notify those provisions to the Commission six months after the date of entry into force of this Regulation at the latest and shall notify it without delay of any subsequent amendment affecting them.

Article 46

Transitional measures for requests, labelling and notifications

1. Requests submitted under Article 4 of Regulation (EC) No 258/97 before the date of application of this Regulation shall be transformed into applications under Chapter II, Section 1 of this Regulation where the initial assessment report provided for under Article 6(3) of Regulation (EC) No 258/97 has not yet been forwarded to the Commission, as well as in all cases where an additional assessment report is required in accordance with Article 6(3) or (4) of Regulation (EC) No 258/97. Other requests submitted under Article 4 of Regulation (EC) No 258/97 before the date of application of this Regulation shall be processed under the provisions of Regulation (EC) No 258/97, notwithstanding Article 38 of this Regulation.

2. The labelling requirements referred to in this Regulation shall not apply to products, the manufacturing process of which has commenced before the date of application of this Regulation, provided that these products are labelled in accordance with the legislation applicable to them before the date of application of this Regulation.

3. Notifications concerning products including their use as feed submitted under Article 13 of Directive 2001/18/EC before the date of application of this Regulation shall be transformed into applications under Chapter III, Section 1 of this Regulation where the assessment report provided for in Article 14 of Directive 2001/18/EC has not yet been sent to the Commission.

4. Requests submitted for products referred to in Article 15(1)(c) of this Regulation under Article 7 of Directive 82/471/EEC before the date of application of this Regulation shall be transformed into applications under Chapter III, Section 1 of this Regulation.

5. Requests submitted for products referred to in Article 15(1) of this Regulation under Article 4 of Directive 70/524/EEC before the date of application of this Regulation shall be supplemented by applications under Chapter III, Section 1 of this Regulation.

Article 47

Transitional measures for adventitious or technically unavoidable presence of genetically modified material which has benefited from a favourable risk evaluation

1. The presence in food or feed of material which contains, consists of or is produced from GMOs in a proportion no higher than 0,5 per cent shall not be considered to be in breach of Article 4(2) or Article 16(2), provided that:

Wednesday 2 July 2003

- (a) this presence is adventitious or technically unavoidable;
- (b) the genetically modified material has benefited from a favourable opinion from the Community Scientific Committee(s) or the Authority before the date of application of this Regulation;
- (c) the application for its authorisation has not been rejected in accordance with the relevant Community legislation, and
- (d) detection methods are publicly available.

2. In order to establish that the presence of this material is adventitious or technically unavoidable, operators must be in a position to demonstrate to the competent authorities that they have taken appropriate steps to avoid the presence of such materials.

3. The thresholds referred to in paragraph 1 may be lowered in accordance with the procedure referred to in Article 35(2), in particular for GMOs sold directly to the final consumer.

4. Detailed rules for implementing this Article shall be adopted in accordance with the procedure referred to in Article 35(2).

5. This Article shall remain applicable for a period of three years after the date of application of this Regulation.

Article 48

Review

1. No later than (**) and in the light of experience gained, the Commission shall forward to the European Parliament and to the Council a report on the implementation of this Regulation and in particular of Article 47, accompanied, where appropriate, by any suitable proposal. The report and any proposal shall be made accessible to the public.

2. Without prejudice to the powers of national authorities, the Commission shall monitor the application of this Regulation and its impact on human and animal health, consumer protection, consumer information and the functioning of the internal market and, if necessary, will bring forward proposals at the earliest possible date.

Article 49

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.

It shall apply from six months after the date of publication of this Regulation.

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

Done at Brussels,

For the European Parliament
The President

For the Council
The President

(*) Two years from the date of entry into force of this Regulation.

ANNEX

DUTIES AND TASKS OF THE COMMUNITY REFERENCE LABORATORY

1. The Community reference laboratory referred to in Article 32 is the Commission's Joint Research Centre.
2. For the tasks outlined in this Annex, the Commission's Joint Research Centre shall be assisted by a consortium of national reference laboratories, which will be referred to as the 'European Network of GMO laboratories'.
3. The Community reference laboratory shall be responsible, in particular, for:
 - reception, preparation, storage, maintenance and distribution to national reference laboratories of the appropriate positive and negative control samples;
 - testing and validation of the method for detection, including sampling and identification of the transformation event and, where applicable, for the detection and identification of the transformation event in the food or feed;
 - evaluating the data provided by the applicant for authorisation for placing the food or feed on the market, for the purpose of testing and validation of the method for sampling and detection;
 - submitting full evaluation reports to the Authority.
4. The Community reference laboratory shall play a role in dispute settlements between Member States concerning the results of the tasks outlined in this Annex.

P5_TA(2003)0315

Traceability and labelling of GMOs *II**

European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council regulation on traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC (15798/1/2002 — C5-0131/2003 — 2001/0180(COD))

(Codecision procedure: second reading)

The European Parliament,

- having regard to the Council common position (15798/1/2002 — C5-0131/2003) ⁽¹⁾,
- having regard to its position at first reading ⁽²⁾ on the Commission proposal to Parliament and the Council (COM(2001) 182) ⁽³⁾,
- having regard to the Commission's amended proposal (COM(2002) 515) ⁽⁴⁾,

⁽¹⁾ OJ C 113 E, 13.5.2003, p. 21.

⁽²⁾ P5_TA (2002)0353.

⁽³⁾ OJ C 304 E, 30.10.2001, p. 327.

⁽⁴⁾ OJ C 331 E, 31.12.2002, p. 308.

Wednesday 2 July 2003

- having regard to Article 251(2) of the EC Treaty,
 - having regard to Rule 80 of its Rules of Procedure,
 - having regard to the recommendation for second reading of the Committee on the Environment, Public Health and Consumer Policy (A5-0204/2003),
1. Amends the common position as follows;
 2. Instructs its President to forward its position to the Council and Commission.

P5_TC2-COD(2001)0180

Position of the European Parliament adopted at second reading on 2 July 2003 with a view to the adoption of European Parliament and Council Regulation (EC) No .../2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 95(1) thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the Opinion of the European Economic and Social Committee ⁽²⁾,

Having regard to the Opinion of the Committee of the Regions ⁽³⁾,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽⁴⁾,

Whereas:

- (1) Directive 2001/18/EC of the European Parliament and the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms ⁽⁵⁾ requires Member States to take measures to ensure traceability and labelling of authorised genetically modified organisms (GMOs) at all stages of their placing on the market.
- (2) Differences between national laws, regulations and administrative provisions concerning traceability and labelling of GMOs as products or in products as well as traceability of food and feed produced from GMOs may hinder their free movement, creating conditions of unequal and unfair competition. A harmonised Community framework for traceability and labelling of GMOs should contribute to the effective functioning of the internal market. Directive 2001/18/EC should therefore be amended accordingly.

⁽¹⁾ OJ C 304 E, 30.10.2001, p. 327 and OJ C 331 E, 31.12.2002, p. 308.

⁽²⁾ OJ C 125, 27.5.2002, p. 69.

⁽³⁾ OJ C 278, 14.11.2002, p. 31.

⁽⁴⁾ Position of the European Parliament of 3 July 2002 (not yet published in the Official Journal), Council Common Position of 17 March 2003 (OJ C 113 E, 13.5.2003, p. 21) and Position of the European Parliament of 2 July 2003.

⁽⁵⁾ OJ L 106, 17.4.2001, p. 1, Directive as last amended by Council Decision 2002/811/EC (OJ L 280, 18.10.2002, p. 27).

Wednesday 2 July 2003

- (3) Traceability requirements for GMOs should facilitate both the withdrawal of products where unforeseen adverse effects on human health, animal health or the environment, including ecosystems, are established, and the targeting of monitoring to examine potential effects on, in particular, the environment. Traceability should also facilitate the implementation of risk management measures in accordance with the precautionary principle.
- (4) Traceability requirements for food and feed produced from GMOs should be established to facilitate accurate labelling of such products, in accordance with the requirements of Regulation (EC) No .../2003 of the European Parliament and of the Council of ... on genetically modified food and feed⁽¹⁾, so as to ensure that accurate information is available to operators and consumers to enable them to exercise their freedom of choice in an effective manner as well as to enable control and verification of labelling claims. Requirements for food and feed produced from GMOs should be similar in order to avoid discontinuity of information in cases of change in end use.
- (5) The transmission and holding of information that products *consist of or contain* GMOs, and the unique codes for those GMOs, at each stage of their placing on the market provide the basis for appropriate traceability and labelling for GMOs. The codes may be used to access specific information on GMOs from a register, and to facilitate their identification, detection and monitoring in accordance with Directive 2001/18/EC.
- (6) The transmission and holding of information that food and feed have been produced from GMOs also provide the basis for the appropriate traceability of products produced from GMOs.
- (7) The Community legislation concerning GMOs as or in feed should also apply to feed intended for animals which are not destined for food production.
- (8) Guidance on sampling and detection should be developed in order to facilitate a coordinated approach for control and inspection and provide legal certainty for operators. Account should be taken of registers containing information on genetic modifications in GMOs established by the Commission in accordance with Article 31(2) of Directive 2001/18/EC and Article 29 of Regulation (EC) No .../2003 [*on genetically modified food and feed*].
- (9) Member States should lay down rules on penalties applicable to infringements of the provisions of this Regulation.
- (10) Certain traces of GMOs in products may be adventitious or technically unavoidable. Such presence of GMOs should therefore not trigger labelling and traceability requirements. It is therefore necessary to fix thresholds for the adventitious or technically unavoidable presence of material consisting of, containing or produced from GMOs both when the marketing of such GMOs is authorised in the Community and when their adventitious or technically unavoidable presence is tolerated by virtue of Article 47 of Regulation (EC) No .../2003 [*on genetically modified food and feed*]. It is also appropriate to provide that, when the combined level of adventitious or technically unavoidable presence of the above material in a food or feed or in one of its components is higher than the aforesaid labelling thresholds, such presence should be indicated in accordance with the provisions of this Regulation and detailed provisions to be adopted for its implementation.
- (11) ***It is necessary to ensure that consumers are fully and reliably informed about GMOs and the products, food and feed produced therefrom, so as to enable them to make an informed choice of product.***

⁽¹⁾ OJ L ...

Wednesday 2 July 2003

- (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 ⁽¹⁾.
- (13) Systems for the development and assignment of unique identifiers for GMOs should be established before the measures relating to traceability and labelling can be applied.
- (14) ***The Commission should submit a report to the European Parliament and the Council on the implementation of this Regulation and, more specifically, on the effectiveness of the rules on traceability and labelling.***
- (15) 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:

Article 1

Objectives

This Regulation provides a framework for the traceability of products consisting of or containing genetically modified organisms (GMOs), and food and feed produced from GMOs, with the objectives of facilitating accurate labelling, monitoring the effects on the environment and, where appropriate, on health, and the implementation of the appropriate risk management measures including, if necessary, withdrawal of products.

Article 2

Scope

1. This Regulation shall apply, at all stages of the placing on the market, to:
- a) products consisting *of or containing* GMOs, placed on the market in accordance with Community legislation;
 - b) food produced from GMOs, placed on the market in accordance with Community legislation;
 - c) feed produced from GMOs, placed on the market in accordance with Community legislation.
2. This Regulation shall not apply to medicinal products for human and veterinary use authorised under Regulation (EEC) No 2309/93 ⁽²⁾.

Article 3

Definitions

For the purpose of this Regulation:

- 1) 'Genetically modified organism' or 'GMO' means *a* genetically modified organism as defined in Article 2(2) of Directive 2001/18/EC, excluding organisms obtained through the techniques of genetic modification listed in Annex IB to *that* Directive;

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

⁽²⁾ Council Regulation (EEC) No 2309/93 of 22 July 1993 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Agency for the Evaluation of Medicinal products (OJ L 214, 24.8.1993, p. 1). Regulation as amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36).

Wednesday 2 July 2003

- 2) 'Produced from GMOs' means derived, in whole or in part, from GMOs, but not *consisting of or containing* GMOs;
- 3) 'Traceability' means the ability to trace GMOs and products produced from GMOs at all stages of their placing on the market through the production and distribution chains;
- 4) 'Unique identifier' means a simple numeric or alphanumeric code which serves to identify a GMO on the basis of the authorised transformation event from which it was developed and providing the means to retrieve specific information pertinent to that GMO;
- 5) 'Operator' means a natural or legal person who places a product on the market or who receives a product that has been placed on the market in the Community, either from a Member State or from a third country, at any stage of the production and distribution chain, but does not include the final consumer;
- 6) 'Final consumer' means the ultimate consumer who will not use the product as part of any business operation or activity;
- 7) 'Food' means food as defined in Article 2 of Regulation (EC) No 178/2002 ⁽¹⁾;
- 8) 'Ingredient' means ingredient as referred to in Article 6(4) of Directive 2000/13/EC ⁽²⁾;
- 9) 'Feed' means feed as defined in Article 3(4) of Regulation (EC) No 178/2002;
- 10) 'Placing on the market' means placing on the market as defined in the specific Community legislation under which the relevant product has been authorised; in other cases, it is defined as in Article 2(4) of Directive 2001/18/EC;
- 11) 'The first stage of the placing on the market of a product' means the initial transaction in the production and distribution chains, where a product is made available to a third party;
- 12) 'Pre-packaged product' means any single item offered for sale consisting of a product and the packaging into which it was put before being offered for sale, whether such packaging encloses the product completely or only partially, provided that the contents cannot be altered without opening or changing the packaging.

Article 4

Traceability and labelling requirements for products consisting of or containing GMOs

A. Traceability

1. At the first stage of the placing on the market of a product consisting of or containing GMOs, including bulk quantities, operators shall ensure that the following information is transmitted in writing to the operator receiving the product:

- a) that it *consists of or contains* GMOs;
- b) the unique identifier(s) assigned to those GMOs in accordance with Article 8.

2. At all subsequent stages of the placing on the market of products referred to in paragraph 1, operators shall ensure that the information received in accordance with paragraph 1 is transmitted in writing to the operators receiving the products.

⁽¹⁾ Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1).

⁽²⁾ Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs (OJ L 109, 6.5.2000, p. 29). Directive as amended by Commission Directive 2001/101/EC (OJ L 310, 28.11.2001, p. 19).

Wednesday 2 July 2003

3. In the case of products consisting of or containing mixtures of GMOs to be used only and directly as food or feed or for processing, the information referred to in paragraph 1(b) may be replaced by a declaration of use by the operator, accompanied by a list of the unique identifiers for all those GMOs that have been used to constitute the mixture.

4. Without prejudice to Article 6, operators shall have in place systems and **standardised** procedures to allow the holding of information specified in paragraphs 1, 2 and 3 and the identification, for a period of five years from each transaction, of the operator by whom and the operator to whom the products referred to in paragraph 1 have been made available.

5. Paragraphs 1 to 4 shall be without prejudice to other specific requirements in Community legislation.

B. Labelling

6. For products consisting of or containing GMOs, operators shall ensure that:

- a) for pre-packaged products consisting of or containing GMOs, the words 'This product contains genetically modified organisms' or 'This product contains genetically modified [name of organism(s)]' appear on a label;
- b) for non-pre-packaged products offered to the final consumer the words 'This product contains genetically modified organisms' or 'This product contains genetically modified [name of organism(s)]' shall appear on, or in connection with, the display of the product.

This paragraph shall be without prejudice to other specific requirements in Community legislation.

C. Exemptions

7. Paragraphs 1 to 6 shall not apply to traces of GMOs in products in a proportion no higher than the thresholds established in accordance with Article 21(2) or (3) of Directive 2001/18/EC and in other specific Community legislation, provided that these traces of GMOs are adventitious or technically unavoidable.

8. Paragraphs 1 to 6 shall not apply to traces of GMOs in products intended for direct use as food, feed or for processing in a proportion no higher than the thresholds established for those GMOs in accordance with Articles 12, 24 or 47 of Regulation (EC) No .../2003 [on genetically modified food and feed], provided that these traces of GMOs are adventitious or technically unavoidable.

Article 5

Traceability requirements for products for food and feed produced from GMOs

1. When placing products produced from GMOs on the market, operators shall ensure that the following information is transmitted in writing to the operator receiving the product:

- a) an indication of each of the food ingredients which is produced from GMOs;
- b) an indication of each of the feed materials or additives which is produced from GMOs;
- c) in the case of products for which no list of ingredients exists, an indication that the product is produced from GMOs.

2. Without prejudice to Article 6, operators shall have in place systems and **standardised** procedures to allow the holding of the information specified in paragraph 1 and the identification, for a period of five years from each transaction, of the operator by whom and to whom the products referred to in paragraph 1 have been made available.

Wednesday 2 July 2003

3. Paragraphs 1 and 2 shall be without prejudice to other specific requirements in Community legislation.

4. Paragraphs 1, 2 and 3 shall not apply to traces of GMOs in products for food and feed produced from GMOs in a proportion no higher than the thresholds established for those GMOs in accordance with Articles 12, 24 or 47 of Regulation (EC) No .../2003 [*genetically modified food and feed*], provided that these traces of GMOs are adventitious or technically unavoidable.

Article 6

Exemptions

1. In cases where Community legislation provides for specific identification systems, such as lot numbering for pre-packaged products, operators shall not be obliged to hold the information specified in Articles 4(1), (2) and (3) and 5(1), provided that this information and the lot number is clearly marked on the package and that information about lot numbers is held for the periods of time referred to in Articles 4(4) and 5(2).

2. Paragraph 1 shall not apply to the first stage of placing on the market of a product or to primary manufacture or re-packaging of a product.

Article 7

Amendment of Directive 2001/18/EC

Directive 2001/18/EC is hereby amended as follows:

1) Article 4(6) shall be deleted.

2) The following paragraph shall be added to Article 21:

'3. For products intended for direct processing, paragraph 1 shall not apply to traces of authorised GMOs in a proportion no higher than 0,9 % or lower thresholds established under the provisions of Article 30(2), provided that these traces are adventitious or technically unavoidable.'

Article 8

Unique identifiers

In accordance with the procedure referred to in Article 10(2), the Commission shall:

a) prior to the application of Articles 1 to 7, *establish* a system for development and assignment of unique identifiers to GMOs;

b) adapt the system provided for in point (a), as appropriate.

In so doing, account shall be taken of developments in international fora.

Article 9

Inspection and control measures

1. Member States shall ensure that inspections and other control measures including sample checks and testing (qualitative and quantitative), as appropriate, are carried out to ensure compliance with this Regulation. Inspection and control measures may also include inspection and control regarding the holding of a product.

2. Prior to the application of Articles 1 to 7, the Commission, in accordance with the procedure referred to in Article 10(3), shall develop **and publish** technical guidance on sampling and testing to facilitate a coordinated approach for the implementation of paragraph 1 of this Article. In developing the above technical guidance, the Commission shall take account of the work of national competent authorities, the committee referred to in Article 58(1) of Regulation (EC) No 178/2002 and the Community Reference Laboratory established under Regulation (EC) No .../2003 [*on genetically modified food and feed*].

Wednesday 2 July 2003

3. In order to help the Member States meet the requirements set out in paragraphs 1 and 2, the Commission shall ensure that a central register is put in place at Community level, which shall contain all available sequencing information and reference material for GMOs authorised to be placed on the market in the Community. The competent authorities in the Member States shall have access to the register. The register shall also contain, where available, relevant information concerning GMOs which are not authorised in the Community.

Article 10

Committee

1. The Commission shall be assisted by the committee set up by Article 30 of Directive 2001/18/EC.
2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

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

3. Where reference is made to this paragraph, Articles 3 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.
4. The Committee shall adopt its rules of procedure.

Article 11

Penalties

Member States shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive. Member States shall notify those provisions to the Commission, not later than ... (*) and shall notify it without delay of any subsequent amendment affecting them.

Article 12

Review Clause

No later than ... (**), the Commission shall forward to the European Parliament and to the Council a report on the implementation of this Regulation, in particular with regard to Article 4(3), and, where appropriate, bring forward a proposal.

Article 13

Entry into force

1. This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.
2. Articles 1 to 7 and Article 9(1) shall apply with effect from the ninetieth day following the date of publication in the Official Journal of the European Union of the measure referred to in Article 8(a).

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

(*) 180 days following the date of publication of this Regulation.

(**) two years from the date of publication of this Regulation.

Wednesday 2 July 2003

Done at ,

For the European Parliament
The President

For the Council
The President

P5_TA(2003)0316

Indication of the ingredients present in foodstuffs *II**

European Parliament legislative resolution on the common position adopted by the Council with a view to adopting a European Parliament and Council directive amending Directive 2000/13/EC as regards indication of the ingredients present in foodstuffs (15514/2/2002 — C5-0080/2003 — 2001/0199(COD))

(Codecision procedure: second reading)

The European Parliament,

- having regard to the Council common position (15514/2/2002 — C5-0080/2003) ⁽¹⁾,
- having regard to its position at first reading ⁽²⁾ on the Commission proposal to Parliament and the Council (COM(2001) 433) ⁽³⁾,
- having regard to the Commission's amended proposal (COM(2002) 464) ⁽⁴⁾,
- having regard to Article 251(2) of the EC Treaty,
- having regard to Rule 80 of its Rules of Procedure,
- having regard to the recommendation for second reading of the Committee on the Environment, Public Health and Consumer Policy (A5-0191/2003),

1. Amends the common position as follows;
2. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ OJ C 102 E, 29.4.2003, p.16.

⁽²⁾ P5_TA(2002)0294

⁽³⁾ OJ C 332 E, 27.11.2001, p. 257.

⁽⁴⁾ OJ C 331 E, 31.12.2002, p. 188.

P5_TC2-COD(2001)0199

Position of the European Parliament adopted at second reading on 2 July 2003 with a view to the adoption of European Parliament and Council Directive 2003/.../EC amending Directive 2000/13/EC as regards indication of the ingredients present in foodstuffs

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 95 thereof,

Wednesday 2 July 2003

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the Opinion of the European Economic and Social Committee ⁽²⁾,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽³⁾,

Whereas:

- (1) In order to achieve a high level of health protection for consumers and to guarantee their right to information, it must be ensured that consumers are appropriately informed as regards foodstuffs, *inter alia* through the listing of all ingredients on labels.
- (2) By virtue of Article 6 of Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs ⁽⁴⁾, certain substances need not appear in the list of ingredients.
- (3) When used in the production of foodstuffs and still present, certain ingredients or other substances are the cause of allergies or intolerances in consumers, and some of those allergies or intolerances constitute a danger to the health of those concerned.
- (4) The Scientific Committee on Food set up by Article 1 of Commission Decision 97/579/EC ⁽⁵⁾ has stated that the incidence of food allergies is such as to affect the lives of many people, causing conditions ranging from very mild to potentially fatal.
- (5) The said Committee has acknowledged that common food allergens include cow's milk, fruits, legumes (especially peanuts and soybeans), eggs, crustaceans, tree nuts, fish, vegetables (celery and other foods of the Umbelliferae family), wheat and other cereals.
- (6) The most common food allergens are found in a wide variety of processed foods.
- (7) The said Committee has also noted that adverse reactions to food additives may occur and that the avoidance of food additives is often difficult since not all of them are invariably included on the labelling.
- (8) It is necessary to provide that additives, processing aids and other substances with allergenic effect covered by Article 6(4)(a) of Directive 2000/13/EC are subject to labelling rules, to give appropriate information to consumers suffering from food allergy.
- (9) Even if labelling, which is intended for consumers in general, is not to be regarded as the only medium of information acting as substitute for the medical establishment, it is nevertheless advisable to assist consumers who have allergies or intolerances as much as possible by providing them with more comprehensive information on the composition of foodstuffs.

⁽¹⁾ OJ C 332 E, 27.11.2001, p. 257 and OJ C 331 E, 31.12.2002, p. 188.

⁽²⁾ OJ C 80, 3.4.2002, p. 35.

⁽³⁾ Position of the European Parliament of 11 June 2002 (not yet published in the Official Journal), Council Common Position of 20 February 2003 (OJ C 102 E, 29.4.2003, p. 16) and Position of the European Parliament of 2 July 2003.

⁽⁴⁾ OJ L 109, 6.5.2000, p. 29. Directive as amended by Commission Directive 2001/101/EC (OJ L 310, 28.11.2001, p. 19).

⁽⁵⁾ OJ L 237, 28.8.1997, p. 18. Decision as amended by Decision 2000/443/EC (OJ L 179, 18.7.2000, p. 13).

Wednesday 2 July 2003

- (10) The list of allergenic substances should include those foodstuffs, ingredients and other substances recognised as causing hypersensitivity
- (11) In order to provide all consumers with better information and to protect the health of certain consumers, it should be made obligatory to include in the list of ingredients all ingredients and other substances present in the foodstuff. In the case of alcoholic beverages, it should be mandatory to include in the labelling all ingredients with allergenic effect present in the beverage concerned.
- (12) In order to take account of the technical constraints involved in the manufacture of foodstuffs, it is necessary to authorise greater flexibility with regard to the listing of ingredients and other substances used in very small quantities.
- (13) In order to keep up with the development of scientific knowledge and progress as regards technological means of removing the allergenicity in ingredients and other substances and in order to protect consumers against new food allergens and avoid unnecessary obligations on labelling, it is important to be able to revise the list of ingredients rapidly, when necessary by including or deleting certain ingredients or substances. The revision should be based on scientific criteria determined by the European Food Safety Authority set up by Regulation (EC) No 178/2002 of the European Parliament and of the Council⁽¹⁾ and take the form of implementing measures of a technical nature, the adoption of which should be entrusted to the Commission in the interest of simplifying and accelerating the procedure. Furthermore, the Commission should, if necessary, draw up technical guidelines for the interpretation of Annex IIIa.
- (14) Directive 2000/13/EC should therefore be amended accordingly,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Directive 2000/13/EC is hereby amended as follows:

1) Article 6 shall be amended as follows:

a) paragraph 1 shall be replaced by the following:

‘1. Ingredients shall be listed in accordance with this Article and Annexes I, II, III and IIIa.’

b) the following paragraph shall be inserted:

‘3a. Without prejudice to the rules for labelling to be established pursuant to paragraph 3, any ingredient, as defined in paragraph 4(a) and listed in Annex IIIa, shall be indicated on the labelling where it is present in beverages referred to in paragraph 3. This indication shall comprise the word “contains” followed by the name of the ingredient(s) concerned. However, an indication is not necessary when the ingredient is already included under its specific name in the list of ingredients or in the name under which the beverage is sold.

Where necessary, detailed rules for the presentation of the indication referred to in the first subparagraph may be adopted in accordance with the following procedures:

a) as regards the products referred to in Article 1(2) of Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine (*), under the procedure laid down in Article 75 of that Regulation;

⁽¹⁾ OJ L 31, 1.2.2002, p. 1.

Wednesday 2 July 2003

- b) as regards the products referred to in Article 2(1) of Council Regulation (EEC) No 1601/91 of 10 June 1991 laying down general rules on the definition, description and presentation of aromatised wines, aromatised wine-based drinks and aromatised wine-product cocktails (**), under the procedure laid down in Article 13 of that Regulation;
- c) as regards the products referred to in Article 1(2) of Council Regulation (EEC) No 1576/89 of 29 May 1989 laying down general rules on the definition, description and presentation of spirit drinks (***), under the procedure laid down in Article 14 of that Regulation;
- d) as regards other products, under the procedure laid down in Article 20(2) of this Directive.

(*) OJ L 179, 14.7.1999, p. 1. Regulation as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

(**) OJ L 149, 14.6.1991, p. 1. Regulation as last amended by Regulation (EC) No 2061/96 of the European Parliament and of the Council (OJ L 277, 30.10.1996, p. 1).

(***) OJ L 160, 12.6.1989, p. 1. Regulation as last amended by Regulation (EC) No 3378/94 of the European Parliament and of the Council (OJ L 366, 31.12.1994, p. 1).'

- c) the following point shall be added to paragraph 4(c):

‘iv) substances which are not additives but are used in the same way and with the same purpose as processing aids and are still present in the finished product, even if in altered form.’

- d) the second subparagraph of paragraph 5 shall be amended as follows:

- i) the fourth indent shall be replaced by the following:

‘— where fruit, vegetables or mushrooms, none of which significantly predominates in terms of weight and which are used in proportions that are likely to vary, are used in a mixture as ingredients of a foodstuff, they may be grouped together in the list of ingredients under the designation “fruit”, “vegetables” or “mushrooms” followed by the phrase “in varying proportions”, immediately followed by a list of the fruit, vegetables or mushrooms present; in such cases, the mixture shall be included in the list of ingredients in accordance with the first subparagraph, on the basis of the total weight of the fruit, vegetables or mushrooms present.’

- ii) the following indents shall be added:

‘— ingredients constituting less than 2 % of the finished product may be listed in a different order after the other ingredients,

— where ingredients which are similar or mutually substitutable are likely to be used in the manufacture or preparation of a foodstuff without altering its composition, its nature or its perceived value, and in so far as they constitute less than 2 % of the finished product, they may be referred to in the list of ingredients by means of the phrase “contains ... and/or ...”, where at least one of no more than two ingredients is present in the finished product. This provision shall not apply to additives or to ingredients listed in Annex IIIa.’

e) the second subparagraph of paragraph 8 shall be replaced by the following:

'The list referred to in the first subparagraph shall not be compulsory:

- a) where the composition of the compound ingredient is defined in current Community legislation, and in so far as the compound ingredient constitutes less than 2 % of the finished product; however, this provision shall not apply to additives, subject to paragraph 4(c),
- b) for compound ingredients consisting of mixtures of spices and/or herbs that constitute less than 2 % of the finished product, with the exception of additives, subject to paragraph 4(c),
- c) where the compound ingredient is a foodstuff for which a list of ingredients is not required under Community legislation.'

f) the following paragraphs shall be added:

- '10. Notwithstanding paragraph 2, the second subparagraph of paragraph 6 and the second subparagraph of paragraph 8, any ingredient used in production of a foodstuff and still present in the finished product, even if in altered form, and listed in Annex IIIa or originating from an ingredient listed in Annex IIIa shall be indicated on the label with a clear reference to the name of this ingredient.

The indication referred to in the first subparagraph shall not be required if the name under which the foodstuff is sold clearly refers to the ingredient concerned.

Notwithstanding paragraph 4(c)(ii), (iii) and (iv), any substance used in production of a foodstuff and still present in the finished product, even if in altered form, and originating from ingredients listed in Annex IIIa shall be considered as an ingredient and shall be indicated on the label with a clear reference to the name of the ingredient from which it originates.

11. The list in Annex IIIa shall be systematically re-examined and, where necessary, updated on the basis of the most recent scientific knowledge. The first re-examination shall take place at the latest on ... (*).

Updating could also be effected by the deletion from Annex IIIa of ingredients for which it has been scientifically established that it is not possible for them to cause adverse reactions. **To this end, the Commission may be notified until ... (**) of the studies currently being conducted to establish whether ingredients or substances, derived from ingredients listed in Annex IIIa, are not likely, under specific circumstances, to trigger adverse reactions. The Commission shall, not later than ... (***) after consultation with the European Food Safety Authority, adopt a list of those ingredients or substances, which shall consequently be excluded from Annex IIIa, pending the final results of the notified studies, or at the latest until ... (****).**

Without prejudice to the second subparagraph, Annex IIIa may be amended, in compliance with the procedure referred to in Article 20(2), after an opinion has been obtained from the European Food Safety Authority issued on the basis of Article 29 of Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (*****).

Where necessary, technical guidelines may be issued for the interpretation of the list in Annex IIIa, in compliance with the procedure referred to in Article 20(2).

(*) Two years after the entry into force of this Directive.

(**) **Nine months after the entry into force of this Directive.**

(***) **One year after the entry into force of this Directive.**

(****) **Four years after the entry into force of this Directive.**

(*****) OJ L 31, 1.2.2002, p. 1.'

Wednesday 2 July 2003

- 2) in the second subparagraph of Article 19, 'Standing Committee on Foodstuffs set up by Council Decision 69/414/EEC' shall be replaced by 'Standing Committee on the Food Chain and Animal Health set up by Regulation (EC) No 178/2002';
- 3) the footnote, 'OJ L 291, 29.11.1969, p. 9', shall be deleted;
- 4) in Article 20(1) 'Standing Committee on Foodstuffs' shall be replaced by 'Standing Committee on the Food Chain and Animal Health';
- 5) in Annex I, the designations 'crystallised fruit' and 'vegetables', and the corresponding definitions, shall be deleted;
- 6) Annex IIIa, the text of which is set out in the Annex to this Directive, shall be inserted.

Article 2

1. Member States shall bring into force, by ... (*), the laws, regulations and administrative provisions necessary to:

- permit, as from ... (**), the sale of products that comply with this Directive;
- prohibit, as from ... (**), the sale of products that do not comply with this Directive; any products which do not comply with this Directive but which have been placed on the market or labelled prior to this date may, however, be sold while stocks last.

They shall forthwith inform the Commission thereof.

When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 3

This Directive shall enter into force on the day of its publication in the Official Journal of the European Union.

Article 4

This Directive is addressed to the Member States.

Done at ,

For the European Parliament
The President

For the Council
The President

(*) *One year after the entry into force of this Directive.*

(**) *One year after the entry into force of this Directive.*

(***) *Two years after the entry into force of this Directive.*

Wednesday 2 July 2003

ANNEX

'ANNEX IIIa

Ingredients referred to in Article 6(3a), (10) and (11)

Cereals containing gluten (i.e. wheat, rye, barley, oats, spelt, kamut or their hybridised strains) and products thereof

Crustaceans and products thereof

Eggs and products thereof

Fish and products thereof

Peanuts and products thereof

Soybeans and products thereof

Milk and products thereof (including lactose)

Nuts i. e. Almond (*Amygdalus communis* L.), Hazelnut (*Corylus avellana*), Walnut (*Juglans regia*), Cashew (*Anacardium occidentale*), Pecan nut (*Carya illinoensis* (Wangenh.) K. Koch), Brazil nut (*Bertholletia excelsa*), Pistachio nut (*Pistacia vera*), Macadamia nut and Queensland nut (*Macadamia ternifolia*) and products thereof

Celery and products thereof

Mustard and products thereof

Sesame seeds and products thereof

Sulphur dioxide and sulphites at concentrations of more than 10 mg/kg or 10 mg/litre expressed as SO₂.

P5_TA(2003)0317

Substances having a hormonal or thyrostatic action and of beta-agonists *II**

European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council directive amending Council Directive 96/22/EC concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of beta-agonists (14502/1/2002 — C5-0079/2003 — 2000/0132(COD))

(Codecision procedure: second reading)

The European Parliament,

— having regard to the Council common position (14502/1/2002— C5-0079/2003) ⁽¹⁾,

⁽¹⁾ OJ C 90 E, 15.4.2003, p. 1.

Wednesday 2 July 2003

- having regard to its position at first reading ⁽¹⁾ on the Commission proposal to Parliament and the Council (COM(2000) 320) ⁽²⁾,
 - having regard to the amended proposal (COM(2001) 131) ⁽³⁾,
 - having regard to Article 251(2) of the EC Treaty,
 - having regard to Rule 80 of its Rules of Procedure,
 - having regard to the recommendation for second reading of the Committee on the Environment, Public Health and Consumer Policy (A5-0201/2003),
1. Amends the common position as follows;
 2. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ OJ C 267, 21.9.2001, p. 53.

⁽²⁾ OJ C 337 E, 28.11.2000, p. 163.

⁽³⁾ OJ C 180 E, 26.6.2001, p. 190.

P5_TC2-COD(2000)0132

Position of the European Parliament adopted at second reading on 2 July 2003 with a view to the adoption of European Parliament and Council Directive 2003/.../EC amending Council Directive 96/22/EC concerning the prohibition on the use in stockfarming of certain substances having a hormonal or thyrostatic action and of beta-agonists

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 152(4)(b) thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the Opinion of the European Economic and Social Committee ⁽²⁾,

After consulting the Committee of the Regions ,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽³⁾ ,

Whereas:

- (1) Article 3(a) of Directive 96/22/EC ⁽⁴⁾ requires Member States to prohibit the administration to farm animals of substances having, inter alia, an oestrogenic, androgenic or gestagenic action. Nevertheless administration of those substances to farm animals may be authorised but only if they are used for therapeutic purposes or zootechnical treatment, in accordance with the provisions of Articles 4, 5 and 7 of that Directive.
- (2) Article 11(2) of Directive 96/22/EC requires Member States to prohibit the importation from third countries of farm or aquaculture animals to which substances or products referred to in Article 3(a) of that Directive have been administered, unless those products were administered in compliance with the provisions and requirements laid down in Articles 4, 5 and 7 thereof as well as of meat or products obtained from animals the importation of which is prohibited under Article 3(a) thereof.

⁽¹⁾ OJ C 337 E, 28.11.2000, p. 163 and OJ C 180 E, 26.6.2001, p. 190.

⁽²⁾ OJ C 14 E, 16.1.2001, p. 47.

⁽³⁾ Position of the European Parliament of 1 February 2001 (OJ C 267, 21.9.2001, p. 53), Council Common Position of 20 February 2003 (OJ C 90 E, 15.4.2003, p. 1), Position of the European Parliament of 2 July 2003 (not yet published in the Official Journal) and Council Decision of 22 July 2003.

⁽⁴⁾ OJ L 125, 23.5.1996, p. 3.

Wednesday 2 July 2003

- (3) In the light of the results of a dispute settlement case brought before the World Trade Organisation (WTO) by the United States of America and by Canada (the Hormones case) ⁽¹⁾ and recommendations made in that respect by the WTO Dispute Settlement Body on 13 February 1998, the Commission immediately initiated a complementary risk assessment, in accordance with the requirements of the Agreement on the Application of Sanitary and Phytosanitary Measures (WTO-GATT) ⁽²⁾ as interpreted by the Appellate Body in the Hormones case, of the six hormonal substances (oestradiol 17 β , testosterone, progesterone, trenbolone acetate, zeranol and melengestrol acetate) whose administration for animal growth promotion purposes is prohibited by Directive 96/22/EC.
- (4) In parallel, the Commission initiated and funded a number of specific scientific studies and research projects on these six hormones in order to obtain as much as possible of the missing scientific information, as identified in the interpretations and findings of the WTO panel and Appellate Body reports in the Hormones case. Moreover, the Commission addressed specific requests to the USA, Canada and other third countries, which authorise the use of these six hormones for animal growth promotion, and published an open call for documentation ⁽³⁾ requesting any interested party, including the industry, to provide any relevant and recent scientific data and information in their possession to be taken into account in the complementary risk assessment.
- (5) On 30 April 1999, as requested by the Commission, the Scientific Committee on Veterinary Measures relating to Public Health (SCVPH) issued an opinion concerning the assessment of potential adverse effects to human health from hormone residues in bovine meat and meat products. The major conclusions of that opinion were, first, that, as concerns excess intake of hormone residues and their metabolites, and in view of the intrinsic properties of hormones and the epidemiological findings, a risk to the consumer has been identified with different levels of conclusive evidence for the six hormones evaluated. Second, for the six hormones endocrine, developmental, immunological, neurobiological, immunotoxic, genotoxic and carcinogenic effects could be envisaged and, of the various susceptible risk groups, prepubertal children is the group of greatest concern and, third, in view of the intrinsic properties of the hormones and taking into account epidemiological findings, no threshold levels and, therefore, no Acceptable Daily Intake (ADI) can be established for any of the six hormones evaluated when they are administered to bovine animals for growth promotion purposes.
- (6) As regards, in particular, the use of oestradiol 17 β , with the aim of promoting growth, the SCVPH assessment is that a substantial body of recent evidence suggests that it has to be considered as a complete carcinogen, as it exerts both tumour initiating and tumour promoting effects and that the data currently available does not make it possible to give a quantitative estimate of the risk.
- (7) As regards the other five hormones (testosterone, progesterone, trenbolone acetate, zeranol and melengestrol acetate), the SCVPH assessment is that, in spite of the individual toxicological and epidemiological data available, which were taken into account, the current state of knowledge does not make it possible to give a quantitative estimate of the risk to consumers.
- (8) Subsequent to the opinion of the SCVPH of 30 April 1999, new and more recent scientific information under consideration on some of the six hormones was made available to the Commission from the United Kingdom's Veterinary Products Committee, in October 1999, the Committee on Veterinary Medicinal Products of the European Community (CVM), in December 1999, and the Joint FAO/WHO Expert Committee on Food Additives (JECFA), in February 2000. The CVM has noted in particular that oestradiol 17 β has a carcinogenic effect only after prolonged exposure and at levels which are considerably higher than those needed for a physiological (oestrogenic) response. All this latest scientific information was brought to the attention of the SCVPH, which reviewed it and, on 3 May 2000, concluded that it did not provide convincing data and arguments requiring revision of the conclusions drawn in its opinion of 30 April 1999. The SCVPH confirmed in its opinion of 10 April 2002 its previous opinion's validity, after revising it in the light of the most recent scientific data.

⁽¹⁾ WT/DS26/R/USA and WT/DS48/R/CAN (panel reports), and AB-1997-4 (Appellate Body report).

⁽²⁾ OJ L 336, 23.12.1994, p. 40.

⁽³⁾ OJ C 56, 26.2.1999, p. 17.

Wednesday 2 July 2003

- (9) As regards, in particular, oestradiol 17 β , this substance can potentially be used in all farm animals and residue intake for all segments of the human population and in particular the susceptible groups at high risk can therefore be especially relevant. Avoiding such intake is important to safeguard human health. Furthermore, the routine use of the above substances for animal growth promotion purposes is likely to lead to increased concentration of those substances in the environment.
- (10) Taking into account the results of the risk assessment and all other available pertinent information, it has to be concluded that, in order to achieve the chosen level of protection in the Community from the risks posed, in particular to human health, by the routine use of these hormones for growth promotion and the consumption of residues found in meat derived from animals to which these hormones had been administered for growth promotion, it is necessary to maintain the permanent prohibition laid down in Directive 96/22/EC on oestradiol 17 β and to continue provisionally to apply the prohibition to the other five hormones (testosterone, progesterone, trenbolone acetate, zeranol and melengestrol acetate). Furthermore, according to Article 7 of Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety ⁽¹⁾, the provisional prohibition of these five hormones should apply while the Community seeks more complete scientific information from any source, which could shed light and clarify the gaps in the present state of knowledge of these substances.
- (11) However, the use of certain of the above substances, where this is necessary, for therapeutic purposes or zootechnical treatment may continue to be authorised as it is not likely to constitute a hazard for public health due to the nature and the limited duration of the treatments, the limited quantities administered and the strict conditions laid down in Directive 96/22/EC in order to prevent any possible misuse.
- (12) However, in the light of the existing information it is appropriate to limit as far the exposure to oestradiol 17 β and only authorise those treatments for which no viable effective alternatives exist. In general, there are alternative treatments or strategies available to replace most of the uses of oestradiol 17 β for therapeutic or zootechnical purposes. Nonetheless, studies appear to show that at present no viable effective alternatives exist in all the Member States for certain treatments which are currently authorised. In order to allow for the necessary adjustments and in particular for the authorisation or the mutual recognition of the pharmaceutical products needed, it is appropriate to phase out the use of oestradiol 17 β for oestrus induction over a given period. It is also appropriate to maintain the possibility of authorising, under strict and verifiable conditions so as to prevent any possible misuse and any unacceptable risk for public health, its use for the treatment of certain conditions (foetus maceration or mummification and pyometra in cattle) which have serious consequences for animal health and welfare. It is necessary to review this possibility within a given time.
- (13) The proposed amendments to Directive 96/22/EC are necessary to achieve the chosen level of health protection from the residues in meat of farm animals treated with these hormones for growth promotion purposes, whilst respecting the general principles of food law set out in Regulation (EC) No 178/2002 and the international obligations of the Community. Moreover, there is no other means that is reasonably available at present, taking into account technical and economic feasibility, which is significantly less restrictive on trade and can achieve equally effectively the chosen level of health protection. In addition, minor drafting amendments are equally necessary in particular in view of the replacement of a number of Directives by Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products ⁽²⁾,

⁽¹⁾ OJ L 31, 1.2.2002, p. 1.

⁽²⁾ OJ L 311, 28.11.2001, p. 1.

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Directive 96/22/EC is hereby amended as follows:

- 1) Articles 2 and 3 shall be replaced by the following:

'Article 2

Member States shall prohibit:

- a) the placing on the market of the substances listed in Annex II, List A for administering to animals of all species;
- b) the placing on the market of the substances listed in Annex II, List B of this Directive for administering to animals, the flesh and products of which are intended for human consumption, for purposes other than those provided for in point 2 of Article 4 and in Article 5a.

Article 3

Member States shall prohibit, for substances listed in Annex II, and shall provisionally prohibit, for substances listed in Annex III:

- a) the administering of those substances to farm or aquaculture animals, by any means whatsoever;
- b) — the holding, except under official control, of animals referred to in point (a) on a farm,
— the placing on the market or slaughter for human consumption of farm animals

which contain the substances referred to in Annex II and Annex III or in which the presence of such substances has been established, unless proof can be given that the animals in question have been treated in accordance with Articles 4, 5 or 5a;

- c) the placing on the market for human consumption of aquaculture animals to which substances referred to above have been administered and of processed products derived from such animals;
 - d) the placing on the market of meat from animals referred to in (b);
 - e) the processing of the meat referred to in (d).'
- 2) in Article 4, point 1, the words 'oestradiol 17 β ' shall be deleted;
- 3) in Article 5, first paragraph, the first sentence shall be replaced by the following:

'Notwithstanding Article 3(a) and without prejudice to Article 2, Member States may authorise the administering to farm animals, for the purpose of zootechnical treatment, of veterinary medicinal products having an oestrogenic (other than oestradiol 17 β and its ester-like derivatives), androgenic or gestagenic action which are authorised in accordance with Directive 2001/82/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to veterinary medicinal products ⁽¹⁾.

⁽¹⁾ OJ L 311, 28.11.2001, p. 1.'

Wednesday 2 July 2003

4) the following Article shall be added:

'Article 5a

1. Notwithstanding Article 3(a) and without prejudice to Articles 2 and 11a, Member States may authorise the administering to farm animals of veterinary medicinal products containing oestradiol 17 β or its ester-like derivatives for:
 - the treatment of foetus maceration or mummification in cattle,
 - the treatment of pyometra in cattle, or in accordance with Directive 2001/82/EC.
2. Notwithstanding Article 3(a) and without prejudice to Article 2, Member States may authorise the administering to farm animals of veterinary medicinal products containing oestradiol 17 β or its ester-like derivatives for oestrus induction in cattle, horses, sheep or goats until ... (*), in accordance with Directive 2001/82/EC.
3. The treatment must be carried out by the veterinarian himself on farm animals which have been clearly identified. This treatment must be registered by the veterinarian responsible. The latter must record at least the following details in a register, which may be that provided for in Directive 2001/82/EC:
 - type of product administered,
 - the nature of the treatment,
 - the date of treatment,
 - the identity of the animals treated,
 - the date of expiry of the withdrawal period.

The register must be made available to the competent authority at its request.

Stockfarmers shall be prohibited from holding on their farms veterinary medicinal products containing oestradiol 17 β or its ester-like derivatives.

(*). Three years after the entry into force of this Directive.'

5) Article 6(1) shall be replaced by the following:

'1. Hormonal products and beta-agonists the administration of which to farm animals is authorised in accordance with Articles 4, 5 or 5a must meet the requirements of Directive 2001/82/EC.'

6) Article 7(1), first subparagraph, shall be replaced by the following:

'1. For the purpose of trade, Member States may authorise the placing on the market of animals for breeding and breeding animals at the end of their reproductive life which, during the latter period, have undergone a treatment referred to in Articles 4, 5 or 5a and may authorise the affixing of the Community stamp to meat from such animals where the conditions laid down in Articles 4, 5 or 5a and the withdrawal periods provided for in the authorisation to place on the market are complied with.'

7) Article 8 shall be amended as follows:

a) point 1 shall be replaced by the following:

'1) at the time of the import, manufacture, storage, distribution, sale and use of the substances referred to in Articles 2 and 3, their possession is restricted to the persons authorised by national legislation in accordance with Article 68 of Directive 2001/82/EC.'

Wednesday 2 July 2003

- b) in point 2(a), the words 'Article 2' shall be replaced by 'Articles 2 and 3';
 - c) in point 2(d), the words 'in Articles 4 and 5' shall be replaced by 'in Articles 4, 5 and 5a';
 - d) footnote 2 shall be deleted and footnote 3 shall become footnote 2;
- 8) Article 11(2)(a) shall be amended as follows:
- a) in point (i), the words 'point (a) of Article 2' shall be replaced by 'Annex II, List A';
 - b) point (ii) shall be replaced by the following:
 - 'ii) to which substances referred to in Annex II, List B and Annex III have been administered, unless those substances were administered in compliance with the provisions and requirements laid down in Articles 4, 5, 5a and 7 and the withdrawal periods allowed in international recommendations have been observed;'

- 9) the following Article shall be added:

'Article 11a

The Commission shall present within two years from (*) to the European Parliament and the Council a report on the availability of alternative veterinary medicinal products to those containing oestradiol 17 β or its ester-like derivatives for the treatment of foetus maceration or mummification in cattle, and for the treatment of pyometra in cattle, and present to them the following year any necessary proposals intending to replace in due time these substances.

Likewise, with regard to the substances listed in Annex III, the Commission shall seek additional information, taking into account recent scientific data from all possible sources, and keep the measures applied under regular review with a view to timely presentation to the European Parliament and the Council of any necessary proposals.

(*) Date of entry into force of this Directive'

- 10) the following Article shall be added:

'Article 14a

Notwithstanding Articles 3 and 5a, and without prejudice to Article 2, farm animals for which it can be certified that they have been administered oestradiol 17 β or its ester-like derivatives for therapeutic or zootechnical purposes prior to ... 2002 shall be subject to the same provisions as those laid down for the substances authorised in accordance with Article 4(1) as regards therapeutic use and Article 5 as regards zootechnical use.

(*) Date referred to in the first subparagraph of Article 2(1).'

- 11) all references to 'Directive 81/851/EEC' and 'Directive 81/852/EEC' shall be construed as references to 'Directive 2001/82/EC'
- 12) the Annex to Directive 96/22/EC shall become 'Annex I', and Annexes II and III in the Annex to this Directive shall be added.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by ... (*) at the latest. They shall forthwith inform the Commission thereof.

(*) 12 months after the date of entry into force of this Directive.

Wednesday 2 July 2003

When Member States adopt these measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

2. Member States shall communicate to the Commission the text of the provisions of national law which they adopt in the field covered by this Directive.

Article 3

This Directive shall enter into force on the day of its publication in the Official Journal of the European Communities.

Article 4

This Directive is addressed to the Member States.

Done at Brussels,

For the European Parliament
The President

For the Council
The President

ANNEX

'ANNEX II

List of prohibited substances:

List A:

- Thyrostatic substances,
- Stilbenes, stilbene derivatives, their salts and esters

List B:

- Oestradiol 17 β and its ester-like derivatives,
- Beta-agonists

ANNEX III

List of provisionally prohibited substances:

Substances having oestrogenic (other than oestradiol 17 β and its ester-like derivatives), androgenic or gestagenic action.'

Wednesday 2 July 2003

P5_TA(2003)0318

Packaging and packaging waste *II****European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council directive amending Directive 94/62/EC on packaging and packaging waste (14843/1/2002 — C5-0082/2003 — 2001/0291(COD))**

(Codecision procedure: second reading)

The European Parliament,

- having regard to the Council common position (14843/1/2002 — C5-0082/2003) ⁽¹⁾,
 - having regard to its position at first reading ⁽²⁾ on the Commission proposal to Parliament and the Council (COM(2001) 729) ⁽³⁾,
 - having regard to Article 251(2) of the EC Treaty,
 - having regard to Rule 80 of its Rules of Procedure,
 - having regard to the recommendation for second reading of the Committee on the Environment, Public Health and Consumer Policy (A5-0200/2003),
1. Amends the common position as follows;
 2. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ OJ C 107 E, 6.5.2003, p. 17.

⁽²⁾ P5_TA(2002)0390.

⁽³⁾ OJ C 103 E, 30.4.2002, p. 17.

P5_TC2-COD(2001)0291**Position of the European Parliament adopted at second reading on 2 July 2003 with a view to the adoption of European Parliament and Council Directive 2003/.../EC amending Directive 94/62/EC on packaging and packaging waste**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 95(1) thereof,

Having regard to the proposal from the Commission ⁽¹⁾,Having regard to the Opinion of the European Economic and Social Committee ⁽²⁾,

⁽¹⁾ OJ C 103 E, 30.4.2002, p. 17.

⁽²⁾ OJ C 221, 17.9.2002, p. 31.

Wednesday 2 July 2003

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

Whereas:

- (1) Pursuant to Directive 94/62/EC ⁽²⁾ the Council is required, no later than six months before the end of a five-year phase starting from the date by which that Directive should have been implemented in national law, to fix targets for the next five-year phase.
- (2) The definition of 'packaging' laid down in Directive 94/62/EC should be further clarified through the introduction of certain criteria and an annex containing illustrative examples. It is necessary, in order to achieve the ambitious recycling targets, to encourage the development of innovative, **environmentally sound** and viable recycling **processes**.
- (3) Recycling targets for each specific waste material should take account of life-cycle assessments and cost-benefit analysis, which have indicated clear differences both in the costs and in the benefits of recycling the various packaging materials, and should improve the coherence of the internal market for the recycling of these materials.
- (4) Recovery and recycling of packaging waste should be further increased to reduce its environmental impact.
- (5) Certain Member States which, on account of their special circumstances, were allowed to postpone the date fixed for *attainment* of the recovery and recycling targets set in Directive 94/62/EC should be granted a further, but limited, postponement.
- (6) The management of packaging and packaging waste requires the Member States to set up return, collection and recovery systems. Such systems should be open to the participation of all interested parties and be designed to avoid discrimination against imported products and barriers to trade or distortions of competition and to guarantee the maximum possible return of packaging and packaging waste, in accordance with the Treaty. **Discrimination against materials on the basis of their weight should be avoided.** The operators in the packaging chain as a whole should shoulder their shared responsibility to ensure that the environmental impact of packaging and packaging waste throughout its life cycle is reduced as far as possible.
- (7) **Annual** Community-wide data on packaging and packaging waste, including on waste exported for recycling and recovery outside the Community, are needed in order to monitor the implementation of the objectives of this Directive. This requires a harmonised reporting technique and clear guidelines for data providers.
- (8) The Commission should examine and report on the *implementation of this Directive and its impact* on both the environment and the internal market. This report should also cover the issues of essential requirements, waste prevention measures, a possible packaging indicator, waste prevention plans, re-use, producer responsibility and heavy metal and should, as appropriate, be accompanied by proposals for revision.
- (9) Member States should promote relevant consumer information and awareness campaigns.
- (10) In addition to the environmental and internal market objectives of this Directive, recycling may also have the effect of providing jobs which have declined elsewhere in society, and may thus help prevent exclusion.

⁽¹⁾ Position of the European Parliament of 3 September 2002 (not yet published in the Official Journal), Council Common Position of 6 March 2003 (OJ C 107 E, 6.5.2003, p. 17) and Position of the European Parliament of 2 July 2003.

⁽²⁾ OJ L 365, 31.12.1994, p. 10.

Wednesday 2 July 2003

- (11) Since the objectives of the proposed action, namely to harmonise national targets for the recycling of packaging waste, taking into account individual circumstances of each Member State, and to provide further clarification on definitions, cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale of the action, be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives.
- (12) The measures necessary for the implementation of this Directive should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽¹⁾.
- (13) Directive 94/62/EC should therefore be amended accordingly,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Directive 94/62/EC is hereby amended as follows:

- (1) The following *paragraphs* shall be added to point (1) of Article 3:

'The definition of "packaging" shall be further based on the criteria set out below. The items listed in Annex I are illustrative examples of the application of these criteria.

- (i) Items shall be considered to be packaging if they fulfil the definition above without prejudice to other functions which the packaging might also perform, unless the item is an integral part of a **durable product that is necessary to contain, support or preserve that product throughout its lifetime** and all elements are intended to be **utilised for their intended purpose**, or disposed of together.
- (ii) Items designed and intended to be filled at the point of sale and "disposable" items sold, filled or designed and intended to be filled at the point of sale shall be considered to be packaging provided they fulfil a packaging function.
- (iii) Packaging components and ancillary elements integrated into packaging shall be considered to be part of the packaging into which they are integrated. Ancillary elements directly hung on, or attached to, a product and which perform a packaging function shall be considered to be packaging unless they are an integral part of this product and all elements are intended to be consumed or disposed of together.

The Commission shall as soon as practicable, in accordance with the procedure laid down in Article 21, examine and, where necessary, revise the illustrative examples for the definition of packaging referred to in Annex I.

- (2) Article 4 shall be replaced by the following:

Article 4

Prevention

- 1. Member States shall ensure that, in addition to the measures to prevent the formation of packaging waste taken in accordance with Article 9, other preventive measures are implemented.***

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

Wednesday 2 July 2003

Such other measures may consist of national programmes, projects to introduce producer responsibility to minimise the environmental impact of packaging or similar actions adopted, if appropriate, in consultation with economic operators, and designed to bring together and take advantage of the many initiatives taken within Member States as regards prevention. They shall comply with the objectives of this Directive as defined in Article 1(1).

- 2. The Commission shall help to promote prevention by encouraging the development of suitable European standards, in accordance with Article 10. The standards shall aim to minimise the environmental impact of packaging in accordance with Articles 9 and 10.**
- 3. The Commission shall present at the latest by 30 June 2005 proposals for measures to strengthen and complement the enforcement of the essential requirements and to ensure that new packaging is put on the market only if the producer has taken all measures to minimise its environmental impact without compromising the essential functions of the packaging.'**

(3) Article 6 shall be replaced by the following:

'Article 6

Recovery and recycling

1. In order to comply with the objectives of this Directive, Member States shall take the necessary measures to attain the following targets covering the whole of their territory:
 - a) no later than 30 June 2001 between 50 % as a minimum and 65 % as a maximum by weight of packaging waste will be recovered;
 - b) no later than 31 December 2008 60 % as a minimum by weight of packaging waste will be recovered;
 - c) no later than 30 June 2001 between 25 % as a minimum and 45 % as a maximum by weight of the totality of packaging materials contained in packaging waste will be recycled with a minimum of 15 % by weight for each packaging material;
 - d) no later than 31 December 2008 between 55 % as a minimum and 80 % as a maximum by weight of packaging waste will be recycled;
 - e) no later than 31 December 2008 the following minimum recycling targets for materials contained in packaging waste will be attained:
 - i) 60 % by weight for glass;
 - ii) 60 % by weight for paper and board;
 - iii) 50 % by weight for metals;
 - iv) 22,5 % by weight for plastics, counting exclusively material that is recycled back into plastics;
 - v) 15 % by weight for wood.
2. Packaging waste exported out of the Community in accordance with Council Regulation (EEC) No 259/93 (*), Council Regulation (EC) No 1420/1999 (**) and Commission Regulation (EC) No 1547/1999 (***) shall only count for the achievement of the obligations and targets set out in paragraph 1 if there is sound evidence that the recovery and/or recycling operation took place under conditions that are broadly equivalent to those prescribed by the Community legislation on the matter.

Wednesday 2 July 2003

3. Member States shall, where appropriate, encourage energy recovery where it is preferable to material-recycling for environmental and cost-benefit reasons. This could be done by considering a sufficient margin between national recycling and recovery targets.
4. Member States shall, where appropriate, encourage the use of materials obtained from recycled packaging waste for the manufacturing of packaging and other products by:
 - a) improving market conditions for such materials;
 - b) reviewing existing regulations preventing the use of those materials.
5. Not later than 31 December 2007, the European Parliament and the Council, acting by qualified majority and on a proposal from the Commission, shall fix targets for the third five-year phase 2009 to 2014, based on the practical experience gained in the Member States in pursuit of the targets laid down in paragraph 1 and the findings of scientific research and evaluation techniques such as life-cycle assessments and cost-benefit analysis.

This process shall be repeated every five years.

6. The measures and targets referred to in paragraph 1 shall be published by the Member States and shall be the subject of an information campaign for the general public and economic operators.
7. Greece, Ireland and Portugal may, because of their specific situations, namely the large number of small islands, the presence of rural and mountain areas and the current low level of packaging consumption respectively, decide to:
 - a) attain, no later than 30 June 2001, lower targets than those fixed in paragraphs 1(a) and (c), but shall at least attain 25 % for recovery;
 - b) postpone at the same time the attainment of the targets in paragraphs 1(a) and (c) to a later deadline which, however, shall not be later than 31 December 2005;
 - c) postpone the attainment of the targets referred to in paragraphs 1(b), (d) and (e) until a date of their own choosing which shall not be later than **30 June 2010**.
8. **Member States acceding to the European Union by virtue of the Accession Treaty of 16 April 2003 may postpone the attainment of the targets referred to in paragraph 1(b), (d) and (e) until a date of their own choosing which shall not be later than a date to be established at the latest by ... (***) , in accordance with the procedure set out in Article 251 of the Treaty.**
9. The Commission shall, as soon as possible and no later than 30 June 2005, present a report to the European Parliament and the Council on the progress of the implementation of this Directive and its impact on the environment, as well as on the functioning of the internal market. The report shall take into account individual circumstances in each Member State. It shall cover the following:
 - (a) an evaluation of the **effectiveness, implementation and enforcement** of the essential requirements;
 - (b) **an evaluation of the different recycling methods with a view to drawing up definitions for these methods;**
 - (c) additional prevention measures to reduce the **overall environmental** impact of packaging as far as possible without compromising its essential functions;

Wednesday 2 July 2003

- (d) the possible development of a packaging **environment** indicator to render packaging waste prevention simpler and more effective;
- (e) **packaging** waste prevention plans;
- (f) **re-use and, in particular, comparison of ecological benefits of re-use and those of recycling;**
- (g) producer responsibility including its financial aspects;
- (h) efforts to reduce further **and ultimately** phase out **hazardous substances** in packaging by 2010.

This report shall, as appropriate, be accompanied by proposals for revision of the related provisions of this Directive, unless such proposals have, by that time, been presented.

10. **The report shall address the issues in paragraph 9 as well as other relevant issues in the framework of the different elements of the 6th Environmental Action Programme, in particular the Thematic Strategy on Recycling and the Thematic Strategy on the Sustainable Use of Resources.**

In order to base the report on practical experience, the Commission and the Member States shall encourage the initiation and evaluation of pilot projects concerning paragraph 9 (c), (d), (e) and (g), and other prevention instruments such as consumer watchdogs and complaints procedures. The participation of all stakeholders shall be ensured.

11. Member States which have, or will, set programmes going beyond the maximum targets laid down in paragraph 1 and which provide to this effect appropriate capacities for recycling and recovery shall be permitted to pursue those targets in the interest of a high level of environmental protection, on condition that these measures avoid distortions of the internal market and do not hinder compliance by other Member States with this Directive. Member States shall inform the Commission of such measures. The Commission shall confirm these measures, after having verified, in cooperation with the Member States, that they are consistent with the abovementioned considerations and do not constitute an arbitrary means of discrimination or a disguised restriction on trade between Member States.

(*) Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community (OJ L 30, 6.2.1993, p. 1). Regulation as last amended by Commission Regulation (EC) No 2557/2001 (OJ L 349, 31.12.2001, p. 1).

(**) Council Regulation (EC) No 1420/1999 of 29 April 1999 establishing common rules and procedures to apply to shipments to certain non-OECD countries of certain types of waste (OJ L 166, 1.7.1999, p. 6). Regulation as last amended by Commission Regulation (EC) No 2243/2001 (OJ L 303, 20.11.2001, p. 11).

(***) Commission Regulation (EC) No 1547/1999 of 12 July 1999 determining the control procedures under Council Regulation (EEC) No 259/93 to apply to shipments of certain types of waste to certain countries to which OECD Decision C(92)39 final does not apply (OJ L 185, 17.7.1999, p. 1). Regulation as last amended by Regulation (EC) No 2243/2001.

(****) **18 months after the date of entry into force of this Directive.'**

(4) Article 8(2) shall be replaced by the following:

- ‘2. To facilitate collection, reuse and recovery including recycling, packaging shall indicate for the purposes of its identification and classification by the industry concerned the nature of the packaging material(s) used on the basis of Commission Decision 97/129/EC (*).’

(* *Commission Decision 97/129/EC of 28 January 1997 establishing the identification system for packaging material pursuant to European Parliament and Council Directive 94/62/EC on packaging and packaging waste (OJ L 50, 20.2.1997, p. 28).*’

(5) The following subparagraph shall be added to Article 13:

‘Member States shall also promote consumer information and awareness campaigns.’

(6) Article 19 shall be replaced by the following:

‘Article 19

Adaptation to scientific and technical progress

The amendments necessary for adapting to scientific and technical progress the identification system (as referred to in Article 8(2) and Article 10, second subparagraph, last indent), the formats relating to the database system (as referred to in Article 12(3) and Annex III) and the illustrative examples on the definition of packaging (as referred to in Annex I) shall be adopted in accordance with the procedure laid down in Article 21(2).’

(7) **Article 20(1) shall be replaced by the following:**

- ‘1. The Commission, in accordance with the procedure laid down in Article 21, shall determine the technical measures necessary to deal with any difficulties encountered in applying the provisions of this Directive in particular to inert packaging materials, the quantities of which do not exceed 0,1 % of all packaging put on the market in the European Union, primary packaging for medical devices and pharmaceutical products, small packaging and luxury packaging.’**

(8) Article 21 shall be replaced by the following:

‘Article 21

Committee procedure

1. The Commission shall be assisted by a committee.
2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC (*) shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

(* *Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).*’

Wednesday 2 July 2003

(9) In Article 22, the following paragraph shall be inserted:

'3a. Provided that the objectives set out in Article 6 are achieved, Member States may transpose the provisions of Article 7 by means of agreements between the competent authorities and the economic sectors concerned.

Such agreements shall meet the following requirements:

- a) agreements shall be enforceable;*
- b) agreements shall specify objectives with the corresponding deadlines;*
- c) agreements shall be published in the national official journal or an official document equally accessible to the public, and transmitted to the Commission;*
- d) the results achieved shall be monitored regularly, reported to the competent authorities and the Commission and made available to the public under the conditions set out in the agreement;*
- e) the competent authorities shall ensure that the progress achieved under the agreement is examined;*
- f) in case of non-compliance with the agreement, Member States must implement the relevant provisions of this Directive by legislative, regulatory or administrative measures.'*

(10) Annex I shall be replaced by the annex which appears in the Annex hereto.

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by ... (*). They shall immediately inform the Commission thereof.

When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

Article 3

This Directive shall enter into force on the day of its publication in the Official Journal of the European Union.

Article 4

This Directive is addressed to the Member States.

Done at ,

For the European Parliament
The President

For the Council
The President

(*) 18 months after the date of entry into force of this Directive.

ANNEX

'ANNEX I

Illustrative examples for criterion (i)

Packaging

Sweet boxes
Film overwrap around a CD case
CD and video cases for short-term use

Non-packaging

Flower pots intended to stay with the plant throughout **a significant part of** its life
Tool boxes
Tea bags
Wax layers around cheese
Sausage skins
Tubes and cylinders around which flexible material is wound
Release paper of self-adhesive labels
Wrapping and gift wrapping paper sold as a separate product

Illustrative examples for criterion (ii)

Packaging, if designed and intended to be filled at the point of sale

Paper or plastic carrier bags
Disposable plates and cups
Cling film
Sandwich bags
Aluminium foil

Non-packaging

Stirrer
Disposable cutlery

Illustrative examples for criterion (iii)

Packaging

Labels hung directly on or attached to a product

Part of packaging

Mascara brush which forms part of the container closure
Sticky labels attached to another packaging item
Staples
Plastic sleeves
Device for measuring dosage which forms part of the container closure for detergents.'

Wednesday 2 July 2003

P5_TA(2003)0319

Greenhouse gas emission allowance trading ***II

European Parliament legislative resolution on the Council common position with a view to adopting a European Parliament and Council directive establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (15792/1/2002 — C5-0135/2003 — 2001/0245(COD))

(Codecision procedure: second reading)

The European Parliament,

- having regard to the Council common position (15792/1/2002 — C5-0135/2003) ⁽¹⁾,
 - having regard to its position at first reading ⁽²⁾ on the Commission proposal to Parliament and the Council (COM(2001) 581) ⁽³⁾,
 - having regard to the Commission's amended proposal (COM(2002) 680) ⁽⁴⁾,
 - having regard to Article 251(2) of the EC Treaty,
 - having regard to Rule 80 of its Rules of Procedure,
 - having regard to the recommendation for second reading of the Committee on the Environment, Public Health and Consumer Policy (A5-0207/2003),
1. Amends the common position as follows;
 2. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ OJ C 125 E, 27.5.2003, p. 72.

⁽²⁾ P5_TA(2002)0461.

⁽³⁾ OJ C 75 E, 26.3.2002, p. 33.

⁽⁴⁾ Not yet published in the Official Journal.

P5_TC2-COD(2001)0245

Position of the European Parliament adopted at second reading on 2 July 2003 with a view to the adoption of European Parliament and Council Directive 2003/.../EC establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 175(1) thereof,

Wednesday 2 July 2003

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the Opinion of the European Economic and Social Committee ⁽²⁾,

Having regard to the Opinion of the Committee of the Regions ⁽³⁾,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽⁴⁾,

Whereas:

- (1) The Green Paper on greenhouse gas emissions trading within the European Union launched a debate across Europe on the suitability and possible functioning of greenhouse gas emissions trading within the European Union. The European Climate Change Programme has considered Community policies and measures through a multi-stakeholder process, including a scheme for greenhouse gas emission allowance trading within the Community (the Community scheme) based on the Green Paper. In its Conclusions of 8 March 2001, the Council recognised the particular importance of the European Climate Change Programme and of work based on the Green Paper, and underlined the urgent need for concrete action at Community level.
- (2) The Sixth Community Environment Action Programme established by Decision No 1600/2002/EC of the European Parliament and of the Council ⁽⁵⁾ identifies climate change as a priority for action and provides for the establishment of a Community-wide emissions trading scheme by 2005. That Programme recognises that the Community is committed to achieving an 8 % reduction in emissions of greenhouse gases by 2008 to 2012 compared to 1990 levels, and that, in the longer-term, global emissions of greenhouse gases will need to be reduced by approximately 70 % compared to 1990 levels.
- (3) The ultimate objective of the United Nations Framework Convention on Climate Change, which was approved by Council Decision 94/69/EC of 15 December 1993 concerning the conclusion of the United Nations Framework Convention on Climate Change ⁽⁶⁾, is to achieve stabilisation of greenhouse gas concentrations in the atmosphere at a level which prevents dangerous anthropogenic interference with the climate system.
- (4) Once it enters into force, the Kyoto Protocol, which was approved by Council Decision 2002/358/EC of 25 April 2002 concerning the approval, on behalf of the European Community, of the Kyoto Protocol to the United Nations Framework Convention on Climate Change and the joint fulfilment of commitments thereunder, ⁽⁷⁾ will commit the Community and its Member States to reducing their aggregate anthropogenic emissions of greenhouse gases listed in Annex A to the Protocol by 8 % compared to 1990 levels in the period 2008 to 2012.
- (5) The Community and its Member States have agreed to fulfil their commitments to reduce anthropogenic greenhouse gas emissions under the Kyoto Protocol jointly, in accordance with Decision 2002/358/EC. This Directive aims to contribute to fulfilling the commitments of the European Community and its Member States more effectively, through an efficient European market in greenhouse gas emission allowances, with the least possible diminution of economic development and employment.

⁽¹⁾ OJ C 75 E, 26.3.2002, p. 33.

⁽²⁾ OJ C 221, 17.9.2002, p. 27.

⁽³⁾ OJ C 192, 12.8.2002, p. 59.

⁽⁴⁾ Position of the European Parliament of 10 October 2002 (not yet published in the Official Journal), Council Common Position of 18 March 2003 (OJ C 125 E, 27.5.2003, p. 72), Position of the European Parliament of 2 July 2003 (not yet published in the Official Journal) and Council Decision of 22 July 2003.

⁽⁵⁾ OJ L 242, 10.9.2002, p. 1.

⁽⁶⁾ OJ L 33, 7.2.1994, p. 11.

⁽⁷⁾ OJ L 130, 15.5.2002, p. 1.

Wednesday 2 July 2003

- (6) Council Decision 93/389/EEC of 24 June 1993 for a monitoring mechanism of Community CO₂ and other greenhouse gas emissions ⁽¹⁾, established a mechanism for monitoring greenhouse gas emissions and evaluating progress towards meeting commitments in respect of these emissions. This mechanism will assist Member States in determining the total quantity of allowances to allocate.
- (7) Community provisions relating to allocation of allowances by the Member States are necessary to contribute to preserving the integrity of the internal market and to avoid distortions of competition.
- (8) Member States should have regard when allocating allowances to the potential for industrial process activities to reduce emissions.
- (9) Member States may provide that they only issue allowances valid for a five-year period beginning in 2008 to persons in respect of allowances cancelled, corresponding to emission reductions made by those persons on their national territory during a three-year period beginning in 2005.
- (10) Starting with the said five-year period, transfers of allowances to another Member State will involve corresponding adjustments of assigned amount units under the Kyoto Protocol.
- (11) Member States should ensure that the operators of certain specified activities hold a greenhouse gas emissions permit and that they monitor and report their emissions of greenhouse gases specified in relation to those activities.
- (12) Member States should lay down rules on penalties applicable to infringements of this Directive and ensure that they are implemented. Those penalties must be effective, proportionate and dissuasive.
- (13) In order to ensure transparency, the public should have access to information relating to the allocation of allowances and to the results of monitoring of emissions, subject only to restrictions provided for in Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information ⁽²⁾.
- (14) Member States should submit a report on the implementation of this Directive drawn up on the basis of Council Directive 91/692/EEC of 23 December 1991 standardising and rationalising reports on the implementation of certain Directives relating to the environment ⁽³⁾.
- (15) The inclusion of additional installations in the Community scheme should be in accordance with the provisions laid down in this Directive, and may thereby extend the coverage of the Community scheme to emissions of greenhouse gases other than carbon dioxide, inter alia from aluminium and chemicals activities.
- (16) This Directive should not prevent any Member State from maintaining or establishing national trading schemes regulating emissions of greenhouse gases from activities other than those listed in Annex I or included in the Community scheme, or from installations temporarily excluded from the Community scheme.
- (17) Member States may participate in international emissions trading as Parties to the Kyoto Protocol with any other Party included in Annex B thereto.
- (18) Linking the Community scheme to greenhouse gas emission trading schemes in third countries will increase the cost-effectiveness of achieving the Community emission reductions target as laid down in Decision 2002/358/EC on the joint fulfilment of commitments.

⁽¹⁾ OJ L 167, 9.7.1993, p. 31. Decision as amended by Decision 1999/296/EC (OJ L 117, 5.5.1999, p. 35).

⁽²⁾ OJ L 41, 14.2.2003, p. 26.

⁽³⁾ OJ L 377, 31.12.1991, p. 48.

Wednesday 2 July 2003

- (19) Project-based mechanisms including Joint Implementation (JI) and the Clean Development Mechanism (CDM) are important to achieve the goals of both reducing global greenhouse gas emissions and increasing the cost-effective functioning of the Community scheme. In accordance with the relevant provisions of the Kyoto Protocol and Marrakech Accords, the use of the mechanisms should be supplemental to domestic action and domestic action will thus constitute a significant element of the effort made.
- (20) Council Directive 96/61/EC of 24 September 1996 concerning integrated pollution prevention and control ⁽¹⁾ establishes a general framework for pollution prevention and control, through which greenhouse gas emissions permits may be issued. Directive 96/61/EC should be amended to ensure that emission limit values are not set for direct emissions of greenhouse gases from an installation subject to this Directive and that Member States may choose not to impose requirements relating to energy efficiency in respect of combustion units or other units emitting carbon dioxide on the site, without prejudice to any other requirements pursuant to Directive 96/61/EC.
- (21) This Directive will encourage the use of more energy-efficient technologies, including combined heat and power technology, producing less emissions per unit of output, while Directive 2003/.../EC of the European Parliament and of the Council of ... on the promotion of cogeneration based on useful heat demand in the internal energy market ⁽²⁾ will specifically promote combined heat and power technology.
- (22) This Directive is compatible with the United Nations Framework Convention on Climate Change and the Kyoto Protocol. It should be reviewed in the light of developments in that context and to take into account experience in its implementation and progress achieved in monitoring of emissions of greenhouse gases.
- (23) Emission allowance trading should form part of a comprehensive and coherent package of policies and measures implemented at Member State and Community level. Without prejudice to the application of Articles 87 and 88 of the Treaty, where activities are covered by the Community scheme, Member States may consider the implications of regulatory, fiscal or other policies that pursue the same objectives. The review of the Directive should consider the extent to which these objectives have been attained.
- (24) The instrument of taxation can be a national policy to limit emissions from installations temporarily excluded.
- (25) Policies and measures should be implemented at Member State and Community level across all sectors of the European Union economy, and not only within the industry and energy sectors, in order to generate substantial emissions reductions. The Commission should, in particular, consider policies and measures at Community level in order that the transport sector makes a substantial contribution to the Community and its Member States meeting their climate change obligations under the Kyoto Protocol.
- (26) Notwithstanding the multifaceted potential of market-based mechanisms, the European Union strategy for climate change mitigation should be built on a balance between the Community scheme and other types of Community, domestic and international action.
- (27) This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union.
- (28) The measures necessary for the implementation of this Directive should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽³⁾.

⁽¹⁾ OJ L 257, 10.10.1996, p. 26.

⁽²⁾ OJ L ...

⁽³⁾ OJ L 184, 17.7.1999, p. 23.

Wednesday 2 July 2003

- (29) The Commission may not amend criteria (1), (5) or (7) of Annex III through comitology. Amendments in respect of periods after 2012 should only be made through codecision.
- (30) Since the objective of the proposed action, the establishment of a Community scheme, cannot be sufficiently achieved by the Member States acting individually, and can therefore by reason of the scale and effects of the proposed action be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve that objective,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Subject matter

This Directive establishes a scheme for greenhouse gas emission allowance trading within the Community (hereinafter referred to as the 'Community scheme') in order to promote reductions of greenhouse gas emissions in a cost-effective and economically efficient manner.

Article 2

Scope

1. This Directive shall apply to emissions from the activities listed in Annex I and greenhouse gases listed in Annex II.
2. This Directive shall apply without prejudice to any requirements pursuant to Directive 96/61/EC.

Article 3

Definitions

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

- a) 'allowance' means an allowance to emit one tonne of carbon dioxide equivalent during a specified period, which shall be valid only for the purposes of meeting the requirements of this Directive and shall be transferable in accordance with the provisions of this Directive;
- b) 'emissions' means the release of greenhouse gases into the atmosphere from sources in an installation;
- c) 'greenhouse gases' means the gases listed in Annex II;
- d) 'greenhouse gas emissions permit' means the permit issued in accordance with Articles 5 and 6;
- e) 'installation' means a stationary technical unit where one or more activities listed in Annex I are carried out and any other directly associated activities which have a technical connection with the activities carried out on that site and which could have an effect on emissions and pollution;
- f) 'operator' means any person who operates or controls an installation or, where this is provided for in national legislation, to whom decisive economic power over the technical functioning of the installation has been delegated;

Wednesday 2 July 2003

- g) 'person' means any natural or legal person;
- h) 'new entrant' means any installation carrying out one or more of the activities indicated in Annex I, which has obtained a greenhouse gas emissions permit or an update of its greenhouse gas emissions permit because of a change in the nature or functioning or an extension of the installation, subsequent to the notification to the Commission of the national allocation plan;
- i) 'the public' means one or more persons and, in accordance with national legislation or practice, associations, organisations or groups of persons;
- j) 'tonne of carbon dioxide equivalent' means one metric tonne of carbon dioxide (CO₂) or an amount of any other greenhouse gas listed in Annex II with an equivalent global-warming potential.

Article 4

Greenhouse gas emissions permits

Member States shall ensure that, from 1 January 2005, no installation undertakes any activity listed in Annex I resulting in emissions specified in relation to that activity unless its operator holds a permit issued by a competent authority in accordance with Articles 5 and 6, or the installation is temporarily excluded from the Community scheme pursuant to Article 27.

Article 5

Applications for greenhouse gas emissions permits

An application to the competent authority for a greenhouse gas emissions permit shall include a description of:

- a) the installation and its activities including the technology used;
- b) the raw and auxiliary materials, the use of which is likely to lead to emissions of gases listed in Annex I;
- c) the sources of emissions of gases listed in Annex I from the installation; and
- d) the measures planned to monitor and report emissions in accordance with the guidelines adopted pursuant to Article 14.

The application shall also include a non-technical summary of the details referred to in the first subparagraph.

Article 6

Conditions for and contents of the greenhouse gas emissions permit

1. The competent authority shall issue a greenhouse gas emissions permit granting authorisation to emit greenhouse gases from all or part of an installation if it is satisfied that the operator is capable of monitoring and reporting emissions.

A greenhouse gas emissions permit may cover one or more installations on the same site operated by the same operator.

2. Greenhouse gas emissions permits shall contain the following:

- a) the name and address of the operator;
- b) a description of the activities and emissions from the installation;

Wednesday 2 July 2003

- c) monitoring requirements, specifying monitoring methodology and frequency;
- d) reporting requirements; and
- e) an obligation to surrender allowances equal to the total emissions of the installation in each calendar year, as verified in accordance with Article 15, within four months following the end of that year.

Article 7

Changes relating to installations

The operator shall inform the competent authority of any changes planned in the nature or functioning, or an extension, of the installation which may require updating of the greenhouse gas emissions permit. Where appropriate, the competent authority shall update the permit. Where there is a change in the identity of the installation's operator, the competent authority shall update the permit to include the name and address of the new operator.

Article 8

Coordination with Directive 96/61/EC

Member States shall take the necessary measures to ensure that, where installations carry out activities that are included in Annex I to Directive 96/61/EC, the conditions of, and procedure for, the issue of a greenhouse gas emissions permit are coordinated with those for the permit provided for in that Directive. The requirements of Articles 5, 6 and 7 of this Directive may be integrated into the procedures provided for in Directive 96/61/EC.

Article 9

National allocation plan

1. For each period referred to in Article 11(1) and (2), each Member State shall develop a national plan stating the total quantity of allowances that it intends to allocate for that period and how it proposes to allocate them. The plan shall be based on objective and transparent criteria, including those listed in Annex III, taking due account of comments from the public. The Commission shall, without prejudice to the Treaty, by 31 December 2003 at the latest develop guidance on the implementation of the criteria listed in Annex III.

For the period referred to in Article 11(1), the plan shall be published and notified to the Commission and to the other Member States by 31 March 2004 at the latest. For subsequent periods, the plan shall be published and notified to the Commission and to the other Member States at least eighteen months before the beginning of the relevant period.

2. National allocation plans shall be considered within the committee referred to in Article 23(1).

3. Within three months of notification of a national allocation plan by a Member State under paragraph 1, the Commission may reject that plan, or any aspect thereof, on the basis that it is incompatible with the criteria listed in Annex III or with Article 10. The Member State shall only take a decision under Article 11(1) or (2) if proposed amendments are accepted by the Commission. Reasons shall be given for any rejection decision by the Commission.

Article 10

Method of allocation

For the three-year period beginning 1 January 2005 Member States shall allocate at least 95 % of the allowances free of charge. For the five-year period beginning 1 January 2008, Member States shall allocate at least 90 % of the allowances free of charge.

Wednesday 2 July 2003

Article 11

Allocation and issue of allowances

1. For the three-year period beginning 1 January 2005, each Member State shall decide upon the total quantity of allowances it will allocate for that period and the allocation of those allowances to the operator of each installation. This decision shall be taken at least three months before the beginning of the period and be based on its national allocation plan developed pursuant to Article 9 and in accordance with Article 10, taking due account of comments from the public.
2. For the five-year period beginning 1 January 2008, and for each subsequent five-year period, each Member State shall decide upon the total quantity of allowances it will allocate for that period and initiate the process for the allocation of those allowances to the operator of each installation. This decision shall be taken at least twelve months before the beginning of the relevant period and be based on the Member State's national allocation plan developed pursuant to Article 9 and in accordance with Article 10, taking due account of comments from the public.
3. Decisions taken pursuant to paragraph 1 or 2 shall be in accordance with the requirements of the Treaty, in particular Articles 87 and 88 thereof. When deciding upon allocation, Member States shall take into account the need to provide access to allowances for new entrants.
4. The competent authority shall issue a proportion of the total quantity of allowances each year of the period referred to in paragraph 1 or 2, by 28 February of that year.

Article 12

Transfer, surrender and cancellation of allowances

1. Member States shall ensure that allowances can be transferred between:
 - a) persons within the Community;
 - b) persons within the Community and persons in third countries, where such allowances are recognised in accordance with the procedure referred to in Article 25 without restrictions other than those contained in, or adopted pursuant to, this Directive.
2. Member States shall ensure that allowances issued by a competent authority of another Member State are recognised for the purpose of meeting an operator's obligations under paragraph 3.
3. Member States shall ensure that, by 30 April each year at the latest, the operator of each installation surrenders a number of allowances equal to the total emissions from that installation during the preceding calendar year as verified in accordance with Article 15, and that these are subsequently cancelled.
4. Member States shall take the necessary steps to ensure that allowances will be cancelled at any time at the request of the person holding them.

Article 13

Validity of allowances

1. **Allowances shall be valid for emissions during the period referred to in Article 11(1) or (2) for which they are issued.**
2. Four months after the beginning of the first five-year period referred to in Article 11(2), allowances which are no longer valid and have not been surrendered and cancelled in accordance with Article 12(3) shall be cancelled by the competent authority.

Wednesday 2 July 2003

Member States may issue allowances to persons for the current period to replace any allowances held by them which are cancelled in accordance with the first subparagraph.

3. Four months after the beginning of each subsequent five-year period referred to in Article 11(2), allowances which are no longer valid and have not been surrendered and cancelled in accordance with Article 12(3) shall be cancelled by the competent authority.

Member States shall issue allowances to persons for the current period to replace any allowances held by them which are cancelled in accordance with the first subparagraph.

Article 14

Guidelines for monitoring and reporting of emissions

1. The Commission shall adopt guidelines for monitoring and reporting of emissions resulting from the activities listed in Annex I of greenhouse gases specified in relation to those activities, in accordance with the procedure referred to in Article 23(2), by 30 September 2003. The guidelines shall be based on the principles for monitoring and reporting set out in Annex IV.

2. Member States shall ensure that emissions are monitored in accordance with the guidelines.

3. Member States shall ensure that each operator of an installation reports the emissions from that installation during each calendar year to the competent authority after the end of that year in accordance with the guidelines.

Article 15

Verification

Member States shall ensure that the reports submitted by operators pursuant to Article 14(3) are verified in accordance with the criteria set out in Annex V, and that the competent authority is informed thereof.

Member States shall ensure that an operator whose report has not been verified as satisfactory in accordance with the criteria set out in Annex V by 31 March each year for emissions during the preceding year cannot make further transfers of allowances until a report from that operator has been verified as satisfactory.

Article 16

Penalties

1. Member States shall lay down the rules on penalties applicable to infringements of the national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that such rules are implemented. The penalties provided for must be effective, proportionate and dissuasive. Member States shall notify these provisions to the Commission by 31 December 2003 at the latest, and shall notify it without delay of any subsequent amendment affecting them.

2. Member States shall ensure publication of the names of operators who are in breach of requirements to surrender sufficient allowances under Article 12(3).

3. Member States shall ensure that any operator who does not surrender sufficient allowances by 30 April of each year to cover its emissions during the preceding year shall be held liable for the payment of an excess emissions penalty. The excess emissions penalty shall be EUR 100 for each tonne of carbon dioxide equivalent emitted by that installation for which the operator has not surrendered allowances. Payment of the excess emissions penalty shall not release the operator from the obligation to surrender an amount of allowances equal to those excess emissions when surrendering allowances in relation to the following calendar year.

Wednesday 2 July 2003

4. During the three-year period beginning 1 January 2005, Member States shall apply a lower excess emissions penalty of EUR 40 for each tonne of carbon dioxide equivalent emitted by that installation for which the operator has not surrendered allowances. Payment of the excess emissions penalty shall not release the operator from the obligation to surrender an amount of allowances equal to those excess emissions when surrendering allowances in relation to the following calendar year.

Article 17

Access to information

Decisions relating to the allocation of allowances and the reports of emissions required under the greenhouse gas emissions permit and held by the competent authority shall be made available to the public by that authority subject to the restrictions laid down in Article 3(3) and Article 4 of Directive 2003/4/EC⁽¹⁾.

Article 18

Competent authority

Member States shall make the appropriate administrative arrangements, including the designation of the appropriate competent authority or authorities, for the implementation of the rules of this Directive. Where more than one competent authority is designated, the work of these authorities undertaken pursuant to this Directive must be coordinated.

Article 19

Registries

1. Member States shall provide for the establishment and maintenance of a registry in order to ensure the accurate accounting of the issue, holding, transfer and cancellation of allowances. Member States may maintain their registries in a consolidated system, together with one or more other Member States.
2. Any person may hold allowances. The registry shall be accessible to the public and shall contain separate accounts to record the allowances held by each person to whom and from whom allowances are issued or transferred.
3. In order to implement this Directive, the Commission shall adopt a Regulation in accordance with the procedure referred to in Article 23(2) for a standardised and secured system of registries in the form of standardised electronic databases containing common data elements to track the issue, holding, transfer and cancellation of allowances, to provide for public access and confidentiality as appropriate and to ensure that there are no transfers incompatible with obligations resulting from the Kyoto Protocol.

Article 20

Central Administrator

1. The Commission shall designate a Central Administrator to maintain an independent transaction log recording the issue, transfer and cancellation of allowances.
2. The Central Administrator shall conduct an automated check on each transaction in registries through the independent transaction log to ensure there are no irregularities in the issue, transfer and cancellation of allowances.
3. If irregularities are identified through the automated check, the Central Administrator shall inform the Member State or Member States concerned who shall not register the transactions in question or any further transactions relating to the allowances concerned until the irregularities have been resolved.

⁽¹⁾ OJ L ...

Wednesday 2 July 2003

Article 21

Reporting by Member States

1. Each year the Member States shall submit to the Commission a report on the application of this Directive. This report shall pay particular attention to the arrangements for the allocation of allowances, the operation of registries, the application of the monitoring and reporting guidelines, verification and issues relating to compliance with the Directive and on the fiscal treatment of allowances, if any. The first report shall be sent to the Commission by 30 June 2005. The report shall be drawn up on the basis of a questionnaire or outline drafted by the Commission in accordance with the procedure laid down in Article 6 of Directive 91/692/EEC. The questionnaire or outline shall be sent to Member States at least six months before the deadline for the submission of the first report.
2. On the basis of the reports referred to in paragraph 1, the Commission shall publish a report on the application of this Directive within three months of receiving the reports from the Member States.
3. The Commission shall organise an exchange of information between the competent authorities of the Member States concerning developments relating to issues of allocation, the operation of registries, monitoring, reporting, verification and compliance.

Article 22

Amendments to Annex III

The Commission may amend Annex III, with the exception of criteria (1), (5) and (7) for the period from 2008 to 2012 in the light of the reports provided for in Article 21 and of the experience of the application of this Directive, in accordance with the procedure referred to in Article 23(2).

Article 23

Committee

1. The Commission shall be assisted by the committee instituted by Article 8 of Decision 93/389/EEC.
2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

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

3. The Committee shall adopt its rules of procedure.

Article 24

Procedures for unilateral inclusion of additional activities and gases

1. From 2008, Member States may apply emission allowance trading in accordance with this Directive to activities, installations and greenhouse gases which are not listed in Annex I, provided that inclusion of such activities, installations and greenhouse gases is approved by the Commission in accordance with the procedure referred to in Article 23(2), taking into account all relevant criteria, in particular effects on the internal market, potential distortions of competition, the environmental integrity of the scheme and reliability of the planned monitoring and reporting system.

From 2005 Member States may under the same conditions apply emissions allowance trading to installations carrying out activities listed in Annex I below the capacity limits referred to in that Annex.

2. Allocations made to installations carrying out such activities shall be specified in the national allocation plan referred to in Article 9.

Wednesday 2 July 2003

3. The Commission may, on its own initiative, or shall, on request by a Member State, adopt monitoring and reporting guidelines for emissions from activities, installations and greenhouse gases which are not listed in Annex I in accordance with the procedure referred to in Article 23(2), if monitoring and reporting of these emissions can be carried out with sufficient accuracy.

4. In the event that such measures are introduced, reviews carried out pursuant to Article 30 shall also consider whether Annex I should be amended to include emissions from these activities in a harmonised way throughout the Community.

Article 25

Links with other greenhouse gas emissions trading schemes

1. Agreements should be concluded with third countries listed in Annex B to the Kyoto Protocol which have ratified the Protocol to provide for the mutual recognition of allowances between the Community scheme and other greenhouse gas emissions trading schemes in accordance with the rules set out in Article 300 of the Treaty.

2. Where an agreement referred to in paragraph 1 has been concluded, the Commission shall draw up any necessary provisions relating to the mutual recognition of allowances under that agreement in accordance with the procedure referred to in Article 23(2).

Article 26

Amendment of Directive 96/61/EC

In Article 9(3) of Directive 96/61/EC the following subparagraphs shall be added:

'Where emissions of a greenhouse gas from an installation are specified in Annex I to Directive 2003/.../EC of the European Parliament and of the Council of ... establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (*) in relation to an activity carried out in that installation, the permit shall not include an emission limit value for direct emissions of that gas unless it is necessary to ensure that no significant local pollution is caused.

For activities listed in Annex I to Directive 2003/.../EC, Member States may choose not to impose requirements relating to energy efficiency in respect of combustion units or other units emitting carbon dioxide on the site.

Where necessary, the competent authorities shall amend the permit as appropriate.

The three preceding subparagraphs shall not apply to installations temporarily excluded from the scheme for greenhouse gas emission allowance trading within the Community in accordance with Article 27 of Directive 2003/.../EC.

(*) OJ L ...'

Article 27

Temporary exclusion of certain installations

1. Member States may apply to the Commission for installations to be temporarily excluded until 31 December 2007 at the latest from the Community scheme. Any such application shall list each such installation and shall be published.

2. If, having considered any comments made by the public on that application, the Commission decides, in accordance with the procedure referred to in Article 23(2), that the installations will:

a) as a result of national policies, limit their emissions as much as would be the case if they were subject to the provisions of this Directive;

Wednesday 2 July 2003

- b) be subject to monitoring, reporting and verification requirements which are equivalent to those provided for pursuant to Articles 14 and 15, and
- c) be subject to penalties at least equivalent to those referred to in Article 16(1) and (4) in the case of non-fulfilment of national requirements;

it shall provide for the temporary exclusion of those installations from the Community scheme.

It must be ensured that there will be no distortion of the internal market.

Article 28

Pooling

1. Member States may allow operators of installations carrying out one of the activities listed in Annex I to form a pool of installations from the same activity for the period referred to in Article 11(1) and/or the first five-year period referred to in Article 11(2) in accordance with paragraphs 2 to 6 of this Article.
2. Operators carrying out an activity listed in Annex I who wish to form a pool shall apply to the competent authority, specifying the installations and the period for which they want the pool and supplying evidence that a trustee will be able to fulfil the obligations referred to in paragraphs 3 and 4.
3. Operators wishing to form a pool shall nominate a trustee:
 - a) to be issued with the total quantity of allowances calculated by installation of the operators, by way of derogation from Article 11;
 - b) to be responsible for surrendering allowances equal to the total emissions from installations in the pool, by way of derogation from Articles 6(2)(e) and 12(3); and
 - c) to be restricted from making further transfers in the event that an operator's report has not been verified as satisfactory in accordance with the second paragraph of Article 15.
4. The trustee shall be subject to the penalties applicable for breaches of requirements to surrender sufficient allowances to cover the total emissions from installations in the pool, by way of derogation from Article 16(2), (3) and (4).
5. A Member State that wishes to allow one or more pools to be formed shall submit the application referred to in paragraph 2 to the Commission. Without prejudice to the Treaty, the Commission may within three months of receipt reject an application that does not fulfil the requirements of this Directive. Reasons shall be given for any such decision. In the case of rejection the Member State may only allow the pool to be formed if proposed amendments are accepted by the Commission.
6. In the event that the trustee fails to comply with penalties referred to in paragraph 4, each operator of an installation in the pool shall be responsible under Articles 12(3) and 16 in respect of emissions from its own installation.

Article 29

Force majeure

1. During the period referred to in Article 11(1), Member States may apply to the Commission for certain installations to be issued with additional allowances in cases of force majeure. The Commission shall determine whether force majeure is demonstrated, in which case it shall authorise the issue of additional and non-transferable allowances by that Member State to the operators of those installations.

Wednesday 2 July 2003

2. The Commission shall, without prejudice to the Treaty, develop guidance to describe the circumstances under which force majeure is demonstrated, by 31 December 2003 at the latest.

Article 30

Review and further development

1. On the basis of progress achieved in the monitoring of emissions of greenhouse gases, the Commission may make a proposal to the European Parliament and the Council by 31 December 2004 to amend Annex I to include other activities and emissions of other greenhouse gases listed in Annex II.

2. On the basis of experience of the application of this Directive and of progress achieved in the monitoring of emissions of greenhouse gases and in the light of developments in the international context, the Commission shall draw up a report on the application of this Directive, considering:

- a) how and whether Annex I should be amended to include other relevant sectors, inter alia the chemicals, aluminium and transport sectors, activities and emissions of other greenhouse gases listed in Annex II, with a view to further improving the economic efficiency of the scheme;
- b) the relationship of Community emission allowance trading with the international emissions trading that will start in 2008;
- c) further harmonisation of the method of allocation including auctioning for the time after 2012 and of the criteria for national allocation plans referred to in Annex III;
- d) the use of credits from project mechanisms;
- e) the relationship of emissions trading with other policies and measures implemented at Member State and Community level, including taxation, that pursue the same objectives;
- f) whether it is appropriate for there to be a single Community registry;
- g) the level of excess emissions penalties, taking into account, inter alia, inflation;
- h) the functioning of the allowance market, covering in particular any possible market disturbances;
- i) how to adapt the Community scheme to an enlarged European Union;
- j) pooling;
- k) the practicality of developing Community-wide benchmarks as a basis for allocation, taking into account the best available techniques and cost-benefit analysis.

The Commission shall submit this report to the European Parliament and the Council by 30 June 2006, accompanied by proposals as appropriate.

3. Linking the project-based mechanisms, including Joint Implementation (JI) and the Clean Development Mechanism (CDM), with the Community scheme is desirable and important to achieve the goals of both reducing global greenhouse gas emissions and increasing the cost-effective functioning of the Community scheme. Therefore, the emission credits from the project-based mechanisms will be recognised for their use in this scheme subject to provisions adopted by the European Parliament and the Council on a proposal from the Commission, which should apply in parallel with the Community scheme in 2005. The use of the mechanisms shall be supplemental to domestic action, in accordance with the relevant provisions of the Kyoto Protocol and Marrakech Accords.

Wednesday 2 July 2003

Article 31

Implementation

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 31 December 2003 at the latest. They shall forthwith inform the Commission thereof. The Commission shall notify the other Member States of these laws, regulations and administrative provisions.

When Member States adopt these measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

2. Member States shall communicate to the Commission the text of the provisions of national law which they adopt in the field covered by this Directive. The Commission shall inform the other Member States thereof.

Article 32

Entry into force

This Directive shall enter into force on the day of its publication in the Official Journal of the European Union.

Article 33

Addressees

This Directive is addressed to the Member States.

Done at Brussels,

For the European Parliament
The President

For the Council
The President

ANNEX I

CATEGORIES OF ACTIVITIES REFERRED TO IN ARTICLES 2(1), 3, 4, 14(1), 28 AND 30

1. Installations or parts of installations used for research, development and testing of new products and processes are not covered by this Directive.
2. The threshold values given below generally refer to production capacities or outputs. Where one operator carries out several activities falling under the same subheading in the same installation or on the same site, the capacities of such activities are added together.

Activities	Greenhouse gases
<u>Energy activities</u>	
Combustion installations with a rated thermal input exceeding 20 MW (except hazardous or municipal waste installations)	Carbon dioxide
Mineral oil refineries	Carbon dioxide
Coke ovens	Carbon dioxide

Wednesday 2 July 2003

Activities	Greenhouse gases
<u>Production and processing of ferrous metals</u> Metal ore (including sulphide ore) roasting or sintering installations Installations for the production of pig iron or steel (primary or secondary fusion) including continuous casting, with a capacity exceeding 2,5 tonnes per hour	Carbon dioxide Carbon dioxide
<u>Mineral industry</u> Installations for the production of cement clinker in rotary kilns with a production capacity exceeding 500 tonnes per day or lime in rotary kilns with a production capacity exceeding 50 tonnes per day or in other furnaces with a production capacity exceeding 50 tonnes per day Installations for the manufacture of glass including glass fibre with a melting capacity exceeding 20 tonnes per day Installations for the manufacture of ceramic products by firing, in particular roofing tiles, bricks, refractory bricks, tiles, stoneware or porcelain, with a production capacity exceeding 75 tonnes per day, and/or with a kiln capacity exceeding 4 m ³ and with a setting density per kiln exceeding 300 kg/m ³	Carbon dioxide Carbon dioxide Carbon dioxide
<u>Other activities</u> Industrial plants for the production of (a) pulp from timber or other fibrous materials (b) paper and board with a production capacity exceeding 20 tonnes per day	Carbon dioxide Carbon dioxide

ANNEX II

GREENHOUSE GASES REFERRED TO IN ARTICLES 3 AND 30

Carbon dioxide (CO₂)

Methane (CH₄)

Nitrous Oxide (N₂O)

Hydrofluorocarbons (HFCs)

Perfluorocarbons (PFCs)

Sulphur Hexafluoride (SF₆)

Wednesday 2 July 2003

ANNEX III

CRITERIA FOR NATIONAL ALLOCATION PLANS REFERRED TO IN ARTICLES 9, 22 AND 30

- (1) The total quantity of allowances to be allocated for the relevant period shall be consistent with the Member State's obligation to limit its emissions pursuant to Decision 2002/358/EC and the Kyoto Protocol, taking into account, on the one hand, the proportion of overall emissions that these allowances represent in comparison with emissions from sources not covered by this Directive and, on the other hand, national energy policies, and should be consistent with the national climate change programme. The total quantity of allowances to be allocated shall not be more than is likely to be needed for the strict application of the criteria of this Annex. Prior to 2008, the quantity shall be consistent with a path towards achieving or over-achieving each Member State's target under Decision 2002/358/EC and the Kyoto Protocol.
 - (2) The total quantity of allowances to be allocated shall be consistent with assessments of actual and projected progress towards fulfilling the Member States' contributions to the Community's commitments made pursuant to Decision 93/389/EEC.
 - (3) Quantities of allowances to be allocated shall be consistent with the potential, including the technological potential, of activities covered by this scheme to reduce emissions. Member States may base their distribution of allowances on average emissions of greenhouse gases by product in each activity and achievable progress in each activity.
 - (4) The plan shall be consistent with other Community legislative and policy instruments. Account should be taken of unavoidable increases in emissions resulting from new legislative requirements.
 - (5) The plan shall not discriminate between companies or sectors in such a way as to unduly favour certain undertakings or activities in accordance with the requirements of the Treaty, in particular Articles 87 and 88 thereof.
 - (6) The plan shall contain information on the manner in which new entrants will be able to begin participating in the Community scheme in the Member State concerned.
 - (7) The plan may accommodate early action and shall contain information on the manner in which early action is taken into account. Benchmarks derived from reference documents concerning the best available technologies may be employed by Member States in developing their National Allocation Plans, and these benchmarks can incorporate an element of accommodating early action.
 - (8) The plan shall contain information on the manner in which clean technology, including energy efficient technologies, are taken into account.
 - (9) The plan shall include provisions for comments to be expressed by the public, and contain information on the arrangements by which due account will be taken of these comments before a decision on the allocation of allowances is taken.
 - (10) The plan shall contain a list of the installations covered by this Directive with the quantities of allowances intended to be allocated to each.
 - (11) The plan may contain information on the manner in which the existence of competition from countries or entities outside the Union will be taken into account.
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ANNEX IV

PRINCIPLES FOR MONITORING AND REPORTING REFERRED TO IN ARTICLE 14(1)

Monitoring of carbon dioxide emissions

Emissions shall be monitored either by calculation or on the basis of measurement.

Calculation

Calculations of emissions shall be performed using the formula:

$$\text{Activity data} \times \text{Emission factor} \times \text{Oxidation factor}$$

Activity data (fuel used, production rate etc.) shall be monitored on the basis of supply data or measurement.

Accepted emission factors shall be used. Activity-specific emission factors are acceptable for all fuels. Default factors are acceptable for all fuels except non-commercial ones (waste fuels such as tyres and industrial process gases). Seam-specific defaults for coal, and EU-specific or producer country-specific defaults for natural gas shall be further elaborated. IPCC default values are acceptable for refinery products. The emission factor for biomass shall be zero.

If the emission factor does not take account of the fact that some of the carbon is not oxidised, then an additional oxidation factor shall be used. If activity-specific emission factors have been calculated and already take oxidation into account, then an oxidation factor need not be applied.

Default oxidation factors developed pursuant to Directive 96/61/EC shall be used, unless the operator can demonstrate that activity-specific factors are more accurate.

A separate calculation shall be made for each activity, installation and for each fuel.

Measurement

Measurement of emissions shall use standardised or accepted methods, and shall be corroborated by a supporting calculation of emissions.

Monitoring of emissions of other greenhouse gases

Standardised or accepted methods shall be used, developed by the Commission in collaboration with all relevant stakeholders and adopted in accordance with the procedure referred to in Article 23(2).

Reporting of emissions

Each operator shall include the following information in the report for an installation:

A. Data identifying the installation, including:

- Name of the installation;
- Its address, including postcode and country;
- Type and number of Annex I activities carried out in the installation;
- Address, telephone, fax and email details for a contact person; and
- Name of the owner of the installation, and of any parent company.

Wednesday 2 July 2003

B. For each Annex I activity carried out on the site for which emissions are calculated:

- Activity data;
- Emission factors;
- Oxidation factors;
- Total emissions; and
- Uncertainty.

C. For each Annex I activity carried out on the site for which emissions are measured:

- Total emissions;
- Information on the reliability of measurement methods; and
- Uncertainty.

D. For emissions from combustion, the report shall also include the oxidation factor, unless oxidation has already been taken into account in the development of an activity-specific emission factor.

Member States shall take measures to coordinate reporting requirements with any existing reporting requirements in order to minimise the reporting burden on businesses.

ANNEX V

CRITERIA FOR VERIFICATION REFERRED TO IN ARTICLE 15

General Principles

- (1) Emissions from each activity listed in Annex I shall be subject to verification.
- (2) The verification process shall include consideration of the report pursuant to Article 14(3) and of monitoring during the preceding year. It shall address the reliability, credibility and accuracy of monitoring systems and the reported data and information relating to emissions, in particular:
 - a) the reported activity data and related measurements and calculations;
 - b) the choice and the employment of emission factors;
 - c) the calculations leading to the determination of the overall emissions; and
 - d) if measurement is used, the appropriateness of the choice and the employment of measuring methods.
- (3) Reported emissions may only be validated if reliable and credible data and information allow the emissions to be determined with a high degree of certainty. A high degree of certainty requires the operator to show that:
 - a) the reported data is free of inconsistencies;
 - b) the collection of the data has been carried out in accordance with the applicable scientific standards; and
 - c) the relevant records of the installation are complete and consistent.

Wednesday 2 July 2003

- (4) The verifier shall be given access to all sites and information in relation to the subject of the verification.
- (5) The verifier shall take into account whether the installation is registered under the Community eco-management and audit scheme (EMAS).

Methodology

Strategic analysis

- (6) The verification shall be based on a strategic analysis of all the activities carried out in the installation. This requires the verifier to have an overview of all the activities and their significance for emissions.

Process analysis

- (7) The verification of the information submitted shall, where appropriate, be carried out on the site of the installation. The verifier shall use spot-checks to determine the reliability of the reported data and information.

Risk analysis

- (8) The verifier shall submit all the sources of emissions in the installation to an evaluation with regard to the reliability of the data of each source contributing to the overall emissions of the installation.
- (9) On the basis of this analysis the verifier shall explicitly identify those sources with a high risk of error and other aspects of the monitoring and reporting procedure which are likely to contribute to errors in the determination of the overall emissions. This especially involves the choice of the emission factors and the calculations necessary to determine the level of the emissions from individual sources. Particular attention shall be given to those sources with a high risk of error and the abovementioned aspects of the monitoring procedure.
- (10) The verifier shall take into consideration any effective risk control methods applied by the operator with a view to minimising the degree of uncertainty.

Report

- (11) The verifier shall prepare a report on the validation process stating whether the report pursuant to Article 14(3) is satisfactory. This report shall specify all issues relevant to the work carried out. A statement that the report pursuant to Article 14(3) is satisfactory may be made if, in the opinion of the verifier, the total emissions are not materially misstated.

Minimum competency requirements for the verifier

- (12) The verifier shall be independent of the operator, carry out his activities in a sound and objective professional manner, and understand:
 - a) the provisions of this Directive, as well as relevant standards and guidance adopted by the Commission pursuant to Article 14(1);
 - b) the legislative, regulatory, and administrative requirements relevant to the activities being verified; and
 - c) the generation of all information related to each source of emissions in the installation, in particular, relating to the collection, measurement, calculation and reporting of data.
-

Thursday 3 July 2003

(2004/C 74 E/04)

MINUTES**PROCEEDINGS OF THE SITTING**

IN THE CHAIR: James L.C. PROVAN

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

The sitting opened at 10.05.

2. Documents received

The following documents had been received:

1) *from the Council and Commission:*

- Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons and their families moving within the Community, and Council Regulation (EEC) No 574/72 fixing the procedure for implementing Regulation (EEC) No 1408/71, in respect of the alignment of rights and the simplification of procedures (COM(2003) 378 — C5-0290/2003 — 2003/0138(COD))

referred to responsible EMPL
opinion JURI, PETI

legal basis Articles 42 and 308 EC

- Proposal for a Council Regulation establishing a Cohesion Fund (codified version) (COM(2003) 352 — C5-0291/2003 — 2003/0129(AVC))

referred to responsible JURI
opinion RETT

legal basis Article 161 EC

- Amended proposal for a Regulation of the European Parliament and the Council on the prevention of money laundering by means of customs cooperation (COM(2003) 371 — C5-0301/2003 — 2002/0132(COD))

referred to responsible LIBE
opinion ECON, JURI

legal basis Article 135 EC

- Proposal for a Council Decision authorising the Member States to ratify, or accede to, in the interest of the European Community, the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children (the 1996 Hague Convention) (COM(2003) 348 — C5-0302/2003 — 2003/0127(CNS))

referred to responsible LIBE
opinion JURI, FEMM

legal basis Articles 61, 65 and 67 EC

2) *from Members*2.1) *oral questions (Rule 42)*

- Elmar Brok, on behalf of the AFET Committee, to the Council, on EU-Cuba relations (B5-0271/2003);
- Elmar Brok, on behalf of the AFET Committee, to the Commission, on EU-Cuba relations (B5-0272/2003).

2.2) *proposals for recommendations (Rule 49)*

- Françoise Grossetête, José Ignacio Salafranca Sánchez-Neyra and Ilkka Suominen, on behalf of the PPE-DE Group, on the negotiation of a Political Dialogue and Cooperation Agreement between, on the one side, the European Community and its Member States, and, on the other side, the Andean Community and its Member States (B5-0321/2003)
referred to responsible ITRE
opinion AFET
- Jorge Salvador Hernández Mollar, on behalf of the PPE-DE Group, on launching a consultation process to establish minimum standards common to all Member States for procedural safeguards for suspects and defendants in criminal proceedings throughout the European Union (B5-0359/2003)
referred to responsible LIBE

3. ECB 2002 annual report (debate)

Report on the 2002 Annual Report of the European Central Bank [I5-0012/2003 — C5-0238/2003 — 2003/2102(INI)] — Committee on Economic and Monetary Affairs. Rapporteur: Johannes (Hans) Blokland (A5-0237/2003)

Johannes (Hans) Blokland introduced the report.

Pedro Solbes Mira (Member of the Commission) spoke.

Wim Duisenberg (President of the ECB) spoke.

The following spoke: Generoso Andria, on behalf of the PPE-DE Group, Christa Randzio-Plath, chairman of the ECON Committee, on behalf of the PSE Group, Olle Schmidt, on behalf of the ELDR Group, Benedetto Della Vedova, Non-attached Member, Christoph Werner Konrad, Manuel António dos Santos, Othmar Karas, Werner Langen and Wim Duisenberg.

IN THE CHAIR: Catherine LALUMIÈRE

Vice-President

The debate closed.

Vote: *Item 23.*

4. Euro-zone (debate)

Report on the international role of the euro-zone and the first assessment of the introduction of banknotes and coins [COM(2002) 747 — 2002/2259(INI)] — Committee on Economic and Monetary Affairs. Rapporteur: Carles-Alfred Gasòliba i Böhm (A5-0169/2003)

Carles-Alfred Gasòliba i Böhm (rapporteur) introduced the report.

Thursday 3 July 2003

Pedro Solbes Mira (Member of the Commission) spoke.

The following spoke: Othmar Karas, on behalf of the PPE-DE Group, Luis Berenguer Fuster, on behalf of the PSE Group, Olle Schmidt, on behalf of the ELDR Group, Philippe A.R. Herzog, on behalf of the GUE/NGL Group, Miquel Mayol i Raynal, on behalf of the Verts/ALE Group, Roberta Angelilli, on behalf of the UEN Group, Georges Berthu, Non-attached Member, Rolf Berend, Helena Torres Marques, Herman Schmid and Göran Färm.

The debate closed.

Vote: *Item 24.*

5. Official welcome

On behalf of Parliament, the President welcomed members of a delegation from the Kazakhstan Parliament, led by its Vice-President, Mukhambet Kopeyev, who had taken their seats in the official gallery.

6. Building public budgets from a gender perspective (debate)

Report on gender budgeting — building public budgets from a gender perspective [2002/2198(INI)] — Committee on Women's Rights and Equal Opportunities. Rapporteur: Fiorella Ghilardotti (A5-0214/2003)

Fiorella Ghilardotti (rapporteur) introduced the report.

Pedro Solbes Mira (Member of the Commission) spoke.

The following spoke: Miet Smet, on behalf of the PPE-DE Group, Anna Karamanou, on behalf of the PSE Group, Marianne Eriksson, on behalf of the GUE/NGL Group, Rijk van Dam, on behalf of the EDD Group, Christa Prets, Geneviève Fraisse and Lissy Gröner.

The debate closed.

Vote: *Item 11.*

IN THE CHAIR: David W. MARTIN

Vice-President

7. General Budget of the European Union for the 2004 financial year (deadlines for tabling amendments)

The deadlines for tabling draft amendments and proposed modifications to the General Budget for the 2004 financial year had been fixed as follows by agreement with the Committee on Budgets:

- committees and individual Members (32 signatures required): Wednesday 10 September 2003 at 12.00;
- political groups: Wednesday 17 September 2003 at 12.00.

Thursday 3 July 2003

VOTING TIME

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

The following spoke:

- Brian Simpson, who noted that, on every day that week, voting time had started late, and requested that, in future, voting should start at the scheduled time (the President noted that request);
- Jorge Salvador Hernández Mollar, who requested that the motions for resolutions on the European Council in Thessaloniki should be voted on first, since a delegation from the LIBE Committee was on the point of leaving Parliament for Rome (the President noted that there was no objection to that request).

8. European Council (Thessaloniki, 19/20 June 2003) (vote)

Motions for resolution B5-0325, 0327, 0331, 0333, 0335 et 0340/2003

(Simple majority)

(Voting record: Annex 1, Item 1)

MOTION FOR A RESOLUTION B5-0325/2003

Rejected

JOINT MOTION FOR A RESOLUTION RC-B5-0327/2003 (replacing motions for resolution B5-0327, 0333, 0335 and 0340/2003):

tabled by the following Members:

- Hans-Gert Poettering, Ilkka Suominen, Francesco Fiori, Elmar Brok, Arie M. Oostlander, Doris Pack, Karl von Wogau, Hubert Pirker, Othmar Karas and Gérard M.J. Deprez, on behalf of the PPE-DE Group,
- Enrique Barón Crespo, Richard Corbett, Robert Goebbels, Jannis Sakellariou and Anna Terrón i Cusí, on behalf of the PSE Group,
- Andrew Nicholas Duff, Sarah Ludford, Ole Andreasen and Bob van den Bos, on behalf of the ELDR Group,
- Cristiana Muscardini, Gerard Collins and Roberta Angelilli, on behalf of the UEN Group.

Adopted (P5_TA(2003)0320)

(Motion for resolution B5-0331/2003 fell.)

9. Marco Polo Programme *II (Rule 110a) (vote)**

Recommendation for second reading on the Council common position for adopting a European Parliament and Council regulation on the granting of Community financial assistance to improve the environmental performance of the freight transport system ('Marco Polo Programme') [5327/1/2003 — C5-0225/2003 — 2002/0038(COD)] — Committee on Regional Policy, Transport and Tourism. Rapporteur: Philip Charles Bradbourn (A5-0220/2003)

Thursday 3 July 2003

(Qualified majority)

(Voting record: Annex 1, Item 2)

COMMON POSITION OF THE COUNCIL

Declared approved (P5_TA(2003)0321)

10. ECB capital subscription key * (Rule 110a) (vote)

Report on the proposal for a Council decision on the statistical data to be used for the adjustment of the key for subscription to the capital of the European Central Bank [COM(2003) 114 — C5-0125/2003 — 2003/0050(CNS)] — Committee on Economic and Monetary Affairs. Rapporteur: Generoso Andria (A5-0215/2003)

(Simple majority)

(Voting record: Annex 1, Item 3)

DRAFT LEGISLATIVE RESOLUTION

Adopted by single vote (P5_TA(2003)0322)

11. Building public budgets from a gender perspective (Rule 110a) (vote)

Report on gender budgeting — building public budgets from a gender perspective [2002/2198(INI)] — Committee on Women's Rights and Equal Opportunities. Rapporteur: Fiorella Ghilardotti (A5-0214/2003)

(Simple majority)

(Voting record: Annex 1, Item 4)

MOTION FOR A RESOLUTION

Adopted by single vote (P5_TA(2003)0323)

12. Single European Sky: framework regulation *II (vote)**

Recommendation for second reading on the common position of the Council with a view to adopting Regulation of the European Parliament and of the Council laying down the framework for the creation of the single European sky [15851/3/2002 — C5-0138/2003 — 2001/0060(COD)] — Committee on Regional Policy, Transport and Tourism. Rapporteur: Giovanni Claudio Fava (A5-0219/2003)

(Qualified majority)

(Voting record: Annex 1, Item 5)

COMMON POSITION OF THE COUNCIL

Declared approved as amended (P5_TA(2003)0324)

Thursday 3 July 2003

13. Single European Sky: Air Navigation Services/Airspace/Interoperability of the European Air traffic management network ***II (vote)

Recommendation for second reading on the common position of the Council with a view to adopting a regulation of the European Parliament and of the Council on:

1. the provision of Air Navigation Services in the Single European Sky ('the service provision Regulation') [15853/2/2002 — C5-0137/2003 — 2001/0235(COD)]
2. the organisation and use of the airspace in the Single European Sky ('the airspace Regulation') [15852/3/2002 — C5-0139/2003 — 2001/0236(COD)]
3. the interoperability of the European Air traffic management network ('the interoperability Regulation') [15854/3/2002 — C5-0140/2003 — 2001/0237(COD)] — Committee on Regional Policy, Transport and Tourism. Rapporteur: Maria Johanna (Marieke) Sanders-ten Holte (A5-0225/2003)

(Qualified majority)

(Voting record: Annex 1, Item 6)

1. COMMON POSITION OF THE COUNCIL 15853/2/2002 — C5-0137/2003 — 2001/0235(COD)

Declared approved as amended (P5_TA(2003)0325)

2. COMMON POSITION OF THE COUNCIL 15852/2/2002 — C5-0139/2003 — 2001/0236(COD)

Declared approved as amended (P5_TA(2003)0326)

3. COMMON POSITION OF THE COUNCIL 15854/2/2002 — C5-0140/2003 — 2001/0237(COD)

Declared approved as amended (P5_TA(2003)0327)

The following spoke:

- Maria Johanna (Marieke) Sanders-ten Holte (rapporteur), pointed out some adjustments to be made to the common position as a result of the adoption of amendments 16 and 31.

14. Transit system for heavy goods vehicles through Austria in 2004 ***II (vote)

Recommendation for second reading on the common position of the Council with a view to adopting a regulation of the European Parliament and of the Council establishing a transitional transit system applicable to heavy goods vehicles travelling through Austria for 2004 [6235/1/2003 — C5-0226/2003 — 2001/0310(COD)] — Committee on Regional Policy, Transport and Tourism. Rapporteur: Luciano Caveri (A5-0213/2003)

(Qualified majority)

(Voting record: Annex 1, Item 7)

COMMON POSITION OF THE COUNCIL

Declared approved as amended (P5_TA(2003)0328)

Thursday 3 July 2003

15. Compensation and assistance to air passengers ***II (vote)

Recommendation for second reading on the common position of the Council with a view to adopting a regulation of the European Parliament and of the Council establishing common rules on compensation and assistance to air passengers in the event of denied boarding and of cancellation or long delay of flights and repealing Regulation (EEC) No 295/91 [15855/1/2002 — C5-0136/2003 — 2001/0305(COD)] — Committee on Regional Policy, Transport and Tourism. Rapporteur: Giorgio Lisi (A5-0221/2003)

(Qualified majority)

(Voting record: Annex 1, Item 8)

COMMON POSITION OF THE COUNCIL

Declared approved as amended (P5_TA(2003)0329)

16. Food additives other than colours and sweeteners ***I (vote)

Report on the proposal for a directive of the European Parliament and of the Council amending Directive 95/2/EC on food additives other than colours and sweeteners [COM(2002) 662 — C5-0577/2002 — 2002/0274(COD)] — Committee on the Environment, Public Health and Consumer Policy. Rapporteur: María del Pilar Ayuso González (A5-0216/2003)

(Simple majority)

(Voting record: Annex 1, Item 10)

COMMISSION PROPOSAL

Approved as amended (P5_TA(2003)0330)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5_TA(2003)0330)

17. Protection of vulnerable road users ***I (vote)

Report on the proposal for a European Parliament and Council directive relating to the protection of pedestrians and other vulnerable road users in the event of a collision with a motor vehicle and amending Directive 70/156/EEC [COM(2003) 67 — C5-0054/2003 — 2003/0033(COD)] — Committee on Regional Policy, Transport and Tourism. Rapporteur: Herman Vermeer (A5-0223/2003)

(Simple majority)

(Voting record: Annex 1, Item 10)

COMMISSION PROPOSAL

Approved as amended (P5_TA(2003)0331)

DRAFT LEGISLATIVE RESOLUTION

Adopted (P5_TA(2003)0331)

18. 2004 budget conciliation procedure (vote)

Report on the conciliation procedure prior to the first reading in the Council of the 2004 budget [2003/2027(BUD)] — Committee on Budgets. Rapporteur: Jan Mulder (A5-0240/2003)

(Simple majority)

(Voting record: Annex 1, Item 11)

MOTION FOR A RESOLUTION

Adopted (P5_TA(2003)0332)

The following spoke:

— The rapporteur, who moved a technical oral amendment to amendment 3.

There were no objections to the oral amendment which was thus incorporated.

19. Implementation of 2003 budget (vote)

Report on the 2003 budget: implementation profile, transfers of appropriations and supplementary and amending budgets [2003/2026(BUD)] — Committee on Budgets. Rapporteur: Göran Färm (A5-0233/2003)

(Simple majority)

(Voting record: Annex 1, Item 12)

MOTION FOR A RESOLUTION

Adopted (P5_TA(2003)0333)

20. Trafficking in children and child soldiers (vote)

Motion for a resolution on trafficking in children and child soldiers (B5-0320/2003)

(Simple majority)

(Voting record: Annex 1, Item 13)

Adopted (P5_TA(2003)0334)

The following spoke:

— On behalf of the PPE-DE Group, Mario Mauro proposed an oral amendment to amendment 3.

There were no objections to the oral amendment which was thus incorporated.

21. Chechnya (vote)

Motions for resolution B5-0326, 0328, 0329, 0339, 0341 and 0342/2003

(Simple majority)

(Voting record: Annex 1, Item 14)

Thursday 3 July 2003

JOINT MOTION FOR A RESOLUTION RC-B5-0326/2003

(replacing motions for resolution B5-0326, 0328, 0329, 0339, 0341 and 0342/2003):

tabled by the following Members:

- Arie M. Oostlander and Ilkka Suominen, on behalf of the PPE-DE Group,
- Reino Paasilinna, on behalf of the PSE Group,
- Paavo Väyrynen, on behalf of the ELDR Group,
- Helmuth Markov, on behalf of the GUE/NGL Group,
- Charles Pasqua, on behalf of the UEN Group,
- Bart Staes, Elisabeth Schroedter, Daniel Marc Cohn-Bendit, Nelly Maes, Marie Anne Isler Béguin, on behalf of the Verts/ALE Group.

Adopted (P5_TA(2003)0335)

22. Preparation for the World Trade Organization Ministerial Conference (vote)

Motions for resolution B5-0322, 0323, 0324, 0330, 0332 and 0334/2003

(Simple majority)

(Voting record: Annex 1, Item 15)

JOINT MOTION FOR A RESOLUTION RC-0322/2002

(replacing motions for resolution B5-0322, 0330 and 0334/2003):

tabled by the following Members:

- W.G. van Velzen and Konrad K. Schwaiger, on behalf of the PPE-DE Group,
- Margrietus J. van den Berg, Erika Mann and Eryl Margaret McNally, on behalf of the PSE Group,
- Nicholas Clegg, Elly Plooij-van Gorsel, Colette Flesch, Maria Johanna (Marieke) Sanders-ten Holte and Willy C.E.H. De Clercq, on behalf of the ELDR Group.

Adopted (P5_TA(2003)0336)

The following spoke:

- Joaquim Miranda proposed an oral amendment to amendment 5.

There were no objections to the oral amendment which was thus incorporated.

(Motions for resolutions B5-0323, 0324 and 0332/2003 fell.)

23. ECB 2002 annual report (vote)

Report on the 2002 Annual Report of the European Central Bank [I5-0012/2003 — C5-0238/2003 — 2003/2102(INI)] — Committee on Economic and Monetary Affairs. Rapporteur: Johannes (Hans) Blokland (A5-0237/2003)

(Simple majority)

(Voting record: Annex 1, Item 16)

MOTION FOR A RESOLUTION

Adopted (P5_TA(2003)0337)

24. Euro-zone (vote)

Report on the international role of the euro-zone and the first assessment of the introduction of banknotes and coins [COM(2002) 747 — 2002/2259(INI)] — Committee on Economic and Monetary Affairs. Rapporteur: Carles-Alfred Gasòliba i Böhm (A5-0169/2003)

(Simple majority)

(Voting record: Annex 1, Item 17)

MOTION FOR A RESOLUTION

Adopted (P5_TA(2003)0338)

The following spoke:

- Carles-Alfred Gasòliba i Böhm (rapporteur) proposed that amendment 1 be inserted after paragraph 14 rather than after paragraph 15. Ilda Figueiredo, author of the amendment on behalf of the GUE/NGL Group, agreed to the proposal.

25. Explanations of vote

Written explanations of vote:

Explanations of vote submitted in writing under Rule 137(3) appear in the verbatim report of proceedings for this sitting.

Oral explanations of vote:

Report Blokland — A5-0237/2003: Astrid Lulling

26. Corrections to votes

Voting corrections were submitted by the following Members:

Joint motion for a resolution: European Council (Thessaloniki, 20/21 June 2003) — RC B5-0327/2003

- amendment 2
against: Ilka Schröder

Recommendation for second reading: Giovanni Claudio Fava — A5-0219/2003

- amendment 15
against: Gilles Savary

Recommendation for second reading: Maria Johanna (Marieke) Sanders-ten Holte — A5-0225/2003

- amendment 15
for: Marielle De Sarnez
against: Gilles Savary
- amendment 26
against: Gilles Savary

Thursday 3 July 2003

Recommendation for second reading: Luciano Caveri — A5-0213/2003

- amendments 18 and 19
for: Mary Elizabeth Banotti

Recommendation for second reading: Giorgio Lisi — A5-0221/2003

- amendment 3
against: Claude Turmes

Report Göran Färm — A5-0233/2003

- resolution (as a whole)
for: Claude Turmes, Marie Anne Isler Béguin

Joint motion for a resolution: Chechnya — RC B5-0326/2003

- amendment 7
for: Carles-Alfred Gasòliba i Böhm
- resolution (as a whole)
against: Francis Wurtz, Inger Schörling, Alima Boumediene-Thiery
abstention: Koenraad Dillen

Joint motion for a resolution: Preparation for the World Trade Organization Ministerial (Cancun, 10/14 September 2003) — RC B5-0322/2003

- amendment 5
for: Georges Berthu
- paragraph 37
for: Erika Mann
- resolution (as a whole)
against: Roseline Vachetta

Arlette Laguiller, Armonia Bordes and Chantal Cauquil were present but did not take part in the vote on report A5-0223/2003.

END OF VOTING TIME

(The sitting was suspended at 13.10 and resumed at 15.00.)

IN THE CHAIR: Ingo FRIEDRICH

Vice-President

27. Approval of Minutes of previous sitting

María Izquierdo Rojo protested at the fact that the President-in-Office of the Council had not responded yesterday to Question 11 which she had put at Question Time concerning the number of victims of the war in Iraq; she insisted that greater respect be paid to the norms of Parliamentary courtesy and asked when she might expect to receive a response from the Council (the President noted her request and stated that it would be passed to the Council).

The Minutes of the previous sitting were approved.

Thursday 3 July 2003

28. Women in EU rural areas (debate)

Report on women in rural areas of the European Union in the light of the mid-term review of the common agricultural policy [2002/2241(INI)] — Committee on Women's Rights and Equal Opportunities. Rapporteur: Rodi Kratsa-Tsagaropoulou (A5-0230/2003)

Rodi Kratsa-Tsagaropoulou introduced the report.

Pedro Solbes Mira (Member of the Commission) spoke.

The following spoke: Friedrich-Wilhelm Graefe zu Baringdorf (draftsman of the opinion of the AGRI Committee), Astrid Lulling, on behalf of the PPE-DE Group, Lissy Gröner, on behalf of the PSE Group, Johanna L.A. Boogerd-Quaak, on behalf of the ELDR Group, Ilda Figueiredo, on behalf of the GUE/NGL Group, Nelly Maes, on behalf of the Verts/ALE Group, Liam Hyland, on behalf of the UEN Group, Koldo Gorostiaga Atxalandabaso, Non-attached Member, Cristina Gutiérrez-Cortines, María Izquierdo Rojo, Ioannis Patakis and Anna Karamanou.

The debate closed.

Vote: *Item 37.*

29. Safety of coaches (debate)

Oral question to the Commission: Luciano Caveri, on behalf of the RETT Committee: Safety of coaches (B5-0100/2003)

Pedro Solbes Mira (Member of the Commission) answered the question.

The following spoke: Dieter-Lebrecht Koch, Claude Turmes and Konstantinos Hatzidakis

IN THE CHAIR: Alonso José PUERTA

Vice-President

The debate closed.

— Motions for resolution to wind up the debate pursuant to Rule 42(5):

Luciano Caveri, on behalf of the RETT Committee, on safety of coaches (B5-0338/2003)

Vote: *Item 38.*

30. Fine on French beef sector (statement followed by debate)

Commission statement: Fine imposed by the Commission on FNSEA and other French federations in the beef sector

Pedro Solbes Mira (Member of the Commission) made a statement.

The following spoke: Friedrich-Wilhelm Graefe zu Baringdorf, on behalf of the Verts/ALE Group, Jean-Louis Bernié, on behalf of the EDD Group, Dominique F.C. Souchet, Non-attached Member, and Pedro Solbes Mira.

The debate closed.

DEBATE ON CASES OF BREACHES OF HUMAN RIGHTS, DEMOCRACY AND THE RULE OF LAW

(For the titles and authors of the motions for resolutions, see *Item 2 of the Minutes of Tuesday 1 July 2003*)

Thursday 3 July 2003

31. Cambodia (debate)

The next item was the joint debate on 6 motions for resolution (B5-0337, 0343, 0346, 0349, 0353 and 0357/2003).

Bastiaan Belder, Karin Junker, Patricia McKenna, Hartmut Nassauer and Bob van den Bos introduced motions for resolution.

The following spoke: Olivier Dupuis, Non-attached Member, and Pedro Solbes Mira (Member of the Commission).

The debate closed.

Vote: *Item 34.*

32. Laos (debate)

The next item was the joint debate on 6 motions for resolution (B5-0336, 0345, 0348, 0350, 0354 and 0356/2003).

Bastiaan Belder, Marie-Hélène Gillig, Patricia McKenna, Bernd Posselt and Anne André-Léonard introduced motions for resolution.

The following spoke: Lennart Sacrédeus, on behalf of the PPE-DE Group, Véronique De Keyser, on behalf of the PSE Group, Olivier Dupuis, Non-attached Member, and Pedro Solbes Mira (Member of the Commission).

The debate closed.

Vote: *Item 35.*

33. Uganda (debate)

The next item was the joint debate on 6 motions for resolution (B5-0344, 0347, 0351, 0352, 0355 and 0358/2003).

Catherine Stihler, Nelly Maes, Generoso Andria, Fodé Sylla and Bob van den Bos introduced motions for resolution.

The following spoke: Bernd Posselt, Ulla Margrethe Sandbæk and Pedro Solbes Mira (Member of the Commission).

The debate closed.

Vote: *Item 36.*

END OF DEBATE ON BREACHES OF HUMAN RIGHTS, DEMOCRACY AND THE RULE OF LAW

VOTING TIME

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

34. Cambodia (vote)

Motions for resolution B5-0337, 0343, 0346, 0349, 0353 and 0357/2003

(*Simple majority*)

Thursday 3 July 2003

(Voting record: Annex 1, Item 18)

JOINT MOTION FOR A RESOLUTION RC-B5-0337/2003 (replacing motions for resolution B5-0337, 0343, 0346, 0349, 0353 and 0357/2003):

tabled by the following Members:

- Hartmut Nassauer, Ari Vatanen, Charles Tannock, Bernd Posselt and Hanja Majj-Weggen, on behalf of the PPE-DE Group,
- Karin Junker and Margrietus J. van den Berg, on behalf of the PSE Group,
- Graham R. Watson, Elly Plooij-van Gorsel, Anne André-Léonard and Jules Maaten, on behalf of the ELDR Group,
- Patricia McKenna, Marie Anne Isler Béguin and Matti Wuori, on behalf of the Verts/ALE Group,
- Luisa Morgantini, on behalf of the GUE/NGL Group,
- Bastiaan Belder, on behalf of the EDD Group,
- Marco Pannella, Gianfranco Dell'Alba, Marco Cappato, Olivier Dupuis, Maurizio Turco, Benedetto Della Vedova and Emma Bonino.

Adopted (P5_TA(2003)0339)

The following spoke:

- Karin Junker moved an oral amendment after recital Q.
There were no objections to the oral amendment which was thus incorporated.
- Olivier Dupuis pointed out a correction to be made to paragraph 2.

35. Laos (vote)

Motions for resolution B5-0336, 0345, 0348, 0350, 0354 and 0356/2003

(Simple majority)

(Voting record: Annex 1, Item 19)

JOINT MOTION FOR A RESOLUTION RC-B5-0336/2003 (replacing motions for resolution B5-0336, 0345, 0348, 0350, 0354 and 0356/2003):

tabled by the following Members:

- Bernd Posselt, on behalf of the PPE-DE Group,
- Pervenche Berès, Marie-Hélène Gillig and Margrietus J. van den Berg, on behalf of the PSE Group,
- Anne André-Léonard, on behalf of the ELDR Group,
- Patricia McKenna, Matti Wuori, Jan Dhaene and Bart Staes, on behalf of the Verts/ALE Group,
- Pernille Frahm and Jonas Sjöstedt, on behalf of the GUE/NGL Group,

Thursday 3 July 2003

- Isabelle Caullery, on behalf of the UEN Group,
- Bastiaan Belder, on behalf of the EDD Group,
- Olivier Dupuis, Marco Pannella, Gianfranco Dell'Alba, Marco Cappato, Maurizio Turco, Benedetto Della Vedova and Emma Bonino.

Adopted (P5_TA(2003)0340)

The following spoke:

- Marie-Hélène Gillig moved an oral amendment to paragraph 12 and pointed out a correction to recital A.

There were no objections to the oral amendment which was thus incorporated.

36. Uganda (vote)

Motions for resolution B5-0344, 0347, 0351, 0352, 0355 and 0358/2003

(Simple majority)

(Voting record: Annex 1, Item 20)

JOINT MOTION FOR A RESOLUTION RC-B5-0344/2003 (replacing motions for resolution B5-0344, 0347, 0351, 0352 and 0358/2003):

tabled by the following Members:

- Mario Mauro, Concepció Ferrer, Hanja Maij-Weggen, Charles Tannock and Bernd Posselt, on behalf of the PPE-DE Group,
- Margrietus J. van den Berg, on behalf of the PSE Group,
- Nelly Maes, Didier Rod, Marie Anne Isler Béguin and Bart Staes, on behalf of the Verts/ALE Group,
- Yasmine Boudjenah and Luigi Vinci, on behalf of the GUE/NGL Group,
- Cristiana Muscardini, on behalf of the UEN Group,
- Ulla Margrethe Sandbæk, on behalf of the EDD Group.

Adopted (P5_TA(2003)0341)

(Motion for a resolution B5-0355/2003 fell.)

Chantal Cauquil gave notice that she had not taken part in the vote.

37. Women in EU rural areas (vote)

Report on women in rural areas of the European Union in the light of the mid-term review of the common agricultural policy [2002/2241(INI)] — Committee on Women's Rights and Equal Opportunities. Rapporteur: Rodi Kratsa-Tsagaropoulou (A5-0230/2003)

(Simple majority)

(Voting record: Annex 1, Item 21)

MOTION FOR A RESOLUTION

Adopted (P5_TA(2003)0342)

Thursday 3 July 2003

38. Safety of coaches (vote)

Motion for a resolution: Luciano Caveri, on behalf of the RETT Committee, on safety of coaches (B5-0338/2003)

(Simple majority)

(Voting record: Annex 1, Item 22)

MOTION FOR A RESOLUTION

Adopted (P5_TA(2003)0343)

39. Explanations of vote

Written explanations of vote:

Explanations of vote submitted in writing under Rule 137(3) appear in the verbatim report of proceedings for this sitting.

END OF VOTING TIME

40. Communication of common positions of the Council

The President announced, pursuant to Rule 74(1), that the following common positions had been received from the Council, together with the reasons which had led to their adoption, and the Commission's position on:

- European Parliament and Council regulation concerning monitoring of forests and environmental interactions in the Community (Forest Focus) (C5-0292/2003 — 2002/0164(COD) — 8243/1/2003 — 9867/1/2003 — SEC(2003) 725)
referred to responsible: ENVI
asked for opinion at first reading: AGRI, BUDG, CONT
- Decision of the European Parliament and of the Council adopting a multi-annual programme (2004-2006) for the effective integration of Information and Communication Technologies (ICT) in education and training systems in Europe (eLearning Programme) (C5-0293/2003 — 2002/0303(COD) — 8642/1/2003 — 10221/2003 — SEC(2003) 753)
referred to responsible: CULT
asked for opinion at first reading: BUDG, FEMM, ITRE
- European Parliament and Council decision establishing a programme for the enhancement of quality in higher education and the promotion of intercultural understanding through cooperation with third countries (Erasmus world) (2004-2008) (C5-0294/2003 — 2002/0165(COD) — 8644/1/2003 — 10222/2003 — SEC(2003) 752)
referred to responsible: CULT
asked for opinion at first reading: AFET, BUDG, EMPL, FEMM
- Directive of the European Parliament and of the Council amending Council Directive 91/440/EEC on the development of the Community's railways (C5-0295/2003 — 2002/0025(COD) — 8011/3/2003 — 10840/2003 — 10587/1/2003 — 10587/2003 — SEC(2003) 754)
referred to responsible: RETT
asked for opinion at first reading: JURI

Thursday 3 July 2003

- Regulation of the European Parliament and of the Council establishing a European Railway Agency ('Agency Regulation') (C5-0296/2003 — 2002/0024(COD) — 8558/2/2003 — 10840/2003 — 10587/1/2003 — 10587/2003 — SEC(2003) 754)
referred to responsible: RETT
asked for opinion at first reading: BUDG, CONT, ITRE, JURI
- Directive of the European Parliament and of the Council on safety on the Community's railways and amending Council Directive 95/18/EC on the licensing of railway undertakings and Directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification (Railway Safety Directive) (C5-0297/2003 — 2002/0022(COD) — 8557/2/2003 — 10840/2003 — 10587/1/2003 — 10587/2003 — SEC(2003) 754)
referred to responsible: RETT
asked for opinion at first reading: JURI
- Directive of the European Parliament and of the Council amending Council Directive 96/48/EC on the interoperability of the trans-European high-speed rail system and Directive 2001/16/EC of the European Parliament and of the Council on the interoperability of the trans-European conventional rail system (C5-0298/2003 — 2002/0023(COD) — 8556/2/2003 — 10840/2003 — 10587/1/2003 — 10587/2003 — SEC(2003) 754)
referred to responsible: RETT
asked for opinion at first reading: ITRE, JURI
- Directive of the European Parliament and of the Council amending Directive 94/35/EC on sweeteners for use in foodstuffs (C5-0299/2003 — 2002/0152(COD) — 9714/1/2003 — 10422/2003 — SEC(2003) 783)
referred to responsible: ENVI

The three-month period available to Parliament to adopt its position would therefore begin the following day, 4 July 2003.

41. Membership of Parliament

Carlos Bautista Ojeda had announced in writing his appointment as a Member of the Autonomous Government of Andalusia.

Pursuant to Rule 8(3), his term of office as Member of the European Parliament would end with effect from 7 July 2003.

42. Membership of committees and delegations

At the request of the PSE Group and of the Secretariat of Non-attached Members, Parliament ratified the following appointments:

- AFET Committee: Philip Claeys,
- LIBE Committee: Koenraad Dillen,
- ITRE Committee: Ana Miranda de Lage,
- Delegation for relations with the United States: Pedro Aparicio Sánchez,
- Delegation for relations with the countries of Central America and Mexico: Ana Miranda de Lage to replace Pedro Aparicio Sánchez.

Thursday 3 July 2003

The PPE-DE Group and the Secretariat of Non-attached Members proposed the appointment of observers in the following committees:

- CONT Committee: Adam Biela,
- ECON Committee: Stanislaw Lyzwinski,
- ITRE Committee: Marcin Libicki,
- EMPL Committee: Andrzej Lepper,
- ENVI Committee: Marciej Giertych,
- RETT Committee: Krzysztof Filipek,
- CULT Committee: Witold Tomczak,
- AFCO Committee: Genowefa Wisniowska.

*
* * *

Rainer Wieland questioned Parliament's ability to fulfil its role as co-legislator on Thursdays, given the poor level of attendance in the Chamber, and requested the Bureau to consider the point.

43. Authorisation to draw up own-initiative reports

Authorisation to draw up own-initiative reports, pursuant to Rule 163

PECH:

- The outermost islands and the fishing industry (2003/2112(INI))
(Following the Conference of Presidents' decision of 26 June 2003)

DEVE:

- NEPAD, the new partnership for Africa's development (2003/2106(INI))
(Following the Conference of Presidents' decision of 26 June 2003)

FEMM:

- The consequences of the sex industry in the European Union (2003/2107(INI))
(Following the Conference of Presidents' decision of 26 June 2003)
- 2004 elections: how to ensure balanced representation of women and men (2003/2108(INI))
(Following the Conference of Presidents' decision of 26 June 2003)
- The situation of women from minority groups in the European Union (2003/2109(INI))
(Following the Conference of Presidents' decision of 26 June 2003)

Thursday 3 July 2003

Withdrawal of own-initiative reports previously authorised by the Conference of Presidents

ECON:

- Assessment of State aid rules and practices in view of the accession of the new Member States (2003/2083(INI))

(Announced in the Minutes of 5 June 2003)

- The reform of the International Monetary Fund (IMF) (2003/2080(INI))

(Announced in the Minutes of 5 June 2003)

JURI:

- Shortcomings with regard to the respect of the rule of law in the soft-law or similar normative acts of the EC (2002/2115(INI))

(Announced in the Minutes of 19 December 2002)

Authorisation to draw up own-initiative reports, pursuant to Rule 47(1)

PETI:

- European Ombudsman: 2002 annual report

(I5-0011/2003 — C5-0271/2003 — 2003/2068(INI))

(Following the Conference of Presidents' decision of 8 May 2003)

44. Written declarations included in the register (Rule 51)

Number of signatures obtained by the written declarations in the register (Rule 51(3)):

No. Document	Auteur	Signatures
6/2003	Mario Borghezio	21
7/2003	Catherine Guy-Quint, Colette Flesch, Freddy Blak, Brian Simpson and Terence Wynn	146
8/2003	Claude Moraes, Michael Cashman, Kathalijne Maria Buitenweg, Carmen Cerdeira Morterero and Ozan Ceyhun	98
9/2003	Kathalijne Maria Buitenweg, Andrew Nicholas Duff, Christopher Heaton-Harris, Michiel van Hulten and Helle Thorning-Schmidt	138
10/2003	Richard Corbett	51
11/2003	Bruno Gollnisch, Carl Lang, Jean-Claude Martinez and Marie-France Stirbois	8
12/2003	José Ribeiro e Castro, Ole Krarup, Per Gahrton, Martin Callanan and Patricia McKenna	10
13/2003	Jonathan Evans, John Bowis, Christopher Heaton-Harris, Philip Charles Bradbourn and Neil Parish	46
14/2003	Marco Cappato, Paulo Casaca, Carlo Fatuzzo, Ulla Margrethe Sandbæk and Michiel van Hulten	17
15/2003	Mario Borghezio	7

Thursday 3 July 2003**45. Forwarding of texts adopted during the sitting**

Pursuant to Rule 148(2), the Minutes of that day's sitting would be submitted to Parliament for its approval at the beginning of the next sitting.

With Parliament's agreement, the texts that had been adopted would be forwarded forthwith to the bodies named therein.

46. Dates for next sittings

The next sittings would be held from 1 to 4 September 2003.

47. Adjournment of session

The session of the European Parliament was adjourned.

The sitting closed at 17.35.

Julian Priestley
Secretary-General

Pat Cox
President

Thursday 3 July 2003

ATTENDANCE REGISTER

The following signed:

Aaltonen, Ainardi, Almeida Garrett, Alyssandrakis, Andersen, Andersson, Andreasen, André-Léonard, Andria, Angelilli, Aparicio Sánchez, Arvidsson, Attwooll, Auroi, Avilés Perea, Ayuso González, Bakopoulos, Baltas, Banotti, Barón Crespo, Bartolozzi, Bastos, Bautista Ojeda, Bayona de Perogordo, Beazley, Bébéar, Belder, Berend, Berenguer Fuster, Berès, van den Berg, Berger, Berlato, Bernié, Berthu, Beysen, Blak, Blokland, Bodrato, Böge, Bösch, von Boetticher, Bonde, Boogerd-Quaak, Booth, Bordes, Borghezio, van den Bos, Boselli, Boudjenah, Boumediene-Thiery, Bourlanges, Bouwman, Bowe, Bradbourn, Breyer, Brienza, Brok, Bullmann, van den Burg, Bushill-Matthews, Busk, Butel, Callanan, Camisón Asensio, Camre, Cappato, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Caudron, Caullery, Cauquil, Cederschiöld, Celli, Cerdeira Morterero, Cesaro, Ceyhun, Chichester, Philip Claeys, Cocilovo, Coelho, Collins, Colom i Naval, Corbett, Corbey, Cornillet, Cossutta, Paolo Costa, Raffaele Costa, Cox, Crowley, Cunha, Cushnahan, van Dam, Dary, Daul, Davies, De Clercq, Dehousse, De Keyser, Dell'Alba, Della Vedova, Deprez, De Sarnez, Descamps, Désir, Deva, De Veyrac, Dhaene, Di Lello Finuoli, Dillen, Dimitrakopoulos, Di Pietro, Doorn, Dover, Duff, Duin, Dupuis, Ebner, Echerer, Elles, Eriksson, Esclopé, Ettl, Jillian Evans, Robert J.E. Evans, Färm, Fava, Ferber, Ferreira, Ferrer, Fiebiger, Figueiredo, Fiori, Fitzsimons, Flautre, Flemming, Fleisch, Florenz, Formentini, Foster, Fourtou, Frahm, Fraisse, Frassoni, Friedrich, Fruteau, Gahler, Gahrton, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Garot, Garriga Polledo, Gasóliba i Böhm, Gebhardt, Gemelli, Ghilardotti, Gill, Gillig, Gil-Robles Gil-Delgado, Glante, Glase, Gobbo, Goebbels, Goepel, Görlach, Gollnisch, Gomolka, González Álvarez, Goodwill, Gorostiaga Atxalandabaso, Graefe zu Baringdorf, Graça Moura, Gröner, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Guy-Quint, Hänsch, Hager, Hannan, Hansenne, Harbour, Hatzidakis, Haug, Hazan, Heaton-Harris, Hedkvist Petersen, Helmer, Hermange, Hernández Mollar, Herranz García, Herzog, Hieronymi, Honeyball, Hortefeux, Howitt, Hudghton, van Hulten, Hume, Hyland, Ilgenfritz, Imbeni, Inglewood, Isler Béguin, Izquierdo Collado, Izquierdo Rojo, Jackson, Jarzembowski, Jensen, Jöns, Jonckheer, José Peres, Junker, Karamanou, Karas, Karlsson, Kaufmann, Keppelhoff-Wiechert, Keßler, Khanbhai, Kindermann, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korakas, Korhola, Koukiadis, Koulourianos, Kratsa-Tsagaropoulou, Krehl, Kreissl-Dörfler, Krivine, Kronberger, Kuckelkorn, Kuhne, Kuntz, Lage, Laguiller, Lalumière, Lamassoure, Lambert, Lang, Lange, Langen, Langenhagen, de La Perriere, Lechner, Lehne, Leinen, Liese, Linkohr, Lisi, Ludford, Lulling, Lund, Lynne, Maat, Maaten, McAvan, McCartin, MacCormick, McKenna, McNally, Maes, Maj-Weggen, Malliori, Manders, Manisco, Erika Mann, Thomas Mann, Mantovani, Marinho, Marinos, Markov, Marques, Marset Campos, Martens, David W. Martin, Hans-Peter Martin, Hugues Martin, Martinez, Martínez Martínez, Mastorakis, Mathieu, Matikainen-Kallström, Mauro, Hans-Peter Mayer, Xaver Mayer, Mayol i Raynal, Medina Ortega, Meijer, Mendiluce Pereiro, Menéndez del Valle, Mennea, Mennitti, Menrad, Miguélez Ramos, Miller, Miranda, Miranda de Lage, Modrow, Mombaur, Monsonís Domingo, Montfort, Moraes, Moreira Da Silva, Morgantini, Emilia Franziska Müller, Müller, Mulder, Murphy, Muscardini, Musotto, Mussa, Myller, Napoletano, Naranjo Escobar, Nassauer, Newton Dunn, Nicholson, Nicholson of Winterbourne, Niebler, Nobilia, Nordmann, Obiols i Germà, Ojeda Sanz, Olsson, Ó Neachtain, Onesta, Oomen-Ruijten, Oostlander, Oreja Arburúa, Ortuondo Larrea, Paasilinna, Pacheco Pereira, Paciotti, Pack, Pannella, Papayannakis, Parish, Pasqua, Pastorelli, Patakis, Patrie, Paulsen, Pérez Álvarez, Pérez Royo, Roy Perry, Pesälä, Pex, Piecyk, Piétrasanta, Piscarreta, Pittella, Plooi-j-van Gorsel, Podestà, Poettering, Pohjamo, Poignant, Poli Bortone, Pomés Ruiz, Poos, Posselt, Prets, Pronk, Provan, Puerta, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Randzio-Plath, Rapkay, Raschhofer, Read, Ribeiro e Castro, Ries, Riis-Jørgensen, Ripoll y Martínez de Bedoya, Rod, Rodríguez Ramos, de Roo, Rothe, Rothley, Roure, Rovsing, Rübiger, Rühle, Rutelli, Sacconi, Sacrédeus, Saint-Josse, Sakellariou, Salafranca Sánchez-Neyra, Sandbæk, Sanders-ten Holte, Santer, Santini, dos Santos, Sartori, Sauquillo Pérez del Arco, Savary, Sbarbati, Scallon, Scarbonchi, Schaffner, Scheele, Schierhuber, Schleicher, Gerhard Schmid, Herman Schmid, Olle Schmidt, Schmitt, Schnellhardt, Schörling, Ilka Schröder, Jürgen Schröder, Schroedter, Schulz, Schwaiger, Seppänen, Sichrovsky, Simpson, Skinner, Smet, Soares, Sommer, Sornosa Martínez, Souchet, Sousa Pinto, Staes, Stenmarck, Stenzel, Sterckx, Stevenson, Stihler, Stirbois, Stockmann, Stockton, Sudre, Suominen, Swoboda, Sylla, Sørensen, Tajani, Tannock, Theato, Theorin, Thomas-Mauro, Thorning-Schmidt, Thors, Thyssen, Titley, Torres Marques, Trakatellis, Trentin, Tsatsos, Turchi, Turco, Turmes, Vachetta, Väyrynen, Vairinhos, Valdivielso de Cué, Valenciano Martínez-Orozco, Vallvé, Van Brempt, Van Orden, Varela Suanzes-Carpegna, Vatanen, Vattimo, van Velzen, Vermeer, de Veyrinas, Vidal-Quadras Roca, Villiers, Vinci, Virrankoski, Vlasto, Voggenhuber, Volcic, Wachtmeister, Wallis, Walter, Watson, Watts, Weiler, Wenzel-Perillo, Whitehead, Wieland, Wiersma, Wijkman, von Wogau, Wuermeling, Wuori, Wurtz, Wyn, Wynn, Xarchakos, Zabell, Zacharakis, Zimmerling, Zissener, Zorba, Zrihen.

Thursday 3 July 2003

Observers

Bagó Zoltán, Balsai István, Bekasovs Martijans, Biela Adam, Bielan Adam, Bonnici Josef, Brejc Mihael, Christodoulidis Doros, Chronowski Andrzej, Chrzanowski Zbigniew, Ciemniak Grażyna, Cilevičs Boriss, Cybulski Zygmunt, Czinége Imre, Demetriou Panayiotis, Didžiokas Gintaras, Drzęźła Bernard, Ékes József, Fazakas Szabolcs, Filipek Krzysztof, Gadzinowski Piotr, Gawłowski Andrzej, Giertych Maciej, Grabowska Genowefa, Gruber Attila, Grzebisz-Nowicka Zofia, Gurmai Zita, Hegyi Gyula, Ilves Toomas Hendrik, Kamiński Michał Tomasz, Kelemen András, Kiršteins Aleksandrs, Kłopotek Eugeniusz, Klukowski Waclaw, Kolář Robert, Konečná Kateřina, Kowalska Bronisława, Kreitzberg Peeter, Kriščiūnas Kęstutis, Kroupa Daniel, Kvietkauskas Vytautas, Laar Mart, Lachnit Petr, Landsbergis Vytautas, Laštůvka Vladimír, Lepper Andrzej, Lewandowski Janusz Antoni, Libicki Marcin, Lisak Janusz, Litwiniec Bogusław, Lydeka Arminas, Macierewicz Antoni, Maldeikis Eugenijus, Mallotová Helena, Maštálka Jiří, Matsakis Marios, Mavrou Eleni, Óry Csaba, Palečková Alena, Pasternak Agnieszka, Pęczak Andrzej, Pieniążek Jerzy, Pīks Rihards, Plokšto Artur, Podgórski Bogdan, Pospíšil Jiří, Protasiewicz Jacek, Pusz Sylwia, Rutkowski Krzysztof, Savi Toomas, Sefzig Luděk, Smorawiński Jerzy, Surján László, Svoboda Pavel, Szabó Zoltán, Szájer József, Szczygło Aleksander, Tabajdi Csaba, Tomaka Jan, Tomczak Witold, Vaculík Josef, Vareikis Egidijus, Vastagh Pál, Vella George, Wenderlich Jerzy, Widuch Marek, Wikiński Marek, Winiarczyk-Kossakowska Małgorzata, Wiśniowska Genowefa, Wittbrodt Edmund, Wojciechowski Janusz, Żenkiewicz Marian, Žiak Rudolf.

Thursday 3 July 2003

ANNEX I

RESULTS OF VOTES

Abbreviations and symbols

+	adopted
-	rejected
↓	lapsed
W	withdrawn
RCV (... , ... , ...)	roll-call vote (for, against, abstentions)
EV (... , ... , ...)	electronic vote (for, against, abstentions)
split	split vote
sep	separate vote
am	amendment
CA	compromise amendment
CP	corresponding part
D	deleting amendment
=	identical amendments
§	paragraph
art	article
rec	recital
MOT	motion for a resolution
JT MOT	joint motion for a resolution
SEC	secret ballot

1. European Council of 19/20 June 2003 in Thessaloniki

Motions for resolutions: B5-0325, 0327, 0331, 0333, 0335, 0340/2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
<i>motions for resolutions by political groups</i>					
B5-0325/2003		Verts/ALE	RCV	-	43, 366, 34

Thursday 3 July 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
joint motion for a resolution – RC5-0327/2003 (PPE-DE, PSE, ELDR, UEN)					
after § 9	5	PSE	EV	-	178, 219, 60
§ 10	3	Verts/ALE		-	
after § 16	6	PSE + ELDR		+	
	7	PSE + ELDR	EV	+	243, 201, 18
	8	Verts + PSE + ELDR		+	
after § 17	4	Verts/ALE	EV	-	216, 228, 16
§ 22	9	PSE + ELDR + Verts	EV	+	252, 214, 2
after § 44	2	Verts/ALE	RCV	+	260, 196, 13
§ 51		original text	sep	+	
after § 57	1	UEN		W	
vote: resolution (as a whole)			RCV	+	327, 92, 47
motions for resolutions by political groups					
B5-0327/2003		PPE-DE		↓	
B5-0331/2003		GUE/NGL		↓	
B5-0333/2003		PSE		↓	
B5-0335/2003		ELDR		↓	
B5-0340/2003		UEN		↓	

Requests for roll-call votes

Verts/ALE: MOT B5-0325/2003, am 2, final vote of the JT MOT

Requests for separate vote

Verts/ALE: § 51 of the JT MOT

2. Marco Polo Programme ***II

Recommendation for second reading: BRADBURN (A5-0220/2003)

Subject	
approval without vote	declared approved

Thursday 3 July 2003

3. ECB capital subscription key *

Report: ANDRIA (A5-0215/2003)

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

4. Building public budgets from a gender perspective

Report: GHILARDOTTI (A5-0214/2003)

Subject	RCV, etc.	Vote	RCV/EV — remarks
<i>single vote</i>	RCV	+	394, 40, 37

Requests for roll-call votes

PSE: final vote

5. Single European Sky: framework regulation ***II

Recommendation for second reading: FAVA (A5-0219/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
<i>amendments by committee responsible — block vote</i>	5 7-8 13	<i>committee</i>		+	
<i>amendments by committee responsible — separate votes</i>	1	<i>committee</i>	sep	+	
	2	<i>committee</i>	sep	+	
	3	<i>committee</i>	sep	+	
	4	<i>committee</i>	sep	+	
	6	<i>committee</i>	sep	+	
	9	<i>committee</i>	sep	+	
	10	<i>committee</i>	sep	+	
	11	<i>committee</i>	sep	+	
	12	<i>committee</i>	sep	+	
	14	<i>committee</i>	sep	+	
	15	<i>committee</i>	RCV	+	408, 60, 5

Thursday 3 July 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
	16	<i>committee</i>	sep	+	
	17	<i>committee</i>	split		
			1	+	
			2	+	
	18	<i>committee</i>	sep	+	

Requests for roll-call votes

GUE/NGL: am 15

Requests for separate vote

PPE-DE: ams 2, 6, 10, 16, 18

ELDR: am 14

GUE/NGL: ams 1, 3, 4, 6, 9, 10, 11, 12

UEN: ams 6, 9, 10, 18

Requests for split votes

GUE/NGL

am 17

1st part: text as a whole except the word 'economic'

2nd part: that word

6. Single European Sky: Air Navigation Services/Airspace/Interoperability of the European Air traffic management network ***II

Recommendation for second reading: SANDERS-TEN HOLTE (A5-0225/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
common position 1 (provision of air navigation services)					
amendments by committee responsible – block vote	5-7 9 11 13-14 16	<i>committee</i>		+	
amendments by committee responsible – separate votes	1	<i>committee</i>	split		
			1	+	
			2	+	
	2	<i>committee</i>	sep	+	
	3	<i>committee</i>	sep	+	
	4	<i>committee</i>	sep	+	

Thursday 3 July 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
	8	<i>committee</i>	sep	+	
	10	<i>committee</i>	sep	+	
	12	<i>committee</i>	sep	+	
	15	<i>committee</i>	RCV	+	376, 85, 13
recital 12	33 D	PSE	EV	-	210, 232, 7
<i>common position 2 (organisation and use of airspace)</i>					
<i>amendments by committee responsible – separate votes</i>	17	<i>committee</i>	sep	+	
	18	<i>committee</i>	sep	+	
	19	<i>committee</i>	sep	+	
	20	<i>committee</i>	sep	+	
	21	<i>committee</i>	sep	+	
	22	<i>committee</i>	sep	+	
	23	<i>committee</i>	sep	+	
	24	<i>committee</i>	sep	+	
	25	<i>committee</i>	sep	+	
	26	<i>committee</i>	RCV	+	352, 113, 7
	27	<i>committee</i>	sep	+	
	28	<i>committee</i>	sep	+	
	29	<i>committee</i>	sep	+	
	30	<i>committee</i>	sep	+	
31	<i>committee</i>	sep	+		
<i>common position 3 (interoperability of the European Air traffic management network)</i>					
text as a whole	32	<i>committee</i>		+	

Requests for roll-call votes

GUE/NGL: ams 15, 26

Requests for separate vote

PPE-DE: ams 3, 10, 12, 21, 23, 24, 25, 27, 28, 29, 30, 32, 33

GUE/NGL: ams 2, 4, 8, 18, 19, 20, 21, 22, 23, 24, 25, 27, 28, 29, 31

UEN: ams 21, 29

Thursday 3 July 2003

Requests for split votes

GUE/NGL

am 1

1st part: up to 'licences'

2nd part: remainder

Other information

The rapporteur pointed out that the adoption of amendment 16 would modify Article 6(9) of the common position and the adoption of amendment 31 would similarly modify Article 1(3).

7. Transit system for heavy goods vehicles through Austria in 2004 *II**

Recommendation for second reading: CAVERI (A5-0213/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
amendments by committee responsible – block vote	1-13 15-17	committee		+	
art 3	18 = 19 =	PSE RACK et al	RCV	-	191, 231, 50
	14	committee	EV	+	346, 102, 19

Requests for roll-call votes

PPE-DE: am 18

8. Compensation and assistance to air passengers *II**

Recommendation for second reading: LISI (A5-0221/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks	
amendments by committee responsible – block vote	2 4-8 11-14 16 19-20	committee		+		
amendments by committee responsible – separate votes	1	committee	sep/EV	-	224, 229, 5	
	3	committee	RCV	-	207, 246, 6	
	9	committee	sep	-		
	15	committee	sep	+		
	17	committee	split			
			1	+		
			2 / EV	-	256, 213, 4	

Thursday 3 July 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
	18	committee	sep	-	
art 5	21	ELDR	RCV	-	57, 406, 5
	10	committee	RCV	-	277, 164, 28

Requests for roll-call votes

PSE: ams 10, 21

ELDR: am 21

GUE/NGL: am 3

Requests for separate vote

PPE-DE: ams 1, 3, 9, 15, 17, 18

Requests for split votes

PPE-DE

am 17

1st part: up to 'third party'

2nd part: remainder

9. Food additives other than colours and sweeteners *I**

Report: AYUSO GONZÁLEZ (A5-0216/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
amendments by committee responsible – block vote	1, 3, 5, 6, 9, 11-14	committee		-	
amendments by committee responsible – separate votes	2, 15, 16, 18	committee		+	
	4	committee	split		
			1	+	
			2	-	
text as a whole block vote	19-32	PPE + ELDR + PSE		+	
	7+8+17	committee		↓	
annex, point 3	33	Verts/ALE		-	
annex, point 6), point (d)	34	Verts/ALE		-	
	10	committee		+	

Thursday 3 July 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
annex, point 6, after point (d)	35	Verts/ALE		-	
<i>vote: amended proposal</i>				+	
<i>vote: legislative resolution</i>				+	

Requests for split votes

PPE-DE, PSE

am 4

1st part: up to '... with as swiftly as possible.'

2nd part: remainder

Requests for separate vote

PPE-DE: ams 2, 15, 16, 18

PSE: ams 1, 3, 5, 6, 9, 11, 12, 13, 14 (block)

10. Protection of vulnerable road users ***I

Report: VERMEER (A5-0223/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
amendments by committee responsible – block vote	1-3 5 7 11	committee		+	
amendments by committee responsible – separate votes	6	committee	split		
			1	+	
			2	+	
	9	committee	sep	+	
	10	committee	sep	+	
art 1	17	Verts/ALE	RCV	-	92, 371, 3
art 5	18	Verts/ALE	split/ RCV		
			1	-	86, 367, 9
			2	↓	
	8	committee		+	
after recital 3	12	EDD		-	
	15	Verts/ALE		-	
	4	committee		+	

Thursday 3 July 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
recital 4	16	Verts/ALE		-	
after recs 4 and 5	13	EDD		-	
	14	EDD		-	
vote: amended proposal			RCV	+	426, 1, 40
vote: legislative resolution				+	

Requests for roll-call votes

ELDR: amended proposal
Verts/ALE: ams 17, 18

Requests for separate vote

Verts/ALE: ams 9, 10

Requests for split votes

Verts/ALE

am 6

1st part: text as a whole except the words 'adapting or'
2nd part: those words

am 18

1st part: text as a whole except the words 'in which active measures ... protection level'
2nd part: those words

11. 2004 budget conciliation procedure

Report: MULDER (A5-0240/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
§ 10	3	HERRANZ et al	EV	+	Amended orally 268, 168, 17
§ 20	2	PPE-DE	EV	-	206, 237, 6
after § 31	1	UEN + DELL'ALBA	EV	+	257, 188, 6
§ 33	4	NARANJO ESCOBAR et al	EV	+	246, 185, 15
vote: resolution (as a whole)				+	

Thursday 3 July 2003

Other information

The rapporteur proposed a technical modification to amendment 3 relating to paragraph 10, as follows:

Notes that **the compulsory part of** the common agricultural policy's total expenditure is cut from 40,2 % in the 2003 budget to 36,8 % in the 2004 PDB for EU-25 and that the share of non-compulsory expenditure is increased from 4,7 % in 2003 to 5,8 % in 2004.

12. Implementation of 2003 budget

Report: FÄRM (A5-0233/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
§ 6		original text	split		
			1	+	
			2	+	
§ 20	1	PSE	EV	+	240, 194, 18
after § 21	2	PPE-DE	split		
			1	+	
			2 / EV	+	229, 214, 4
§ 23		original text	sep	+	
§ 49		original text	sep	+	
vote: resolution (as a whole)			RCV	+	407, 10, 34

Requests for roll-call votes

PPE-DE: final vote

Requests for split votes

PSE

am 2

1st part: up to '... 2003 budget'

2nd part: remainder

UEN

§ 6

1st part: up to '... budgetary headings'

2nd part: remainder

Requests for separate vote

GUE/NGL: § 23

UEN: § 20, 49

Thursday 3 July 2003

13. Trafficking in children and child soldiers

Motion for a resolution: B5-0320/2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
Motion for a resolution (B5-0320/2003)					
after § 21	3	ELDR		+	Amended orally
recital F	1	ELDR		+	
after rec G	2	ELDR		+	
vote: resolution (as a whole)				+	

Other information

Mr Mauro proposed, on behalf of the PPE-DE Group, an oral amendment to amendment 3: 'Strongly condemns governments **and armed opposition forces** which continue to recruit child soldiers ... (remainder unchanged)'

14. Chechnya

Motions for resolutions: B5-0326, 0328, 0329, 0339, 0341, 0342/2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
joint motion for a resolution RC5-0326/2003 (PPE-DE, PSE, ELDR, GUE/NGL, UEN)					
new §, before § 1	5	Verts/ALE	RCV	+	388, 26, 34
after § 2	6	Verts/ALE		-	
§ 3	7	Verts/ALE	RCV	-	113, 325, 14
§ 11		original text	split		
			1	+	
			2	+	
§ 12	8	Verts/ALE	EV	+	242, 200, 3
recital B	1	Verts/ALE		+	
after recital I	2	Verts/ALE	RCV	+	259, 170, 18
	3	Verts/ALE		-	
	4	Verts/ALE		-	
vote: resolution (as a whole)			RCV	+	357, 46, 42

Thursday 3 July 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
<i>motions for resolutions by political groups</i>					
B5-0326/2003		PPE-DE		↓	
B5-0328/2003		ELDR		↓	
B5-0329/2003		UEN		↓	
B5-0339/2003		PSE		↓	
B5-0341/2003		GUE/NGL		↓	
B5-0342/2003		Verts/ALE		↓	

Requests for roll-call votes

Verts/ALE: ams 2, 5, 7, and final vote of the JT MOT

Requests for split votes

GUE/NGL

§ 11

1st part: up to 'Chechnya'

2nd part: remainder

15. Preparation for the WTO Ministerial Conference (Cancun, 10/14 September 2003)

Motions for resolutions: B5-0322, 0323, 0324, 0330, 0332, 0334/2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
<i>joint motion for a resolution RC5-0322/2003 (PPE-DE + PSE + ELDR)</i>					
after § 1	1	Verts/ALE	split		
			1 / EV	+	238, 173, 13
			2	-	
§ 2	5	GUE/NGL	RCV	+	206, 202, 6 Amended orally
after § 4	4	PSE		+	
	6	GUE/NGL		+	
after § 6	7	GUE/NGL	EV	+	236, 168, 4

Thursday 3 July 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
§ 7	§	original text	split		
			1	+	
			2	+	
after § 9	2	Verts/ALE		-	
	8	GUE/NGL		+	
after § 10	9	GUE/NGL	EV	-	200, 205, 5
after § 13	10	GUE/NGL		-	
after § 17	3	Verts/ALE		-	
after § 18	11	GUE/NGL	EV	-	119, 207, 89
§ 19	§	original text	split/RCV		
			1	+	311, 90, 9
			2	+	210, 116, 86
after § 26	12	GUE/NGL		-	
§ 29		original text	sep	+	
after § 31	13	GUE/NGL		-	
	14	GUE/NGL		-	
§ 37	§	original text	RCV	+	372, 25, 15
vote: resolution (as a whole)			RCV	+	297, 93, 18
motions for resolutions by political groups					
B5-0322/2003		PPE-DE		↓	
B5-0323/2003		UEN		↓	
B5-0324/2003		Verts/ALE		↓	
B5-0330/2003		ELDR		↓	
B5-0332/2003		GUE/NGL		↓	
B5-0340/2003		PSE		↓	

Thursday 3 July 2003

Requests for roll-call votes

PPE-DE: § 19, final vote

Verts/ALE: § 37

GUE/NGL: am 5

Requests for separate vote

PPE-DE: § 29

Requests for split votes

PSE

am 1

1st part: up to 'respect for all parties'

2nd part: remainder

Verts/ALE

§ 19

1st part: up to 'government procurement'

2nd part: remainder

GUE/NGL

§ 7

1st part: up to 'export subsidies'

2nd part: remainder

Other information

Mr Van Velzen and Mr Schwaiger, on behalf of the PPE-DE Group, also signed the joint motion for a resolution.

Mr Miranda proposed an oral amendment to amendment 5, adding the word 'gradually' after the word 'eliminating'.

16. ECB 2002 annual report

Report: BLOKLAND (A5-0237/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
§ 2		original text	sep	+	
§ 3		original text	sep	+	
§ 5	3	PPE-DE		+	
§ 9	4	PPE-DE	EV	-	155, 184, 31
	§	original text	sep	-	
§ 10	5	PPE-DE		W	
	§	original text	sep	-	
§ 11	11	ELDR		+	

Thursday 3 July 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
§ 12	6	PPE-DE		+	
§ 15	7	PPE-DE	EV	+	179, 176, 19
§ 16	12	ELDR		+	
	8	PPE-DE		+	
§ 17	9	PPE-DE	EV	-	158, 206, 8
§ 24	1	PSE	EV	-	178, 192, 7
§ 25	10	PPE-DE		+	
citation 8	2	PPE-DE		+	
vote: resolution (as a whole)				+	

Requests for separate vote

PPE-DE: § 9, 10
PSE: § 9, 10
Verts/ALE: § 2, 3, 9

Other information

The PPE-DE Group had withdrawn its amendment 5.

17. Euro-zone

Report: GASÒLIBA I BÖHM (A5-0169/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
after § 15	1	GUE/NGL		+	
vote: resolution (as a whole)				+	

Other information

Following the rapporteur's suggestion, amendment 1 had been inserted after paragraph 14, as opposed to after paragraph 15.

18. Cambodia

Motions for resolutions: B5-0337/2003, 0343/2003, 0346/2003, 0349/2003, 0353/2003, 0357/2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
joint motion for a resolution RC5-0337/2003 (PPE-DE, PSE, ELDR, Verts/ALE, GUE/NGL, EDD, et al)					
recital Q	1	PSE		W	

Thursday 3 July 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
after recital Q				+	<i>oral am after rec Q</i>
<i>vote: resolution (as a whole)</i>				+	
<i>motions for resolutions by political groups</i>					
B5-0337/2003		EDD		↓	
B5-0343/2003		PSE		↓	
B5-0346/2003		Verts/ALE		↓	
B5-0349/2003		PPE-DE		↓	
B5-0353/2003		GUE/NGL		↓	
B5-0357/2003		ELDR		↓	

Other information

The PSE Group had withdrawn amendment 1.

Mrs Junker, on behalf of the PSE Group, had proposed an oral amendment after recital Q, as follows:

drawing attention, furthermore, to the expulsion of at least 28 foreign Islamic teachers from Cambodia

Mr Dupuis had proposed a technical modification to paragraph 2, replacing the words 'pre- and post-election period' by the words 'during and after the election period'

19. Laos

Motions for resolutions: B5-0336/2003, 0345/2003, 0348/2003, 0350/2003, 0354/2003, 0356/2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
<i>joint motion for a resolution RC5-0336/2003 (PPE-DE, PSE, ELDR, Verts/ALE, GUE/NGL, UEN, EDD, et al)</i>					
					<i>Oral amendment</i>
recital A				+	<i>Amended orally</i>
recital B		<i>original text</i>	sep/EV	+	59, 31, 0
<i>vote: resolution (as a whole)</i>				+	

Thursday 3 July 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
<i>motions for resolutions by political groups</i>					
B5-0336/2003		EDD		↓	
B5-0345/2003		PSE		↓	
B5-0348/2003		Verts/ALE		↓	
B5-0350/2003		PPE-DE		↓	
B5-0354/2003		GUE/NGL		↓	
B5-0356/2003		ELDR		↓	

Requests for separate vote

PSE: rec B of JT MOT

Oral amendments

The PSE group had proposed the following oral amendments:

in paragraph 12, to replace the words 'Asia-Europe Meeting (ASEM)' with the words 'ASEAN/ANASE meeting'

in recital A, to replace the words 'the American journalist Naw Karl Mua' with the words 'the American **interpreter** Naw Karl Mua'

20. Uganda

Motions for resolutions: B5-0344/2003, 0347/2003, 0351/2003, 0352/2003, 0355/2003, 0358/2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
joint motion for a resolution RC5-0344/2003 (PPE-DE, PSE, Verts/ALE, GUE/NGL, UEN, EDD)					
vote: resolution (as a whole)			RCV	+	78, 0, 10
<i>motions for resolutions by political groups</i>					
B5-0344/2003		PSE		↓	
B5-0347/2003		Verts/ALE		↓	
B5-0351/2003		PPE-DE		↓	

Thursday 3 July 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
B5-0352/2003		GUE/NGL		↓	
B5-0355/2003		ELDR		↓	
B5-0358/2003		UEN		↓	

Requests for roll-call votes

PPE-DE: final vote

21. Women in EU rural areas

Report: KRATSA-TSAGAROPOULOU (A5-0230/2003)

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
§ 3	2	PSE		+	
§ 14	3	PSE		+	
recital B	1	PSE		+	
vote: resolution (as a whole)			RCV	+	74, 8, 1

Requests for roll-call votes

PPE-DE: final vote

22. Safety of coaches

Motion for a resolution: B5-0338/2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
motion for a resolution B5-0338/2003 (RETT committee)					
§ 2		original text	sep	+	
after § 3	1	PSE	EV	-	38, 45, 0
§ 5		original text	sep	+	
§ 7		original text	sep	+	
§ 8	3	ELDR		+	
after § 8	4	ELDR		-	

Thursday 3 July 2003

Subject	Am no.	Author	RCV, etc.	Vote	RCV/EV — remarks
recital E	2	ELDR		+	
<i>vote: resolution (as a whole)</i>				+	

Requests for separate vote

Mr Jonathan Evans et al: § 2, 5, 7

Thursday 3 July 2003

ANNEX II

RESULTS OF NOMINAL VOTES

**B5-0325/2003 — RC — European Council of Thessaloniki
Resolution****For: 43**

ELDR: Andreasen, van den Bos, Davies, De Clercq, Gasòliba i Böhm, Monsonís Domingo, Olsson

GUE/NGL: Bakopoulos, Frahm, González Álvarez, Jové Peres, Koulourianos

NI: Gorostiaga Atxalandabaso

PPE-DE: Wijkman

PSE: Marinho, Wiersma

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Celli, Echerer, Evans Jillian, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lambert, MacCormick, McKenna, Maes, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schroedter, Staes, Turmes, Voggenhuber, Wyn

Against: 366

EDD: Andersen, Belder, Bernié, Blokland, Booth, Butel, van Dam, Esclopé, Kuntz, Mathieu, Saint-Josse, Sandbæk

ELDR: André-Léonard, Boogerd-Quaak, Busk, Costa Paolo, Flesch, Formentini, Jensen, Ludford, Lynne, Mulder, Newton Dunn, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Ries, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Alyssandrakis, Blak, Bordes, Cauquil, Di Lello Finuoli, Eriksson, Fiebiger, Korakas, Laguiller, Meijer, Patakis

NI: Berthu, Beysen, Borghezio, Claeys, Dillen, Hager, de La Perriere, Sichrovsky, Souchet

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Costa Raffaele, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Ebner, Elles, Ferber, Ferrer, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Inglewood, Jackson, Jarzembowski, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Laschet, Lechner, Lehne, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann Thomas, Mantovani, Marinos, Marques, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Müller Emilia Franziska, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübige, Sacrédeus, Santer, Santini, Sartori, Scallon, Schaffner, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wieland, von Wogau, Wuermeling, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

Thursday 3 July 2003

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Colom i Naval, Corbett, De Keyser, Désir, Duin, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Honeyball, Howitt, van Hulten, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Keßler, Kindermann, Koukiadis, Krehl, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Linkohr, Lund, McAvan, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Müller Rosemarie, Murphy, Myller, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rodríguez Ramos, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Sornosa Martínez, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Van Brempt, Vattimo, Volcic, Walter, Watts, Weiler, Wynn, Zorba, Zrihen

UEN: Berlato, Camre, Caullery, Crowley, Hyland, Muscardini, Nobilia, Ó Neachtain, Poli Bortone, Thomas-Mauro, Turchi

Abstention: 34

GUE/NGL: Ainardi, Boudjenah, Caudron, Cossutta, Dary, Figueiredo, Fraisse, Herzog, Kaufmann, Krivine, Manisco, Markov, Miranda, Modrow, Papayannakis, Puerta, Schmid Herman, Schröder Ilka, Seppänen, Vachetta, Vinci, Wurtz

NI: Cappato, Della Vedova, Dupuis, Gollnisch, Ilgenfritz, Kronberger, Lang, Martinez, Raschhofer, Turco

PSE: Dehousse

Verts/ALE: Gahrton

**B5-0327/2003 — RC — European Council of Thessaloniki
Amendment 2**

For: 260

EDD: Andersen, Bernié, Butel, Esclopé, Mathieu, Saint-Josse, Sandbæk

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Costa Paolo, Davies, De Clercq, Di Pietro, Flesch, Formentini, Gasòliba i Böhm, Jensen, Ludford, Lynne, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Ries, Rutelli, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Alyssandrakis, Blak, Boudjenah, Caudron, Cossutta, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Papayannakis, Patakis, Puerta, Schmid Herman, Schröder Ilka, Seppänen, Vachetta, Vinci, Wurtz

NI: Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Pannella, Raschhofer, Turco

PPE-DE: Ferrer, Maij-Weggen, Sacrédeus, Wijkman

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, Désir, Duin, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Glante, Görlach, Gröner, Guy-Quint, Haug, Hazan, Honeyball, Howitt, van Hulten, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Keßler, Kindermann, Koukiadis, Krehl, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Müller Rosemarie, Murphy, Myller, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rodríguez Ramos, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Sornosa Martínez, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Van Brempt, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Thursday 3 July 2003

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Celli, Dhaene, Echerer, Evans Jillian, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lambert, Lipietz, McCormick, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 196

EDD: Belder, Blokland, Booth, van Dam

NI: Berthu, Beysen, Borghezio, de La Perriere, Souchet

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cederschiöld, Chichester, Coelho, Cornillet, Costa Raffaele, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Ferber, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hernández Mollar, Hieronymi, Inglewood, Jackson, Jarzembowski, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Müller Emilia Franziska, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Røvsing, Rübige, Santer, Santini, Sartori, Scallon, Schaffner, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wieland, von Wogau, Wuermeling, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

UEN: Angelilli, Berlato, Camre, Caullery, Collins, Crowley, Hyland, Muscardini, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Thomas-Mauro, Turchi

Abstention: 13

EDD: Kuntz

GUE/NGL: Bakopoulos, Bordes, Cauquil, Laguiller

NI: Claeys, Dillen, Gollnisch, Lang, Martinez, Stirbois

PPE-DE: Thyssen

PSE: Hänsch

**B5-0327/2003 — RC — European Council of Thessaloniki
Resolution**

For: 327

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Costa Paolo, Davies, De Clercq, Di Pietro, Flesch, Formentini, Gasòliba i Böhm, Jensen, Ludford, Lynne, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Rutelli, Sanders-ten Holte, Sbarbati, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Koulourianos

NI: Beysen, Hager, Ilgenfritz, Kronberger, Raschhofer

Thursday 3 July 2003

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Brienza, Brok, Camisón Asensio, Cederschiöld, Cocilovo, Coelho, Cornillet, Costa Raffaele, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Ebner, Ferber, Ferrer, Fiori, Flemming, Florenz, Fourtou, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcyoyen Tormo, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Grönfeldt Bergman, Grosch, Grossetête, Hansenne, Hatzidakis, Hermange, Hernández Mollar, Hieronymi, Hortefeux, Jarzembowski, Karas, Keppelhoff-Wiechert, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Lehne, Liese, Lisi, Lulling, Maat, Maij-Weggen, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennea, Mennitti, Menrad, Mombaur, Moreira Da Silva, Müller Emilia Franziska, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rosing, Rübig, Sacrédeus, Santer, Santini, Sartori, Schaffner, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berenguer Fuster, Berès, van den Berg, Berger, Bösch, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, Désir, Duin, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Keßler, Kindermann, Koukiadis, Krehl, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Müller Rosemarie, Murphy, Myller, Napoletano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rodríguez Ramos, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Sornosa Martínez, Sousa Pinto, Stihler, Stockmann, Swoboda, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Van Brempt, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba

UEN: Angelilli, Berlato, Caullery, Collins, Crowley, Hyland, Muscardini, Nobilia, Ó Neachtain, Poli Bortone, Thomas-Mauro, Turchi

Against: 92

EDD: Andersen, Belder, Bernié, Blokland, Booth, Butel, van Dam, Esclopé, Kuntz, Mathieu, Saint-Josse, Sandbæk

GUE/NGL: Alyssandrakis, Blak, Bordes, Boudjenah, Cauquil, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Korakas, Krivine, Laguiller, Manisco, Markov, Marsset Campos, Meijer, Miranda, Modrow, Patakis, Schmid Herman, Schröder Ilka, Seppänen, Vachetta, Vinci

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

PPE-DE: Callanan, Goodwill, Graça Moura, Hannan, Helmer, Nicholson, Pacheco Pereira

PSE: Dehousse, Martin Hans-Peter, Mendiluce Pereiro, Zrihen

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Celli, Dhaene, Echerer, Evans Jillian, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lambert, Lipietz, McCormick, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 47

ELDR: Paulsen, Schmidt

GUE/NGL: Ainardi, Bakopoulos, Caudron, Cossutta, Dary, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Papayannakis, Puerta, Wurtz

Thursday 3 July 2003

NI: Borghezio, Cappato, Dell'Alba, Della Vedova, Dupuis, Pannella, Turco

PPE-DE: Beazley, Bradbourn, Bushill-Matthews, Chichester, Deva, Dover, Foster, Harbour, Inglewood, Jackson, Khanbhai, Kirkhope, Montfort, Parish, Perry, Purvis, Scallon, Stevenson, Stockton, Tannock

PSE: Lund, Schmid Gerhard, Theorin

UEN: Camre, Pasqua

**Ghilardotti report A5-0214/2003
Resolution**

For: 394

EDD: Andersen, Bernié, Butel, Esclopé, Mathieu, Saint-Josse, Sandbæk

ELDR: André-Léonard, Boogerd-Quaak, van den Bos, Costa Paolo, Davies, De Clercq, Di Pietro, Flesch, Formentini, Gasòliba i Böhm, Ludford, Lynne, Monsonís Domingo, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Rutelli, Sbarbati, Schmidt, Sterckx, Thors, Väyrynen, Vallvé, Virrankoski, Wallis, Watson

GUE/NGL: Ainardi, Bakopoulos, Blak, Bordes, Boudjenah, Caudron, Cauquil, Cossutta, Dary, Di Lello Finuoli, Eriksson, Fiebigler, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Laguiller, Manisco, Markov, Marsset Campos, Meijer, Miranda, Modrow, Papayannakis, Puerta, Schmid Herman, Schröder Ilka, Seppänen, Sylla, Vachetta, Vinci, Wurtz

NI: Beysen, Gorostiaga Atxalandabaso, Hager, Sichrovsky

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Brienza, Brok, Camisón Asensio, Cederschiöld, Cocilovo, Coelho, Cornillet, Costa Raffaele, Cunha, Cushnahan, Daul, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Ferber, Ferrer, Fiori, Flemming, Florenz, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hieronymi, Hortefeux, Jarzembowski, Karas, Keppelhoff-Wiechert, Klamt, Klaf, Knolle, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Laschet, Lechner, Liese, Lisi, Lulling, Maat, McCartin, Maj-Weggen, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennea, Mennitti, Menrad, Mombaur, Moreira Da Silva, Müller Emilia Franziska, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Pomés Ruiz, Pronk, Quisthoudt-Rowohl, Rack, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Santer, Santini, Sartori, Schaffner, Schleicher, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Duin, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Keßler, Kindermann, Koukiadis, Krehl, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Müller Rosemarie, Murphy, Myller, Napolitano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rodríguez Ramos, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Sornosa Martínez, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Van Brempt, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Zorba, Zrihen

Thursday 3 July 2003

UEN: Angelilli, Berlato, Crowley, Hyland, Nobilia, Ó Neachtain, Turchi

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Celli, Dhaene, Echerer, Evans Jillian, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lambert, Lipietz, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 40

EDD: Belder, Blokland, Booth, van Dam

ELDR: Andreasen, Busk, Jensen, Sørensen

NI: Borghezio, Ilgenfritz, Kronberger

PPE-DE: Beazley, Bradbourn, Bushill-Matthews, Callanan, Chichester, Deva, Elles, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Khanbhai, Kirkhope, Lehne, Montfort, Nicholson, Parish, Perry, Purvis, Radwan, Stevenson, Stockton, Tannock, Wuermeling

UEN: Poli Bortone

Abstention: 37

EDD: Kuntz

ELDR: Manders, Mulder, Plooij-van Gorsel, Sanders-ten Holte, Vermeer

GUE/NGL: Alyssandrakis, Korakas, Patakis

NI: Berthu, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Gollnisch, Lang, de La Perriere, Martinez, Pannella, Souchet, Stirbois, Turco

PPE-DE: Koch, Posselt, Scallon, Schmitt

PSE: Colom i Naval, Schmid Gerhard, Wynn

UEN: Camre, Caullery, Collins, Muscardini, Pasqua, Thomas-Mauro

**Fava recommendation A5-0219/2003
Amendment 15**

For: 408

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

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Costa Paolo, Davies, De Clercq, Di Pietro, Flesch, Formentini, Gasòliba i Böhm, Jensen, Ludford, Lynne, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Ries, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Vallvé, Vermeer, Wallis, Watson

GUE/NGL: Blak, Cossutta, Markov, Miranda

NI: Berthu, Beysen, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, de La Perriere, Martinez, Pannella, Raschhofer, Sichrovsky, Souchet, Stirbois, Turco

Thursday 3 July 2003

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Callanan, Camisón Asensio, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Costa Raffaele, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Ferber, Ferrer, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcyoyen Tormo, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hieronymi, Hortefeux, Inglewood, Jackson, Jarzembowski, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann Thomas, Mantovani, Marinos, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Müller Emilia Franziska, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübige, Sacrédeus, Santer, Santini, Sartori, Scallon, Schaffner, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wieland, von Wogau, Wuermeling, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carnero González, Casaca, Cashman, Ceyhun, Colom i Naval, Corbett, Corbey, Duin, Ettl, Evans Robert J.E., Färm, Fava, Ford, Gebhardt, Ghilardotti, Gill, Glante, Görlach, Gröner, Hänsch, Haug, Honeyball, Howitt, van Hulten, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Kefler, Kindermann, Koukiadis, Krehl, Kuckelkorn, Kuhne, Lange, Leinen, Linkohr, Lund, McAvan, McNally, Malliori, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Miranda de Lage, Müller Rosemarie, Murphy, Myller, Napoletano, Obiols i Germà, Paasilinna, Paciotti, Pérez Royo, Piecyk, Pittella, Poes, Prets, Randzio-Plath, Rapkay, Read, Rodríguez Ramos, Rothe, Rothley, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Sornosa Martínez, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Van Brempt, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba

UEN: Angelilli, Berlato, Camre, Caullery, Collins, Crowley, Hyland, Muscardini, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Celli, Dhaene, Echerer, Evans Jillian, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lambert, Lipietz, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 60

ELDR: Väyrynen, Virrankoski

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Maset Campos, Meijer, Modrow, Morgantini, Papayannakis, Patakis, Schmid Herman, Schröder Ilka, Seppänen, Sylla, Vachetta, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso

PPE-DE: Bushill-Matthews, Grossetête, Korhola, Marques

PSE: Berès, Carlotti, Dehousse, De Keyser, Désir, Ferreira, Fruteau, Garot, Gillig, Guy-Quint, Hazan, Lalumière, Patrie, Poignant, Roure, Savary, Zrihen

Thursday 3 July 2003

Abstention: 5

EDD: Booth

GUE/NGL: Puerta

NI: Borghezio

PPE-DE: Pacheco Pereira

PSE: Lage

**Sanders-ten Holte recommendation A5-0225/2003
Amendment 15**

For: 376

EDD: Belder, Blokland, van Dam

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Costa Paolo, Davies, De Clercq, Di Pietro, Flesch, Formentini, Jensen, Ludford, Lynne, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Ries, Rutelli, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Virrankoski, Watson

GUE/NGL: Blak

NI: Berthu, Beysen, Cappato, Dell'Alba, Della Vedova, Dupuis, Hager, Ilgenfritz, Kronberger, Pannella, Raschhofer, Sichrovsky, Souchet, Turco

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cederschiöld, Chichester, Cocilovo, Cornillet, Costa Raffaele, Cunha, Cushnahan, Daul, Deprez, Deva, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Ferber, Ferrer, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gähler, Galeote Quecedo, García-Margallo y Marfil, García-Orcyoyen Tormo, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Grönfeldt Bergman, Grosch, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hieronymi, Hortefeux, Inglewood, Jackson, Jarzembowski, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Majj-Weggen, Mann Thomas, Mantovani, Marinos, Martens, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennea, Mennitti, Menrad, Mombaur, Moreira Da Silva, Müller Emilia Franziska, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Rovsing, Rübig, Sacrédeus, Santer, Santini, Sartori, Scallon, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carnero González, Carrilho, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Duin, Ettl, Evans Robert J.E., Färm, Fava, Ford, Gebhardt, Ghilardotti, Gill, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Honeyball, Howitt, van Hulten, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Keßler, Kindermann, Koukiadis, Krehl, Kuckelkorn, Kuhne, Lange, Leinen, Linkohr, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Müller Rosemarie, Murphy, Myller, Napoletano, Obiols i Germà, Paasilinna, Paciotti, Pérez Royo, Piecyk, Pittella, Poos, Prets, Randzio-Plath, Rapkay, Read, Rodríguez Ramos, Rothe, Rothley, Sacconi, Sakellariou, Sandberg-Fries, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Sornosa Martínez, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Trentin, Tsatsos, Van Brempt, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba

Thursday 3 July 2003

UEN: Angelilli, Berlato, Camre, Caullery, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Poli Bortone, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Celli, Dhaene, Echerer, Evans Jillian, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lambert, Lipietz, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 85

EDD: Bernié, Butel, Esclopé, Kuntz, Mathieu, Saint-Josse

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Markov, Maset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Schmid Herman, Schröder Ilka, Seppänen, Sylla, Vachetta, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso, de La Perriere

PPE-DE: Coelho, De Sarnez, Descamps, De Veyrac, Graça Moura, Grossetête, Hermange, Konrad, Marques, Martin Hugues, Montfort, Piscarreta, Schaffner, Sudre, de Veyrinas

PSE: Berès, Carlotti, Casaca, Dehousse, De Keyser, Désir, Ferreira, Fruteau, Garot, Gillig, Guy-Quint, Hazan, Lalumière, Patrie, Poignant, Roure, dos Santos, Savary, Sousa Pinto, Torres Marques, Vairinhos, Zrihen

UEN: Pasqua

Abstention: 13

EDD: Andersen, Booth, Sandbæk

GUE/NGL: Cossutta

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, Martinez, Stirbois

PPE-DE: Pacheco Pereira

PSE: Lage

**Sanders-ten Holte recommendation A5-0225/2003
Amendment 26**

For: 352

EDD: Belder, Blokland, van Dam

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Costa Paolo, Davies, De Clercq, Di Pietro, Flesch, Formentini, Gasòliba i Böhm, Jensen, Ludford, Lynne, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Ries, Sanders-ten Holte, Sbarbati, Schmidt, Sterckx, Sørensen, Thors, Vallvé, Vermeer, Wallis, Watson

GUE/NGL: Blak, Markov, Puerta

NI: Berthu, Beysen, Cappato, Claeys, Della Vedova, Dillen, Dupuis, Gollnisch, Hager, Ilgenfritz, Kronberger, Lang, Martinez, Pannella, Raschhofer, Sichrovsky, Souchet, Stirbois, Turco

Thursday 3 July 2003

PPE-DE: Andria, Arvidsson, Ayuso González, Banotti, Bartolozzi, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cederschiöld, Chichester, Cocilovo, Cornillet, Costa Raffaele, Cushnahan, Daul, Deprez, De Sarnez, Deva, Doorn, Dover, Ebner, Elles, Ferber, Ferrer, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Grönfeldt Bergman, Grosch, Hannan, Hansenne, Harbour, Heaton-Harris, Helmer, Hieronymi, Hortefeux, Inglewood, Jackson, Jarzembowski, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klab, Knolle, Koch, Konrad, Korhola, Lamassoure, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Majj-Weggen, Mann Thomas, Mantovani, Martens, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennea, Menniti, Menrad, Mombaur, Müller Emilia Franziska, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Røvsing, Rübig, Sacrédeus, Santer, Santini, Sartori, Scallon, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Suominen, Tannock, Theato, Thyssen, Varela Suanzes-Carpegna, Vatanen, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Zappalà, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Barón Crespo, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carnero González, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Duin, Ettl, Evans Robert J.E., Färm, Fava, Ford, Gebhardt, Ghilardotti, Gill, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Honeyball, Howitt, van Hulst, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karlsson, Keßler, Kindermann, Krehl, Kuckelkorn, Kuhne, Lange, Leinen, Linkohr, Lund, McAvan, McNally, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Müller Rosemarie, Murphy, Myller, Napoletano, Obiols i Germà, Paasilinna, Paciotti, Pérez Royo, Piecyk, Pittella, Poos, Prets, Randzio-Plath, Rapkay, Read, Rodríguez Ramos, Rothe, Rothley, Sacconi, Sakellariou, Sandberg-Fries, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Sornosa Martínez, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Trentin, Tsatsos, Van Brempt, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba

UEN: Camre

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Dhaene, Echerer, Evans Jillian, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lambert, Lipietz, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 113

EDD: Bernié, Butel, Esclopé, Kuntz, Mathieu, Saint-Josse

ELDR: Väyrynen, Virrankoski

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraise, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Manisco, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Schmid Herman, Schröder Ilka, Seppänen, Sylla, Vachetta, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso, de La Perriere

PPE-DE: Almeida Garrett, Averoff, Bastos, Coelho, Cunha, Descamps, De Veyrac, Dimitrakopoulos, Graça Moura, Grossetête, Hermange, Kratsa-Tsagaropoulou, Marinos, Marques, Martin Hugues, Montfort, Moreira Da Silva, Piscarreta, Schaffner, Sudre, Trakatellis, de Veyrinas, Xarchakos, Zacharakis

PSE: Baltas, Berès, Carlotti, Carrilho, Casaca, Dehousse, De Keyser, Désir, Ferreira, Fruteau, Garot, Gillig, Guy-Quint, Hazan, Karamanou, Koukiadis, Lalumière, Malliori, Mastorakis, Patrie, Poignant, Roure, dos Santos, Savary, Sousa Pinto, Torres Marques, Vairinhos, Zrihen

UEN: Angelilli, Berlato, Caullery, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Thomas-Mauro, Turchi

Thursday 3 July 2003

Abstention: 7**EDD:** Andersen, Booth, Sandbæk**GUE/NGL:** Cossutta**NI:** Borghezio**PPE-DE:** Pacheco Pereira**PSE:** Lage**Caveri recommendation A5-0213/2003
Amendments 18 and 19****For: 191****EDD:** Andersen**ELDR:** Flesch**GUE/NGL:** Ainardi, Alyssandrakis, Boudjenah, Caudron, Cossutta, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Manisco, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Schmid Herman, Schröder Ilka, Seppänen, Sylla, Vinci, Wurtz**NI:** Gorostiaga Atxalandabaso, Hager, Ilgenfritz, Kronberger, Raschhofer, Sichrovsky**PPE-DE:** Bastos, Coelho, Cunha, Daul, Ebner, Ferrer, Flemming, Florenz, Jackson, Karas, Korhola, Liese, Lulling, McCartin, Mann Thomas, Marques, Matikainen-Kallström, Moreira Da Silva, Piscarreta, Pronk, Rack, Rovsing, Rübig, Sacrédeus, Santer, Scallon, Schleicher, Stenzel, Suominen, Wenzel-Perillo, Wijkman**PSE:** Andersson, Aparicio Sánchez, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, Désir, Ettl, Evans Robert J.E., Färm, Ferreira, Ford, Fruteau, Garot, Gebhardt, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Hazan, Honeyball, Howitt, van Hulst, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karlsson, Keßler, Kindermann, Kuckelkorn, Kuhne, Lage, Lalumière, Leinen, Linkohr, Lund, McAvan, McNally, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Müller Rosemarie, Murphy, Myller, Obiols i Germà, Paasilinna, Patrie, Pérez Royo, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rodríguez Ramos, Rothe, Rothley, Roure, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schulz, Simpson, Skinner, Sornosa Martínez, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Tsatsos, Vairinhos, Van Brempt, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn**UEN:** Caullery, Collins, Fitzsimons, Hyland, Ó Neachtain, Pasqua, Thomas-Mauro**Verts/ALE:** Bouwman**Against: 231****EDD:** Belder, Blokland, van Dam, Kuntz**ELDR:** Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Costa Paolo, Davies, De Clercq, Di Pietro, Formentini, Gasòliba i Böhm, Jensen, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Ries, Rutelli, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Virrankoski, Wallis, Watson**GUE/NGL:** Bakopoulos, Blak, Koulourianos**NI:** Berthu, Beysen, Cappato, Dell'Alba, Della Vedova, Dillen, Dupuis, Gollnisch, Lang, de La Perriere, Martinez, Pannella, Souchet, Stirbois, Turco

Thursday 3 July 2003

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Banotti, Bartolozzi, Bayona de Perogordo, Berend, Böge, Bourlanges, Brienza, Brok, Camisón Asensio, Cederschiöld, Cocilovo, Cornillet, Costa Raffaele, Cushnahan, Deprez, De Sarnez, Descamps, De Veyrac, Doorn, Elles, Ferber, Fiori, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Goepel, Gomolka, Graça Moura, Grönfeldt Bergman, Grosch, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hieronymi, Hortefeux, Jarzembowski, Keppelhoff-Wiechert, Klamt, Klaß, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Laschet, Lechner, Lisi, Maat, Maij-Weggen, Mantovani, Marinos, Martens, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennea, Mennitti, Menrad, Mombaur, Montfort, Müller Emilia Franziska, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Podestà, Poettering, Pomés Ruiz, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Santini, Sartori, Schaffner, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Sudre, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Wachtmeister, Wieland, von Wogau, Wuermeling, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Baltas, Fava, Ghilardotti, Imbeni, Karamanou, Koukiadis, Malliori, Mastorakis, Napoletano, Paciotti, Pittella, Sacconi, Vattimo, Volcic, Zorba

UEN: Angelilli, Berlato, Camre, Crowley, Muscardini, Nobilia, Poli Bortone, Turchi

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Breyer, Celli, Dhaene, Echerer, Evans Jillian, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lambert, Lipietz, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 50

EDD: Bernié, Booth, Butel, Esclopé, Mathieu, Saint-Josse

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

NI: Borghezio, Claeys

PPE-DE: Beazley, Bodrato, Bradbourn, Bushill-Matthews, Callanan, Chichester, Deva, Dimitrakopoulos, Dover, Foster, Glase, Goodwill, Grossetête, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Khanbhai, Kirkhope, Martin Hugues, Nicholson, Parish, Perry, Posselt, Purvis, Stevenson, Stockton, Tannock

PSE: Duin, Haug, Krehl, Lange, Mendiluce Pereiro, Piecyk, Schmid Gerhard, Zrihen

**Lisi recommendation A5-0221/2003
Amendment 3**

For: 207

EDD: Kuntz

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Costa Paolo, Davies, De Clercq, Di Pietro, Flesch, Formentini, Gasòliba i Böhm, Jensen, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Pohjamo, Ries, Rutelli, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Blak, Cossutta, Markov, Puerta

NI: Claeys, Dillen, Ilgenfritz, Lang, de La Perriere, Martinez, Stirbois

PPE-DE: Beazley, Bradbourn, Bushill-Matthews, Callanan, Chichester, Deva, Dover, Elles, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Khanbhai, Kirkhope, Lehne, Nicholson, Parish, Perry, Purvis, Rack, Scallon, Stevenson, Stockton, Tannock

Thursday 3 July 2003

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, Désir, Duin, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Honeyball, Howitt, van Hulst, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Keßler, Kindermann, Koukiadis, Krehl, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McNally, Malliori, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Müller Rosemarie, Murphy, Myller, Napoletano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rodríguez Ramos, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Sornosa Martínez, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Torres Marques, Tsatsos, Vairinhos, Van Brempt, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Camre

Against: 246

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

ELDR: Nordmann

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bordes, Boudjenah, Caudron, Cauquil, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Patakis, Schmid Herman, Schröder Ilka, Seppänen, Sylla, Vachetta, Vinci, Wurtz

NI: Berthu, Beysen, Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Pannella, Souchet, Turco

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Brienza, Brok, Camisón Asensio, Cederschiöld, Coelho, Costa Raffaele, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Ebner, Ferber, Ferrer, Fiori, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Graça Moura, Grönfeldt Bergman, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Jarzembowski, Karas, Keppelhoff-Wiechert, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Laschet, Lechner, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Müller Emilia Franziska, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Røvsing, Rübig, Sacrédeus, Santer, Santini, Sartori, Schaffner, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

UEN: Angelilli, Caullery, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Celli, Dhaene, Echerer, Evans Jillian, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lambert, Lipietz, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Voggenhuber, Wuori, Wyn

Thursday 3 July 2003

Abstention: 6**EDD:** Booth**NI:** Borghezio, Gollnisch, Kronberger**PSE:** Mendiluce Pereiro**UEN:** Berlato**Lisi recommendation A5-0221/2003
Amendment 21****For: 57****EDD:** Bernié, Butel, Esclopé, Kuntz, Mathieu, Saint-Josse**ELDR:** Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Costa Paolo, Davies, De Clercq, Di Pietro, Fleisch, Formentini, Gasòliba i Böhm, Jensen, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Rutelli, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Väyrynen, Vallvé, Vermeer, Virrankoski, Wallis, Watson**GUE/NGL:** Cossutta, Miranda**NI:** Claeys, Dillen, Gollnisch, Lang, de La Perriere, Martinez, Stirbois**PPE-DE:** Cornillet, Jackson**PSE:** Carrilho, Dehousse, Poignant, Savary**Against: 406****EDD:** Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk**GUE/NGL:** Ainardi, Alyssandrakis, Bakopoulos, Blak, Boudjenah, Caudron, Dary, Di Lello Finuoli, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Markov, Marset Campos, Meijer, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Schmid Herman, Schröder Ilka, Seppänen, Sylla, Vachetta, Vinci, Wurtz**NI:** Berthu, Beysen, Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Ilgenfritz, Pannella, Raschhofer, Souchet, Turco**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Banotti, Bastos, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cederschiöld, Chichester, Cocilovo, Coelho, Costa Raffaele, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Ferber, Ferrer, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hieronymi, Hortefeux, Inglewood, Jarzembowski, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klab, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Müller Emilia Franziska, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Røvsing, Rübig, Sacrédeus, Santer, Santini, Sartori, Scallon, Schaffner, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatänen, de Veyrinas, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

Thursday 3 July 2003

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Casaca, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, Désir, Duin, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Keßler, Kindermann, Koukiadis, Krehl, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McNally, Malliori, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Müller Rosemarie, Murphy, Myller, Napoletano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poos, Prets, Randzio-Plath, Rapkay, Read, Rodríguez Ramos, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Sornosa Martínez, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Tsatsos, Vairinhos, Van Brempt, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

UEN: Angelilli, Berlato, Camre, Caullery, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Celli, Dhaene, Echerer, Evans Jillian, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lambert, Lipietz, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 5

EDD: Booth

GUE/NGL: Bordes, Cauquil, Laguiller

NI: Borghezio

**Lisi recommendation A5-0221/2003
Amendment 10**

For: 277

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

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Costa Paolo, Davies, De Clercq, Di Pietro, Flesch, Formentini, Gasòliba i Böhm, Jensen, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Ries, Rutelli, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Bordes, Cauquil, Cossutta, Eriksson, Frahm, Laguiller, Schmid Herman, Seppänen

NI: Berthu, Beysen, Borghezio, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Gollnisch, Ilgenfritz, Kronberger, Lang, de La Perriere, Martinez, Pannella, Raschhofer, Souchet, Stirbois, Turco

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Banotti, Bartolozzi, Bastos, Bayona de Perogordo, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Brienza, Brok, Camisón Asensio, Cederschiöld, Cocilovo, Coelho, Cornillet, Costa Raffaele, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Doorn, Ebner, Ferber, Ferrer, Fiori, Flemming, Florenz, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hieronymi, Hortefeux, Jarzembowski, Karas, Keppelhoff-Wiechert, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Laschet, Lechner, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Müller Emilia Franziska, Musotto, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Pex, Piscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Santer, Santini, Sartori, Schaffner, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Sudre, Suominen, Tajani, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wiermeling, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

Thursday 3 July 2003

PSE: Marinho, Martin David W.

UEN: Angelilli, Berlato, Caullery, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Celli, Dhaene, Echerer, Evans Jillian, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jönckheer, Lambert, Lipietz, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 164

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Blak, Boudjenah, Caudron, Dary, Di Lello Finuoli, Fiebiger, Figueiredo, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Schröder Ilka, Sylla, Vachetta, Vinci, Wurtz

NI: Gorostiaga Atxalandabaso

PPE-DE: Lehne, Matikainen-Kallström

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, Duin, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Keßler, Kindermann, Koukiadis, Krehl, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McNally, Malliori, Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Müller Rosemarie, Murphy, Myller, Napoletano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rodríguez Ramos, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Schulz, Simpson, Skinner, Sornosa Martínez, Sousa Pinto, Stihler, Stockmann, Swoboda, Theorin, Thorning-Schmidt, Torres Marques, Trentin, Tsatsos, Vairinhos, Van Brempt, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Wynn, Zorba, Zrihen

Abstention: 28

EDD: Booth

PPE-DE: Beazley, Bradbourn, Bushill-Matthews, Callanan, Chichester, Deva, Dover, Elles, Foster, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Khanbhai, Kirkhope, Parish, Perry, Purvis, Scallon, Stevenson, Stockton, Tannock

PSE: Dehousse

UEN: Camre

**Vermeer report A5-0223/2003
Amendment 17**

For: 92

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

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Eriksson, Fiebiger, Figueiredo, Frahm, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Schmid Herman, Schröder Ilka, Seppänen, Sylla, Vachetta, Wurtz

NI: Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, de La Perriere, Raschhofer

Thursday 3 July 2003

PPE-DE: Florenz, Korhola, Pronk

PSE: Cercas, Marinho, Van Brempt

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Celli, Dhaene, Echerer, Evans Jillian, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lambert, Lipietz, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 371

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Costa Paolo, Davies, De Clercq, Di Pietro, Flesch, Formentini, Gasòliba i Böhm, Jensen, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Rutelli, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Virrankoski, Wallis, Watson

NI: Berthu, Beysen, Cappato, Claeys, Dell'Alba, Della Vedova, Dillen, Dupuis, Gollnisch, Lang, Martinez, Pannella, Souchet, Stirbois, Turco

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Banotti, Bartolozzi, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Boursanges, Bradbourn, Brienza, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Costa Raffaele, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Ferber, Ferrer, Fiori, Flemming, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hieronymi, Hortefeux, Inglewood, Jackson, Jarzembowski, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Majj-Weggen, Mann Thomas, Mantovani, Marinos, Marques, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Müller Emilia Franziska, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Santer, Santini, Sartori, Scallon, Schaffner, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, Désir, Duin, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulst, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Keßler, Kindermann, Koukiadis, Krehl, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McNally, Malliori, Mann Erika, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Müller Rosemarie, Murphy, Myller, Napoletano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poes, Prets, Randzio-Plath, Rapkay, Read, Rodríguez Ramos, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Simpson, Skinner, Sornosa Martínez, Sousa Pinto, Stihler, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Vairinhos, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Zorba, Zrihen

UEN: Angelilli, Berlato, Camre, Caullery, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Thomas-Mauro, Turchi

Thursday 3 July 2003

Abstention: 3

EDD: Booth

NI: Borghezio

PSE: Mendiluce Pereiro

**Report Vermeer A5-0223/2003
Amendment 18, first part**

For: 86

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

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bordes, Boudjenah, Caudron, Cauquil, Dary, Eriksson, Fiebiger, Figueiredo, Frahm, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Patakis, Puerta, Schmid Herman, Schröder Ilka, Seppänen, Sylla, Vachetta, Wurtz

NI: Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, de La Perriere, Raschhofer

PPE-DE: Korhola

PSE: Marinho, Van Brempt

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Celli, Dhaene, Echerer, Evans Jillian, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lambert, Lipietz, McKenna, Maes, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 367

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Costa Paolo, Davies, De Clercq, Di Pietro, Flesch, Formentini, Gasòliba i Böhm, Jensen, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Ries, Rutelli, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Blak

NI: Berthu, Beysen, Cappato, Dell'Alba, Della Vedova, Dupuis, Pannella, Souchet, Turco

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Banotti, Bartolozzi, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Costa Raffaele, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Ferber, Ferrer, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hieronymi, Hortefeux, Inglewood, Jackson, Jarzembowski, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Mann Thomas, Mantovani, Marinos, Marques, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Müller Emilia Franziska, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Roving, Rübig, Sacrédeus, Santer, Santini, Sartori, Scallan, Schaffner, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

Thursday 3 July 2003

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, Désir, Duin, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulst, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Keßler, Kindermann, Koukiadis, Krehl, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McNally, Malliori, Mann Erika, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Müller Rosemarie, Murphy, Myller, Napoletano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rodríguez Ramos, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Simpson, Skinner, Sornosa Martínez, Sousa Pinto, Stihler, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Zorba, Zrihen

UEN: Angelilli, Camre, Caullery, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Thomas-Mauro, Turchi

Abstention: 9

EDD: Booth

NI: Borghezio, Claeys, Dillen, Gollnisch, Lang, Martinez, Stirbois

PSE: Mendiluce Pereiro

**Report Vermeer A5-0223/2003
Proposition of the Commission**

For: 426

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

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Costa Paolo, Davies, De Clercq, Di Pietro, Flesch, Formentini, Gasòliba i Böhm, Jensen, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Ries, Rutelli, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Virrankoski, Wallis

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Blak, Bordes, Boudjenah, Caudron, Cauquil, Dary, Eriksson, Fiebiger, Figueiredo, Frahm, Fraise, González Álvarez, Herzog, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Markov, Marset Campos, Meijer, Miranda, Modrow, Papayannakis, Patakis, Puerta, Schmid Herman, Schröder Ilka, Seppänen, Sylla, Vachetta, Wurtz

NI: Berthu, Beysen, Borghezio, Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, de La Perriere, Pannella, Raschhofer, Souchet, Turco

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Banotti, Bartolozzi, Bayona de Perogordo, Beazley, Berend, Bodrato, Böge, von Boetticher, Bourlanges, Bradbourn, Brienza, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Costa Raffaele, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Ferber, Ferrer, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hieronymi, Hortefeux, Inglewood, Jackson, Jarzembowski, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann Thomas, Mantovani, Marinos, Marques, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennea, Mennitti, Menrad, Mombaur,

Thursday 3 July 2003

Montfort, Moreira Da Silva, Müller Emilia Franziska, Musotto, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübzig, Sacrédeus, Santer, Santini, Sartori, Scallon, Schaffner, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Thyssen, Trakatellis, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zacharakis, Zappalà, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bove, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, Désir, Duin, Ettl, Evans Robert J.E., Färm, Fava, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, Howitt, van Hulten, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Keßler, Kindermann, Koukiadis, Krehl, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Müller Rosemarie, Murphy, Myller, Napoletano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rodríguez Ramos, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Simpson, Skinner, Sornosa Martínez, Sousa Pinto, Stihler, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Van Brempt, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Zorba, Zrihen

UEN: Angelilli, Berlato, Camre, Caullery, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Thomas-Mauro, Turchi

Against: 1

EDD: Booth

Abstention: 40

NI: Claeys, Dillen, Gollnisch, Lang, Martinez, Stirbois

PSE: Mendiluce Pereiro

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Celli, Dhaene, Echerer, Evans Jillian, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lambert, Lipietz, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

**Färm report A5-0233/2003
Resolution**

For: 407

EDD: Belder, Blokland, van Dam, Kuntz

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Costa Paolo, Davies, De Clercq, Di Pietro, Fleisch, Formentini, Gasòliba i Böhm, Jensen, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Rutelli, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Blak, Eriksson, Frahm, Markov, Meijer, Puerta, Schmid Herman, Seppänen, Sylla

NI: Beysen, Borghezio, Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Ilgenfritz, Kronberger, Pannella, Raschhofer, Souchet, Turco

Thursday 3 July 2003

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Banotti, Bartolozzi, Bayona de Perogordo, Beazley, Berend, Böge, von Boetticher, Bourlanges, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Costa Raffaele, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Ferber, Ferrer, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcyoyen Tormo, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hieronymi, Hortefeux, Inglewood, Jackson, Jarzembowski, Karas, Keppelhoff-Wiechert, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann Thomas, Mantovani, Marinos, Marques, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Müller Emilia Franziska, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübige, Sacrédeus, Santer, Sartori, Scallan, Schaffner, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stenzel, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zacharakis, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cercas, Ceyhan, Colom i Naval, Corbett, Corbey, Dehousse, De Keyser, Désir, Duin, Ettl, Evans Robert J.E., Färm, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Guy-Quint, Hänsch, Haug, Hazan, Honeyball, van Hulten, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Kefler, Kindermann, Koukiadis, Krehl, Kuckelkorn, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Müller Rosemarie, Murphy, Myller, Napoletano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Pittella, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Rodríguez Ramos, Rothe, Rothley, Roure, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Simpson, Skinner, Sornosa Martínez, Sousa Pinto, Stihler, Swoboda, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Van Brempt, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Zorba, Zrihen

UEN: Berlato, Camre, Caullery, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Thomas-Mauro, Turchi

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Celli, Dhaene, Echerer, Evans Jillian, Frassoni, Graefe zu Baringdorf, Hudghton, Jonckheer, Lambert, Lipietz, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 10

GUE/NGL: Alyssandrakis, Korakas, Patakis, Schröder Ilka

NI: Claeys, Dillen, Gollnisch, Martinez, Stirbois

PSE: Martin Hans-Peter

Abstention: 34

EDD: Andersen, Bernié, Bonde, Booth, Butel, Esclopé, Mathieu, Saint-Josse, Sandbæk

Thursday 3 July 2003

GUE/NGL: Ainardi, Bakopoulos, Boudjenah, Caudron, Dary, Fiebiger, Figueiredo, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Marset Campos, Miranda, Modrow, Morgantini, Papayannakis, Vachetta, Wurtz

NI: Berthu, de La Perriere

PPE-DE: Khanbhai

Verts/ALE: Gahrton

**B5-0326/2003 — RC — Chechnya
Amendment 5**

For: 388

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Costa Paolo, Davies, De Clercq, Di Pietro, Flesch, Formentini, Gasòliba i Böhm, Jensen, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Ries, Rutelli, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Blak, Caudron, Dary, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Puerta, Schmid Herman, Seppänen, Sylla, Vachetta

NI: Beysen, Gorostiaga Atxalandabaso

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Banotti, Bartolozzi, Bayona de Perogordo, Beazley, Berend, Böge, von Boetticher, Bourlanges, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Costa Raffaele, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Ferber, Ferrer, Fiori, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcuyo Tormo, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hieronymi, Hortefeux, Inglewood, Jackson, Jarzembowski, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Maat, McCartin, Maij-Weggen, Mann Thomas, Mantovani, Marinos, Marques, Martin Hugues, Mastella, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennea, Mennitti, Menrad, Mombaur, Moreira Da Silva, Müller Emilia Franziska, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Røvsing, Rübig, Sacrédeus, Santer, Sartori, Scallon, Schaffner, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Wuermeling, Xarchakos, Zacharakis, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Duin, Ettl, Evans Robert J.E., Färm, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gillig, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Howitt, van Hulsten, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Keßler, Kindermann, Koukiadis, Krehl, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Müller Rosemarie, Myller, Napoletano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rodríguez Ramos, Rothe, Rothley, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Simpson, Skinner, Sornosa Martínez, Sousa Pinto, Stihler, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Van Brempt, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Zorba, Zrihen

Thursday 3 July 2003

UEN: Camre

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Celli, Dhaene, Echerer, Evans Jillian, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lambert, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 26

EDD: Booth, Kuntz

GUE/NGL: Ainardi, Alyssandrakis, Boudjenah, Korakas, Wurtz

NI: Claeys, Dillen, Lang, de La Perriere, Martinez, Souchet, Stirbois

PPE-DE: Gil-Robles Gil-Delgado, Montfort, Pronk, Schleicher

PSE: Dehousse, Honeyball

UEN: Berlato, Caullery, Collins, Pasqua, Poli Bortone, Thomas-Mauro

Abstention: 34

EDD: Bernié, Butel, Esclopé, Mathieu, Saint-Josse

GUE/NGL: Bakopoulos, Bordes, Cauquil, Laguiller

NI: Berthu, Borghezio, Cappato, Dell'Alba, Della Vedova, Dupuis, Gollnisch, Kronberger, Pannella, Raschhofer, Turco

PPE-DE: von Wogau

PSE: De Keyser, Désir, Ferreira, Guy-Quint, Hazan, Roure

UEN: Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Turchi

**B5-0326/2003 — RC — Chechnya
Amendment 7**

For: 113

EDD: Andersen, Bonde, Sandbæk

ELDR: Boogerd-Quaak, van den Bos, Ries, Sørensen, Thors, Vallvé

GUE/NGL: Ainardi, Bakopoulos, Blak, Boudjenah, Caudron, Dary, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Markov, Maset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Puerta, Schmid Herman, Seppänen, Sylla, Vachetta, Wurtz

NI: Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Pannella, Turco

PPE-DE: Costa Raffaele, Ferrer, Hannan, Hieronymi, Korhola, Mann Thomas, Martens, Niebler, Posselt, Rack, Radwan

PSE: Carlotti, De Keyser, Désir, Fava, Ferreira, Ghilardotti, Guy-Quint, Hazan, Imbeni, Leinen, Lund, Marinho, Napoletano, Paciotti, Poos, Roure, Sacconi, Savary, Thorning-Schmidt, Trentin, Vairinhos, Vattimo, Volcic

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Celli, Dhaene, Echerer, Evans Jillian, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lambert, Lipietz, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Thursday 3 July 2003

Against: 325**EDD:** Belder, Blokland, Booth, van Dam, Kuntz**ELDR:** Andreasen, Busk, Costa Paolo, Davies, De Clercq, Di Pietro, Flesch, Formentini, Gasòliba i Böhm, Jensen, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooij-van Gorsel, Pohjamo, Rutelli, Sanders-ten Holte, Schmidt, Sterckx, Väyrynen, Vermeer, Virrankoski, Wallis, Watson**GUE/NGL:** Alyssandrakis, Korakas, Patakis**NI:** Berthu, Beysen, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Martinez, Souchet, Stirbois**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Banotti, Bartolozzi, Bayona de Perogordo, Beazley, Berend, Böge, von Boetticher, Bourlanges, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Ferber, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hortefeux, Inglewood, Jackson, Jarzembowski, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Majj-Weggen, Mantovani, Marinos, Marques, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Müller Emilia Franziska, Naranjo Escobar, Nassauer, Nicholson, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pomés Ruiz, Pronk, Purvis, Quisthoudt-Rowohl, Ripoll y Martínez de Bedoya, Roving, Sacrédeus, Santer, Sartori, Scallon, Schaffner, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zacharakis, Zimmerling, Zissener**PSE:** Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Carnero González, Carrilho, Casaca, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, Duin, Ettl, Evans Robert J.E., Färm, Ford, Fruteau, Garot, Gebhardt, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Honeyball, Howitt, van Hulten, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Keßler, Kindermann, Koukiadis, Krehl, Kuhne, Lage, Lalumière, Lange, Linkohr, McAvan, McNally, Malliori, Mann Erika, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Miller, Müller Rosemarie, Myller, Obiols i Germà, Paasilinna, Patrie, Pérez Royo, Piecyk, Poignant, Prets, Randzio-Plath, Rapkay, Read, Rodríguez Ramos, Rothe, Rothley, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Simpson, Skinner, Sornosa Martínez, Sousa Pinto, Stihler, Theorin, Titley, Torres Marques, Van Brempt, Walter, Watts, Weiler, Whitehead, Wiersma, Zorba, Zrihen**UEN:** Berlato, Camre, Caullery, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Thomas-Mauro, Turchi**Abstention: 14****EDD:** Bernié, Butel, Esclopé, Mathieu, Saint-Josse**ELDR:** André-Léonard**GUE/NGL:** Bordes, Cauquil, Laguiller**NI:** Borghezio, Kronberger**PPE-DE:** Rübzig**PSE:** Bullmann, Mendiluce Pereiro

Thursday 3 July 2003

**B5-0326/2003 — RC — Chechnya
Amendment 2****For: 259****EDD:** Andersen, Bonde, Sandbæk**ELDR:** Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Costa Paolo, Davies, De Clercq, Di Pietro, Fleisch, Formentini, Gasòliba i Böhm, Jensen, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Rutelli, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Virrankoski, Wallis, Watson**GUE/NGL:** Ainardi, Blak, Boudjenah, Caudron, Dary, Eriksson, Fiebigler, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Markov, Marset Campos, Meijer, Miranda, Modrow, Morgantini, Papayannakis, Puerta, Schmid Herman, Seppänen, Sylla, Vachetta, Wurtz**NI:** Beysen, Cappato, Dell'Alba, Della Vedova, Dupuis, Gorostiaga Atxalandabaso, Pannella, Turco**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Bartolozzi, Bayona de Perogordo, Berend, Böge, von Boetticher, Bourlanges, Brok, Camisón Asensio, Cederschiöld, Cocilovo, Coelho, Cornillet, Costa Raffaele, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, De Veyrac, Dimitrakopoulos, Ebner, Ferber, Ferrer, Fiori, Flemming, Florenz, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Glase, Goepel, Gomolka, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hansenne, Hatzidakis, Hermange, Hieronymi, Hortefeux, Karas, Keppelhoff-Wiechert, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Laschet, Lechner, Lisi, Lulling, McCartin, Maij-Weggen, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennea, Mennitti, Menrad, Mombaur, Moreira Da Silva, Müller Emilia Franziska, Naranjo Escobar, Nassauer, Niebler, Ojeda Sanz, Oreja Arburúa, Pacheco Pereira, Pack, Pastorelli, Pérez Álvarez, Piscarreta, Poettering, Pomés Ruiz, Posselt, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Røvsing, Rübige, Sacrédeus, Santer, Sartori, Schaffner, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Sommer, Stenmarck, Sudre, Tajani, Theato, Trakatellis, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, Xarchakos, Zacharakis, Zimmerling**PSE:** Carlotti, Casaca, De Keyser, Désir, Fava, Ferreira, Ghilardotti, Guy-Quint, Hazan, Imbeni, Lund, Martin Hans-Peter, Medina Ortega, Mendiluce Pereiro, Napoletano, Paciotti, Poos, Roure, Sacconi, Trentin, Vattimo, Volcic**Verts/ALE:** Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Celli, Dhaene, Echerer, Evans Jillian, Frassoni, Gahrton, Graefe zu Baringdorf, Hudghton, Isler Béguin, Jonckheer, Lambert, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori**Against: 170****EDD:** Belder, Blokland, Booth, van Dam, Kuntz**GUE/NGL:** Alyssandrakis, Korakas, Patakis**NI:** Gollnisch, Lang, de La Perriere, Martinez, Souchet, Stirbois**PPE-DE:** Banotti, Beazley, Bushill-Matthews, Callanan, Chichester, Deva, Doorn, Dover, Elles, Foster, Gil-Robles Gil-Delgado, Goodwill, Hannan, Harbour, Heaton-Harris, Helmer, Inglewood, Jackson, Jarzembowski, Khanbhai, Kirkhope, Lehne, Maat, Montfort, Nicholson, Oomen-Ruijten, Oostlander, Parish, Perry, Pex, Pronk, Purvis, Smet, Stevenson, Stockton, Suominen, Tannock

Thursday 3 July 2003

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Carnero González, Carrilho, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Dehousse, Duin, Ettl, Evans Robert J.E., Färm, Ford, Fruteau, Garot, Gebhardt, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Hänsch, Haug, Honeyball, Howitt, van Hulten, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Keßler, Kindermann, Koukiadis, Krehl, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Menéndez del Valle, Miguélez Ramos, Miller, Müller Rosemarie, Myller, Obiols i Germà, Paasilinna, Patrie, Pérez Royo, Piecyk, Poignant, Prets, Randzio-Plath, Rapkay, Read, Rodríguez Ramos, Rothe, Rothley, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Savary, Scheele, Schmid Gerhard, Simpson, Skinner, Sornosa Martínez, Sousa Pinto, Stihler, Theorin, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Vairinhos, Van Brempt, Walter, Watts, Weiler, Whitehead, Wiersma, Zorba, Zrihen

UEN: Berlato, Camre, Caullery, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Ó Neachtain, Pasqua, Poli Bortone, Thomas-Mauro, Turchi

Abstention: 18

EDD: Bernié, Butel, Esclopé, Mathieu, Saint-Josse

GUE/NGL: Bakopoulos, Bordes, Cauquil, Laguiller

NI: Berthu, Borghezio

PPE-DE: Podestà, Scallon, von Wogau, Zissener

PSE: Bullmann

UEN: Nobilia

Verts/ALE: Lipietz

**B5-0326/2003 — RC — Chechnya
Resolution**

For: 357

EDD: Andersen, Belder, Blokland, Bonde, van Dam, Sandbæk

ELDR: Andreasen, André-Léonard, Boogerd-Quaak, van den Bos, Busk, Costa Paolo, Davies, De Clercq, Di Pietro, Flesch, Formentini, Gasòliba i Böhm, Jensen, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Rutelli, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Caudron, Dary, Fiebiger, Jové Peres, Kaufmann, Koulourianos, Markov, Maset Campos, Morgantini, Seppänen, Sylla

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Banotti, Bartolozzi, Bayona de Perogordo, Beazley, Berend, Böge, von Boetticher, Bourlanges, Brok, Bushill-Matthews, Callanan, Camisón Asensio, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Costa Raffaele, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Ferber, Ferrer, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Helmer, Hermange, Hieronymi, Hortefeux, Inglewood, Jackson, Jarzembowski, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Laschet, Lechner, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Müller Emilia Franziska, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pomés Ruiz, Pronk, Purvis, Quisthoudt-Rowohl, Rack, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Santer, Sartori, Scallon, Schaffner, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Xarchakos, Zacharakis, Zimmerling, Zissener

Thursday 3 July 2003

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, Duin, Ettl, Evans Robert J.E., Färm, Fava, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Gillig, Glante, Goebbels, Görlach, Gröner, Hänsch, Honeyball, Howitt, van Hulten, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Keßler, Kindermann, Koukiadis, Krehl, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McNally, Malliori, Mann Erika, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Miller, Müller Rosemarie, Myller, Napoletano, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Piecyk, Poignant, Poos, Prets, Randzio-Plath, Rapkay, Read, Rodríguez Ramos, Rothe, Rothley, Sacconi, Sakellariou, Sandberg-Fries, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Simpson, Skinner, Sornosa Martínez, Sousa Pinto, Stihler, Theorin, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Van Brempt, Vattimo, Volcic, Walter, Watts, Weiler, Whitehead, Wiersma, Zorba, Zrihen

UEN: Berlato, Camre, Caullery, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Thomas-Mauro, Turchi

Verts/ALE: Boumediene-Thiery, Dhaene, Schörling

Against: 46

EDD: Booth

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Blak, Bordes, Boudjenah, Cauquil, Eriksson, Frahm, Fraise, Korakas, Krivine, Laguiller, Meijer, Patakis, Vachetta

NI: Cappato, Dell'Alba, Della Vedova, Dillen, Dupuis, Gollnisch, Lang, Martinez, Pannella, Souchet, Stirbois, Turco

PSE: Casaca, Dehousse, Désir, Marinho

Verts/ALE: Auroi, Bautista Ojeda, Bouwman, Breyer, Celli, Graefe zu Baringdorf, Isler Béguin, Lipietz, Mayol i Raynal, Onesta, Piétrasanta, Rühle, Voggenhuber

Abstention: 42

EDD: Bernié, Butel, Esclopé, Kuntz, Mathieu, Saint-Josse

GUE/NGL: González Álvarez, Herzog, Modrow, Papayannakis, Wurtz

NI: Berthu, Beysen, Borghezio, Claeys, Gorostiaga Atxalandabaso, Kronberger, de La Perriere, Raschhofer

PPE-DE: Lehne, Posselt

PSE: Guy-Quint, Hazan, Martin Hans-Peter, Roure

Verts/ALE: Aaltonen, Echerer, Evans Jillian, Frassoni, Gahrton, Hudghton, Jonckheer, Lambert, McKenna, Maes, Rod, de Roo, Schroedter, Staes, Turmes, Wuori, Wyn

**B5-0322/2003 — RC — OMC
Amendment 5**

For: 206

EDD: Andersen, Belder, Blokland, Bonde, Booth, van Dam, Sandbæk

ELDR: André-Léonard, Boogerd-Quaak, van den Bos, Busk, Costa Paolo, Davies, De Clercq, Di Pietro, Flesch, Formentini, Gasòliba i Böhm, Jensen, Lynne, Maaten, Manders, Mulder, Newton Dunn, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Ries, Rutelli, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Virrankoski, Wallis, Watson

Thursday 3 July 2003

GUE/NGL: Ainardi, Bakopoulos, Boudjenah, Caudron, Eriksson, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Markov, Marset Campos, Meijer, Miranda, Modrow, Puerta, Schmid Herman, Seppänen, Sylla, Vachetta, Wurtz

NI: Gorostiaga Atxalandabaso, de La Perriere, Souchet

PPE-DE: Ferrer, Korhola, Pomés Ruiz, Wachtmeister, Wijkman

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cercas, Ceyhun, Corbett, Corbey, Dehousse, De Keyser, Désir, Ettl, Färm, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Glante, Gröner, Guy-Quint, Haug, van Hulst, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Keßler, Kindermann, Koukiadis, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McNally, Malliori, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Müller Rosemarie, Myller, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Poignant, Prets, Rapkay, Read, Rodríguez Ramos, Rothe, Roure, Sacconi, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Scheele, Simpson, Skinner, Sornosa Martínez, Sousa Pinto, Stihler, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Van Brempt, Vattimo, Walter, Watts, Weiler, Whitehead, Wiersma, Zorba, Zrihen

Verts/ALE: Aaltonen, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Celli, Echerer, Evans Jillian, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lambert, McKenna, Maes, Mayol i Raynal, Piétrasanta, de Roo, Rühle, Schörling, Schroedter, Turmes, Voggenhuber, Wuori, Wyn

Against: 202

EDD: Bernié, Esclopé, Kuntz, Mathieu, Saint-Josse

ELDR: Nordmann

GUE/NGL: Alyssandrakis, Korakas, Patakis

NI: Beysen, Cappato, Claeys, Della Vedova, Dillen, Gollnisch, Lang, Martinez, Pannella, Stirbois, Turco

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Banotti, Bartolozzi, Bayona de Perogordo, Beazley, Berend, Böge, von Boetticher, Bourlanges, Brok, Callanan, Camisón Asensio, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Costa Raffaele, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Ferber, Fiori, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grosselet, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Hermange, Hieronymi, Hortefeux, Inglewood, Jackson, Jarzembowski, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Majj-Weggen, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennea, Mennitti, Menrad, Mombaur, Montfort, Moreira Da Silva, Müller Emilia Franziska, Naranjo Escobar, Nassauer, Nicholson, Niebler, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pacheco Pereira, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Píscarreta, Podestà, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Røvsing, Rübige, Sacrédeus, Santer, Sartori, Scallon, Schaffner, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stevenson, Stockton, Sudre, Suominen, Tajani, Tannock, Theato, Trakatellis, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Wenzel-Perillo, Wieland, von Wogau, Wiermeling, Zacharakis, Zimmerling, Zissener

PSE: Colom i Naval, Evans Robert J.E., Goebbels, Hänsch, Mann Erika, Poos, Schmid Gerhard

UEN: Berlato, Camre, Caullery, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Thomas-Mauro, Turchi

Thursday 3 July 2003

Abstention: 6**GUE/NGL:** Bordes, Cauquil, Fiebiger, Laguiller**NI:** Berthu, Borghezio**B5-0322/2003 — RC — OMC
Paragraph 19, first part****For: 311****EDD:** Belder, Blokland, van Dam, Kuntz**ELDR:** André-Léonard, Boogerd-Quaak, Busk, Costa Paolo, Davies, De Clercq, Di Pietro, Flesch, Formentini, Gasòliba i Böhm, Jensen, Lynne, Maaten, Manders, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Rutelli, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Wallis, Watson**GUE/NGL:** Herzog**NI:** Beysen, Cappato, Dell'Alba, Della Vedova, Pannella, Turco**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Banotti, Bayona de Perogordo, Beazley, Berend, Böge, von Boetticher, Bourlanges, Brok, Callanan, Camisón Asensio, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Costa Raffaele, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Ferber, Ferrer, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Hermange, Hieronymi, Hortefeux, Inglewood, Jackson, Jarzembowski, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennea, Menrad, Mombaur, Montfort, Moreira Da Silva, Müller Emilia Franziska, Naranjo Escobar, Nassauer, Nicholson, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Santer, Sartori, Scallon, Schaffner, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stevenson, Stockton, Sudre, Suominen, Tannock, Theato, Trakatellis, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Zacharakis, Zimmerling, Zissener**PSE:** Andersson, Aparicio Sánchez, Baltas, Barón Crespo, van den Berg, Berger, Bösch, Bowe, van den Burg, Carnero González, Carrilho, Casaca, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Ettl, Evans Robert J.E., Färm, Ford, Gebhardt, Ghilardotti, Gill, Glante, Goebbels, Gröner, Hänsch, Haug, Honeyball, Howitt, van Hulst, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Keßler, Kindermann, Koukiadis, Krehl, Kuhne, Lage, Lange, Leinen, Linkohr, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Müller Rosemarie, Myller, Obiols i Germà, Paasilinna, Paciotti, Pérez Royo, Poos, Prets, Rapkay, Read, Rodríguez Ramos, Rothe, Sacconi, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Simpson, Skinner, Sornosa Martínez, Sousa Pinto, Stihler, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Walter, Watts, Weiler, Whitehead, Wiersma, Zorba**UEN:** Camre, Caullery, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Thomas-Mauro**Against: 90****EDD:** Bernié, Booth, Esclopé, Mathieu, Saint-Josse

Thursday 3 July 2003

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bordes, Boudjenah, Caudron, Cauquil, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Markov, Marset Campos, Meijer, Miranda, Modrow, Patakis, Puerta, Schmid Herman, Seppänen, Sylla, Vachetta, Wurtz

NI: Berthu, Claeys, Dillen, Gollnisch, Gorostiaga Atxalandabaso, Lang, de La Perriere, Souchet, Stirbois

PSE: Berès, Carlotti, De Keyser, Désir, Ferreira, Fruteau, Garot, Guy-Quint, Martin Hans-Peter, Patrie, Poignant, Roure, Vairinhos, Van Brempt, Zrihen

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Breyer, Celli, Echerer, Evans Jillian, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lambert, Lipietz, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 9

EDD: Andersen, Bonde, Sandbæk

NI: Borghezio, Martinez

PSE: Bullmann, Dehousse, Mendiluce Pereiro

UEN: Berlato

B5-0322/2003 — RC — OMC
Paragraph 19, second part

For: 210

ELDR: André-Léonard, Boogerd-Quaak, van den Bos, Busk, Costa Paolo, Davies, De Clercq, Di Pietro, Flesch, Formentini, Gasòliba i Böhm, Jensen, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-jan Gorsel, Pohjamo, Rutelli, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Virrankoski, Wallis, Watson

GUE/NGL: Herzog

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

PPE-DE: Andria, Arvidsson, Averoff, Ayuso González, Banotti, Bartolozzi, Bayona de Perogordo, Beazley, Berend, Böge, von Boetticher, Bourlanges, Brok, Callanan, Camisón Asensio, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Costa Raffaele, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Ferber, Ferrer, Fiori, Flemming, Florenz, Foster, Fourtou, Friedrich, Gähler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Hermange, Hieronymi, Hortefeux, Inglewood, Jackson, Jarzembowski, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Kläß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Majj-Weggen, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennea, Menrad, Mombaur, Montfort, Moreira Da Silva, Müller Emilia Franziska, Naranjo Escobar, Nassauer, Nicholson, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Rovsing, Rübig, Sacrédeus, Santer, Sartori, Scallan, Schaffner, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stevenson, Stockton, Sudre, Suominen, Tannock, Theato, Trakatellis, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Zacharakis, Zimmerling, Zissener

PSE: Goebbels, Imbeni, Lund, Mann Erika, Marinho, Rapkay

UEN: Camre

Thursday 3 July 2003

Against: 116

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

GUE/NGL: Ainardi, Alyssandrakis, Bakopoulos, Bordes, Boudjenah, Caudron, Cauquil, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Markov, Marset Campos, Meijer, Miranda, Modrow, Patakis, Puerta, Seppänen, Sylla, Vachetta, Wurtz

NI: Berthu, Borghezio, Claeys, Dillen, Gollnisch, Gorostiaga Atxalandabaso, Lang, de La Perriere, Martinez, Souchet, Stirbois

PPE-DE: Pomés Ruiz

PSE: Berès, Bösch, Carlotti, Dehousse, De Keyser, Désir, Ferreira, Fruteau, Garot, Guy-Quint, Lalumière, Martin Hans-Peter, Mendiluce Pereiro, Patrie, Poignant, Roure, Trentin, Vairinhos, Van Brempt, Vattimo, Zrihen

UEN: Berlato, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Thomas-Mauro

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Celli, Echerer, Evans Jillian, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lambert, Lipietz, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 86

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, van den Berg, Berger, Bowe, Bullmann, van den Burg, Carnero González, Carrilho, Casaca, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, Ettl, Evans Robert J.E., Färm, Ford, Gebhardt, Ghilardotti, Gill, Gröner, Hänsch, Haug, Honeyball, Howitt, van Hulten, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Keßler, Kindermann, Koukiadis, Krehl, Kuhne, Lage, Lange, Leinen, Linkohr, McAvan, McNally, Malliori, Martin David W., Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Müller Rosemarie, Myller, Obiols i Germà, Paasilinna, Paciotti, Pérez Royo, Poos, Prets, Read, Rodríguez Ramos, Rothe, Sacconi, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Simpson, Skinner, Sousa Pinto, Stihler, Thorning-Schmidt, Titley, Torres Marques, Tsatsos, Walter, Watts, Weiler, Whitehead, Wiersma, Zorba

**B5-0322/2003 — RC — OMC
Paragraph 37****For: 372**

ELDR: André-Léonard, Boogerd-Quaak, van den Bos, Busk, Costa Paolo, Davies, De Clercq, Di Pietro, Flesch, Formentini, Gasòliba i Böhm, Jensen, Lynne, Maaten, Manders, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Rutelli, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Wallis, Watson

GUE/NGL: Ainardi, Bakopoulos, Boudjenah, Caudron, Eriksson, Fiebiger, Figueiredo, Frahm, Fraisse, González Álvarez, Herzog, Jové Peres, Kaufmann, Koulourianos, Krivine, Markov, Marset Campos, Meijer, Miranda, Modrow, Puerta, Schmid Herman, Seppänen, Sylla, Vachetta, Wurtz

NI: Beysen, Cappato, Della Vedova, Gorostiaga Atxalandabaso, Pannella, Turco

Thursday 3 July 2003

PPE-DE: Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Banotti, Bartolozzi, Bayona de Perogordo, Beazley, Berend, Böge, von Boetticher, Bourlanges, Brok, Callanan, Camisón Asensio, Cederschiöld, Chichester, Cocilovo, Coelho, Costa Raffaele, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Ferber, Ferrer, Flemming, Florenz, Foster, Fourtou, Friedrich, Gahler, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Glase, Goepel, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grossetête, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Hermange, Hieronymi, Inglewood, Jackson, Jarzembowski, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klaß, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Laschet, Lechner, Lehne, Liese, Lisi, Lulling, Maat, McCartin, Maij-Weggen, Mann Thomas, Mantovani, Marinos, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennea, Menrad, Mombaur, Moreira Da Silva, Müller Emilia Franziska, Naranjo Escobar, Nassauer, Nicholson, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Roving, Rübige, Sacrédeus, Santer, Sartori, Scallon, Schaffner, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stevenson, Stockton, Sudre, Suominen, Tannock, Theato, Trakatellis, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Zacharakis, Zimmerling, Zissener

PSE: Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, Bullmann, van den Burg, Carlotti, Carnero González, Carrilho, Casaca, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, Désir, Ettl, Evans Robert J.E., Färm, Ferreira, Ford, Fruteau, Garot, Gebhardt, Ghilardotti, Gill, Glante, Gröner, Guy-Quint, Hänsch, Haug, Honeyball, Howitt, van Hulst, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Keßler, Kindermann, Koukiadis, Krehl, Kuhne, Lage, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McNally, Malliori, Marinho, Martin David W., Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Mendiluce Pereiro, Menéndez del Valle, Miguélez Ramos, Müller Rosemarie, Myller, Obiols i Germà, Paasilinna, Paciotti, Patrie, Pérez Royo, Poignant, Poos, Prets, Rapkay, Read, Rodríguez Ramos, Rothe, Roure, Sacconi, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Simpson, Skinner, Sornosa Martínez, Sousa Pinto, Stihler, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Vairinhos, Van Brempt, Vattimo, Walter, Watts, Weiler, Whitehead, Wiersma, Zorba, Zrihen

UEN: Berlato, Camre, Muscardini, Nobilia, Poli Bortone

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Breyer, Celli, Echerer, Evans Jillian, Frassoni, Gahrton, Graefe zu Baringdorf, Isler Béguin, Jonckheer, Lambert, Lipietz, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Against: 25

EDD: Belder, Blokland, Booth, van Dam, Kuntz

NI: Berthu, Borghezio, Claeys, Dillen, Gollnisch, Lang, de La Perriere, Martinez, Souchet, Stirbois

PSE: Goebbels, Mann Erika

UEN: Caullery, Collins, Crowley, Fitzsimons, Hyland, Ó Neachtain, Pasqua, Thomas-Mauro

Abstention: 15

EDD: Andersen, Bernié, Bonde, Esclopé, Mathieu, Saint-Josse, Sandbæk

GUE/NGL: Alysandrakis, Bordes, Cauquil, Korakas, Laguiller, Patakis

PPE-DE: Fiori

PSE: Dehousse

Thursday 3 July 2003

**B5-0322/2003 — RC — OMC
Resolution****For: 297****EDD:** Belder, Blokland, van Dam**ELDR:** André-Léonard, Boogerd-Quaak, van den Bos, Busk, Costa Paolo, Davies, De Clercq, Di Pietro, Flesch, Gasòliba i Böhm, Jensen, Lynne, Maaten, Manders, Monsonís Domingo, Mulder, Newton Dunn, Nordmann, Olsson, Paulsen, Pesälä, Plooi-j-van Gorsel, Pohjamo, Rutelli, Sanders-ten Holte, Schmidt, Sterckx, Sørensen, Thors, Väyrynen, Vallvé, Vermeer, Wallis, Watson**GUE/NGL:** Herzog, Vachetta**NI:** Beysen**PPE-DE:** Almeida Garrett, Andria, Arvidsson, Averoff, Ayuso González, Banotti, Bartolozzi, Bayona de Perogordo, Beazley, Berend, Böge, von Boetticher, Bourlanges, Brok, Callanan, Camisón Asensio, Cederschiöld, Chichester, Cocilovo, Coelho, Cornillet, Costa Raffaele, Cunha, Cushnahan, Daul, Deprez, De Sarnez, Descamps, Deva, De Veyrac, Dimitrakopoulos, Doorn, Dover, Ebner, Elles, Ferber, Ferrer, Flemming, Florenz, Foster, Fourtou, Galeote Quecedo, García-Margallo y Marfil, García-Orcoyen Tormo, Gil-Robles Gil-Delgado, Glase, Gomolka, Goodwill, Graça Moura, Grönfeldt Bergman, Grosch, Grosseleté, Gutiérrez-Cortines, Hannan, Hansenne, Harbour, Hatzidakis, Heaton-Harris, Hermange, Hieronymi, Hortefeux, Inglewood, Jackson, Jarzembowski, Karas, Keppelhoff-Wiechert, Khanbhai, Kirkhope, Klamt, Klauf, Knolle, Koch, Konrad, Korhola, Kratsa-Tsagaropoulou, Lamassoure, Langenhagen, Lechner, Lehne, Liese, Lisi, Lulling, McCartin, Maij-Weggen, Mann Thomas, Mantovani, Marinós, Marques, Martens, Martin Hugues, Matikainen-Kallström, Mauro, Mayer Hans-Peter, Mayer Xaver, Mennea, Menrad, Mombaur, Moreira Da Silva, Müller Emilia Franziska, Naranjo Escobar, Nassauer, Nicholson, Ojeda Sanz, Oomen-Ruijten, Oostlander, Oreja Arburúa, Pack, Parish, Pastorelli, Pérez Álvarez, Perry, Pex, Piscarreta, Podestà, Poettering, Pomés Ruiz, Posselt, Pronk, Purvis, Quisthoudt-Rowohl, Radwan, Ripoll y Martínez de Bedoya, Røvsing, Rübzig, Sacrédeus, Santer, Sartori, Scallon, Schaffner, Schleicher, Schmitt, Schröder Jürgen, Schwaiger, Smet, Sommer, Stenmarck, Stevenson, Sudre, Suominen, Tannock, Theato, Trakatellis, Varela Suanzes-Carpegna, Vatanen, de Veyrinas, Vidal-Quadras Roca, Wachtmeister, Wenzel-Perillo, Wieland, Wijkman, von Wogau, Wuermeling, Zacharakis, Zimmerling, Zissener**PSE:** Andersson, Aparicio Sánchez, Baltas, Barón Crespo, Berès, van den Berg, Berger, Bösch, Bowe, van den Burg, Carnero González, Carrilho, Casaca, Cashman, Cercas, Ceyhun, Colom i Naval, Corbett, Corbey, De Keyser, Ettl, Evans Robert J.E., Färm, Ford, Gebhardt, Ghilardotti, Gill, Glante, Goebbels, Gröner, Hänsch, Haug, Honeyball, Howitt, van Hulst, Imbeni, Izquierdo Collado, Izquierdo Rojo, Jöns, Junker, Karamanou, Karlsson, Kefler, Kindermann, Koukiadis, Krehl, Kuhne, Lalumière, Lange, Leinen, Linkohr, Lund, McAvan, McNally, Malliori, Mann Erika, Marinho, Martínez Martínez, Mastorakis, Medina Ortega, Menéndez del Valle, Miguélez Ramos, Müller Rosemarie, Myller, Obiols i Germà, Paasilinna, Paciotti, Pérez Royo, Poignant, Poos, Prets, Rapkay, Read, Rodríguez Ramos, Rothe, Roure, Sacconi, Sakellariou, dos Santos, Sauquillo Pérez del Arco, Scheele, Schmid Gerhard, Simpson, Skinner, Sornosa Martínez, Sousa Pinto, Stihler, Thorning-Schmidt, Titley, Torres Marques, Trentin, Tsatsos, Van Brempt, Vattimo, Walter, Watts, Weiler, Whitehead, Wiersma, Zorba**UEN:** Camre, Caullery**Against: 93****EDD:** Andersen, Bernié, Bonde, Booth, Esclopé, Kuntz, Mathieu, Saint-Josse, Sandbæk**GUE/NGL:** Ainardi, Alyssandrakis, Bakopoulos, Bordes, Boudjenah, Caudron, Cauquil, Eriksson, Fiebigler, Figueiredo, Frahm, Fraise, González Álvarez, Jové Peres, Kaufmann, Korakas, Koulourianos, Krivine, Laguiller, Markov, Marset Campos, Meijer, Miranda, Modrow, Patakis, Puerta, Schmid Herman, Seppänen, Sylla, Wurtz

Thursday 3 July 2003

NI: Berthu, Borghezio, Claeys, Dillen, Gollnisch, Gorostiaga Atxalandabaso, Lang, de La Perriere, Martinez, Souchet, Stirbois

PPE-DE: Maat

PSE: Dehousse, Fruteau, Zrihen

UEN: Berlato, Collins, Crowley, Fitzsimons, Hyland, Muscardini, Nobilia, Ó Neachtain, Pasqua, Poli Bortone, Thomas-Mauro

Verts/ALE: Aaltonen, Auroi, Bautista Ojeda, Boumediene-Thiery, Bouwman, Celli, Echerer, Evans Jillian, Gahrton, Graefe zu Baringdorf, Isler Béguin, Lambert, Lipietz, McKenna, Maes, Mayol i Raynal, Onesta, Piétrasanta, Rod, de Roo, Rühle, Schörling, Schroedter, Staes, Turmes, Voggenhuber, Wuori, Wyn

Abstention: 18

NI: Cappato, Dell'Alba, Pannella, Turco

PPE-DE: Fiori, Goepel, Montfort

PSE: Carlotti, Désir, Ferreira, Garot, Guy-Quint, Lage, Martin Hans-Peter, Mendiluce Pereiro, Patrie, Vairinhos

Verts/ALE: Frassoni

**B5-0344/2003 — RC — Uganda
Resolution**

For: 78

EDD: Sandbæk

ELDR: Monsonís Domingo

GUE/NGL: Bakopoulos, González Álvarez, Koulourianos, Meijer, Puerta, Sylla

NI: Beysen

PPE-DE: Andria, Ayuso González, Bayona de Perogordo, Camisón Asensio, Cushnahan, Daul, Descamps, Elles, Fiori, Flemming, Glase, Goepel, Gomolka, Grossetête, Gutiérrez-Cortines, Hatzidakis, Heaton-Harris, Karas, Keppelhoff-Wiechert, Knolle, Kratsa-Tsagaropoulou, Lisi, McCartin, Mann Thomas, Mayer Xaver, Menrad, Mombaur, Müller Emilia Franziska, Naranjo Escobar, Nassauer, Nicholson, Ojeda Sanz, Oreja Arburúa, Posselt, Purvis, Sacrédeus, Schröder Jürgen, Schwaiger, Sommer, Stenmarck, Stevenson, Tannock, Thyssen, Trakatellis, Wieland, Zissener

PSE: Aparicio Sánchez, Baltas, De Keyser, Désir, Ettl, Evans Robert J.E., Ferreira, Gillig, Imbeni, Izquierdo Collado, Junker, Keßler, Kindermann, McNally, Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Miguélez Ramos, Rodríguez Ramos, Stihler

UEN: Collins

Verts/ALE: Maes

Abstention: 10

EDD: Belder, van Dam

ELDR: André-Léonard, van den Bos, Busk, Jensen, Lynne, Manders, Mulder, Newton Dunn

Thursday 3 July 2003

**Kratsa-Tsagaropoulou report A5-0230/2003
Resolution****For: 74****EDD:** Sandbæk**ELDR:** André-Léonard, van den Bos, Busk, Jensen, Lynne, Manders, Monsonís Domingo, Mulder, Newton Dunn**GUE/NGL:** Bakopoulos, Cauquil, González Álvarez, Koulourianos, Meijer, Puerta, Sylla**NI:** Beysen**PPE-DE:** Andria, Ayuso González, Bayona de Perogordo, Camisón Asensio, Cushnahan, Daul, Descamps, Fiori, Flemming, Glase, Goepel, Gomolka, Grossetête, Gutiérrez-Cortines, Hatzidakis, Karas, Keppelhoff-Wiechert, Knolle, Kratsa-Tsagaropoulou, Lisi, McCartin, Mann Thomas, Mayer Xaver, Menrad, Naranjo Escobar, Nassauer, Ojeda Sanz, Oreja Arburúa, Posselt, Sacrédeus, Sommer, Stenmarck, Thyssen, Trakatellis, Wieland, Zissener**PSE:** Aparicio Sánchez, Baltas, De Keyser, Ettl, Evans Robert J.E., Ferreira, Gillig, Izquierdo Collado, Keßler, Kindermann, McNally, Martin Hans-Peter, Martínez Martínez, Mastorakis, Medina Ortega, Miguélez Ramos, Rodríguez Ramos, Stihler**UEN:** Collins**Verts/ALE:** Maes**Against: 8****EDD:** Belder, van Dam**PPE-DE:** Elles, Heaton-Harris, Nicholson, Purvis, Stevenson, Tannock**Abstention: 1****GUE/NGL:** Patakis

Thursday 3 July 2003

TEXTS ADOPTED**P5_TA(2003)0320****European Council of 19-20 June 2003 in Thessaloniki****European Parliament resolution on the Thessaloniki European Council of 19-20 June 2003***The European Parliament,*

- having regard to its resolutions on the European Convention and its resolution of 5 June 2003 on the meeting of the Troika with the countries participating in the Stability Pact for South-Eastern Europe ⁽¹⁾, its resolution of 19 June 2003 on a renewed transatlantic partnership for the third millenium ⁽²⁾ and its resolution of 19 June 2003 ⁽³⁾ on an open method of coordination for the Community immigration policy and integrating migration issues in the European Union's relations with third countries,
- having regard to the Presidency conclusions of the European Council meeting held in Thessaloniki on 19 and 20 June 2003,
- having regard to the statements by the Council Presidency and the Commission on the outcome of the Thessaloniki European Council,

European Convention — IGC

1. Welcomes the European Council's conclusions and its decision on the draft Treaty establishing a Constitution for Europe and takes the view that the latter must form the sole basis for the work of the Intergovernmental Conference; notes, therefore, that the 'convention method' has proved effective in increasing democracy and transparency;
2. Warns against unpicking the essential elements of the package achieved by the Convention (the majority of whose members were parliamentarians);
3. Insists that the Convention must still reach a consensus on Part III and Part IV; emphasises the importance of the revision of Part III to achieve many procedural and policy reforms in conformity with Part I, especially with a view to extending qualified majority voting in the Council and codecision of the Parliament; underlines the necessity of amending Part IV in order to ensure the coming into force and future revision of the Constitution;
4. Calls on the Italian Presidency to convene the Intergovernmental Conference at a high political level as soon as possible (with the accession states taking a full and equal part), so that it can finish before the end of 2003;
5. Recalls that it has become established practice that the Commission and Parliament participate in Intergovernmental Conferences: Parliament sends MEPs as its representatives to the IGC and the President of Parliament participates in meetings held at the level of Heads of Government;
6. Underlines the importance of carrying forward into the IGC the more open, pluralistic and consensual spirit of the Convention, including the Presidency's keeping the members of the Convention informed; calls for progress reports to be made, firstly at the monthly part-sessions of the European Parliament and secondly before its Committee on Constitutional Affairs, if possible in the presence of the representatives of the national parliaments, on the work of the IGC;

⁽¹⁾ P5_TA(2003)0264.

⁽²⁾ P5_TA(2003)0291.

⁽³⁾ P5_TA(2003)0292.

Thursday 3 July 2003

Immigration, frontiers and asylum

7. Notes that the Thessaloniki European Council has confirmed the difficulty and lack of progress in implementing the Seville conclusions, welcomes the European Council's recognition of the need to speed up the implementation of all aspects of the Tampere programme and reaffirms the need to maintain an overall, coherent approach to a common European policy on asylum and migration;

8. Insists that the EU needs to have a coherent common policy on and procedures for legal immigration, and therefore asks the European Council to explore legal means for third-country nationals to enter the Union, taking into account reception capacity and enhanced cooperation with the countries of origin; calls therefore on the Council to adopt the Directive on conditions for entering the EU for employment purposes;

9. Is dismayed at the death of numerous immigrants in shipwrecks in the Mediterranean; condemns the criminal action of all those who profit from trafficking in human beings and believes that more should be done to clamp down on these criminal networks, many of which operate across borders;

10. Notes the willingness of the Council to apply harmonised solutions to documents of third-country nationals, passports of EU citizens and information systems (SIS (Schengen Information System) II and VIS (Schengen Visa Information System));

11. Calls on the Commission to submit to it as soon as possible, with a view to carrying out this harmonisation, proposals establishing legislative instruments enabling European laws to be put in place with regard to passports and visas, in accordance with Article 18(3) of the EC Treaty;

12. Notes that the European Council believes that guidelines should be laid down to develop a computerised visa-recognition system, with harmonised 'biometric' data to be included on visas; demands that the Council and the Commission keep Parliament fully informed on the development of such proposals;

13. Stresses that the effective management of the external borders of EU Member States should be developed with a coherent and structured Community framework and methods while noting the particular needs of the new Member States;

14. Welcomes the fact that the Commission will examine whether it is necessary to create a Community operational structure, including a Community-financed European Border Guard Corps, in order to enhance operational cooperation for the management of the external and maritime borders; insists on the role that the Commission must play and the need to fully involve Parliament in these matters;

15. Intends to consider as soon as possible the Greek proposal aimed at setting up a network of immigration liaison officers (ILOs) in third countries;

16. Notes the willingness expressed by the European Council to consolidate solidarity in the area of freedom, security and justice; welcomes the Council's intention to ensure that the financial perspectives are adapted (as of 2006) to reflect this political priority of the Union; supports the wish of the Council to release in the meantime additional resources with which to meet the most pressing structural needs, namely:

- management of external borders,
- implementation of the action programme on returns,
- development of the visa information system (VIS);

affirms that these additional resources may not in any circumstances be generated by reducing current Category 3 expenditure;

Thursday 3 July 2003

17. Calls for a debate on the basis of the proposals made by the Commission in its Green Paper on a Community Return Policy (COM(2002) 175);
18. Notes that at the present there is no Community policy on the return of illegally residing persons and that the overriding priority must be voluntary return, while stressing that any policy development should fully respect the principle of non-refoulement and the right to seek asylum;
19. Believes that the Refugee Fund (heading 3) should not be reduced and should not be used to finance forced return programmes and that voluntary return programmes must be financed from the budget line for Cooperation with third countries on migration (heading 4) as long as there is no proper legal basis for return programmes, and insists that there is at present no basis justifying EU funding for expulsions and that, by virtue of the principle of subsidiarity, the various actions may therefore be financed from national budgets;
20. Regarding the lack of progress, confirmed by the European Council, in establishing a common European asylum system, reminds the Council to adopt, in 2003, the basic legislation already proposed by the Commission, and insists that the adoption of these instruments must give further impetus to the development of a common European asylum policy based on high protection requirements;
21. Notes that the codecision procedure and qualified majority voting should come into force once the Council has adopted these common rules on matters relating to asylum, as provided for by the Treaty of Nice;
22. Shares the Commission's concerns and doubts expressed in its Communication 'Towards more accessible, equitable and managed asylum systems' and awaits its new report in June 2004 on the way to improve the ability to protect refugees;
23. Welcomes, therefore, the European Council decision to establish a comprehensive and multi-dimensional EU integration policy, which on the one hand can effectively contribute to new demographic and economic challenges and on the other hand can contribute to social cohesion and economic welfare;
24. Stresses that an EU integration policy must strike a balance between rights and corresponding obligations of legally resident third-country nationals and the host societies, and that the responsibility of the latter includes adjusting to newcomers, respecting their identity (within the law) and ensuring equality of treatment and non-discrimination;
25. Calls on the Council to adopt the directives on family reunification and long-term resident status, essential legal instruments for the integration of third-country nationals, as proposed by the Commission and amended by Parliament; insists that third-country nationals should enjoy rights and obligations comparable to those of EU citizens, including the political right to vote in local and European elections;
26. Considers that integrating migration issues in EU relations with third countries is an important part of a balanced approach to improved management of migration flows, but calls on the Council to promote co-development in relations with third countries;
27. Welcomes the European Council's proposal to make the European migration network a permanent structure, but wishes it to be implemented in agreement with Parliament;
28. Welcomes the fact that the Commission will present an annual report on migration and integration in Europe, including EU-wide migration data, and calls on the Commission to highlight best practice in respect of immigration and integration policies as practised by the Member States;

Thursday 3 July 2003

Combating terrorism

29. Welcomes the Presidency's report to the European Council (Annex I to the Presidency Conclusions), particularly its recommendations on fighting funding for terrorism and collaboration with third countries, particularly the United States;

30. Calls for improved 'inter-pillar' cooperation through the coordination of the measures adopted in the framework of Justice and Home Affairs, such as the European Arrest Warrant, and the powers conferred on Europol to fight terrorism, with the measures adopted under ESDP;

31. Recalls the necessity to link the fight against funding for terrorism with the fight against money laundering and drug trafficking;

Enlargement, Cyprus, Western Balkans and Wider Europe*Enlargement*

32. Underlines the positive prospects for the membership of Bulgaria and Romania; supports the Turkish Government in its programme of radical reform at home and urges the Commission to properly consult Parliament before finalising its recommendations in preparation of the European Council in December 2004;

Cyprus

33. Expresses the deep conviction that Cyprus's entry into the Union will create a climate favourable to bringing both communities of the island closer together and finding a solution in the UN framework; urges Turkey and the Turkish Cypriot leadership to respond positively to the UN Secretary-General's efforts;

Western Balkans

34. Recognises the irreversibility of the process under which each of the Western Balkan countries is moving towards accession; at the same time insists on the principle that each country should be judged on its own merits and believes that this differentiated approach should take into account the desirability of the regional approach;

35. Calls upon the Council and the Commission to present to Parliament a viable financial framework for further support to the Stabilisation and Association Process under the restructured heading 7;

36. Considers also that the pace of further enlargement must take into account the capacity of the EU institutions to continue to function effectively;

Wider Europe and Mediterranean

37. Views with great interest the opportunity presented by the launching of the initiative on relations between an enlarged Europe and its neighbours to the East and South; is of the opinion that an inclusive process must be developed to create a system of beneficial reciprocal relations promoting a common vision of democracy, respect for human rights and social progress;

38. Welcomes the Presidency conclusions following the mid-term Euro-Mediterranean Conference held on 26-27 May 2003 in Crete, and hopes that the EU and the partner countries will make a more resolute and methodical commitment to give body and substance to the Barcelona process in the spirit of co-development;

39. Recalls the need to achieve all the objectives set out in the Barcelona Declaration;

Thursday 3 July 2003

40. Reiterates its proposal to establish a Euro-Mediterranean Parliamentary Assembly, reinvigorating the parliamentary dimension of the Barcelona process through a greater degree of institutionalisation and a higher political profile and guaranteeing parliamentary control of and follow-up to the Euro-Mediterranean Association Agreements; calls for the Ministerial Conference in Naples to define the legal basis to enable the Euro-Mediterranean Parliamentary Forum to be transformed into a Parliamentary Assembly;

Follow-up to the 2003 Spring European Council

41. Stresses the importance of European Councils going beyond mere repetition and stocktaking and giving much clearer leadership with respect to implementing the Lisbon strategy at both European and national levels, where much still remains to be done; awaits with interest the Commission's initiative, in cooperation with the European Investment Bank, to increase overall investment and private-sector involvement in TENs and major R&D projects;

42. Following the Council's adoption of the Employment Guidelines and of the Broad Economic Policy Guidelines, regrettably without taking due account of the main proposals made by the European Parliament, recalls the need for an EU global approach to sustainable development and therefore deplores the absence of any reference to the Göteborg commitments;

43. Notes the candidacy of Mr Jean-Claude Trichet for the presidency of the European Central Bank, and undertakes to make known its opinion under Article 112 of the Treaty and in accordance with Rule 36 of its Rules of Procedure;

International Criminal Court

44. Regards the establishment of the ICC as a great step forward for the development of international law and stresses that the Rome Statute is an essential element of the values which form the basis of the EU democratic model;

45. Welcomes Council Common Position 2003/444/CFSP of 16 June 2003⁽¹⁾ on the International Criminal Court, whereby the Union and its Member States (...) shall continue, as appropriate, to draw the attention of third States to the Council Conclusions of 30 September 2002 on the International Criminal Court and to the EU Guiding Principles annexed thereto, with regard to proposals for agreements or arrangements concerning conditions for the surrender of persons to the Court, and expects Member States to respect the Common Position;

46. Welcomes furthermore the Presidency's strong support for the ICC and its commitment to work actively for the universality of the Court and to contribute to its effective functioning;

47. Calls upon and encourages the governments and parliaments of Member States, accession states and countries associated with the EU in the Euro-Mediterranean partnership, the Mercosur, Andean Pact and San José process countries, the countries involved in the Stability and Association Process, the ACP and the ASEAN countries to refrain from concluding or ratifying any 'Bilateral Impunity Agreement' or other similar arrangements;

48. Regrets, in this regard, the continued opposition of the current US Administration to the ICC and regrets that it is intensifying its political and financial pressure worldwide, trying to persuade State Parties and Signatory States to the Rome Statute as well as non-signatory states to enter into bilateral non-surrender agreements by threatening to suspend military and economic aid as well as other forms of assistance;

⁽¹⁾ OJ L 150, 18.6.2003, p. 67.

Thursday 3 July 2003

49. Welcomes the Declaration by the ten accession states, Bulgaria and Romania, and Norway, Liechtenstein and Iceland, that they share the objectives of the abovementioned Common Position and that they will ensure that their national policies conform to this position;

50. Urges the Italian Presidency to adapt and update the Action Plan adopted in May 2002, in accordance with the new Common Position; in particular encourages the Presidency to include in the Action Plan the establishment of a full-time focal point within the Council Secretariat, supporting and facilitating the efforts of the Presidency;

51. Urges the Council and the Commission to engage in a dialogue with the US administration on all matters relating to the ICC; notes with disappointment that the UN Security Council has renewed its resolution 1487 for one year and asks the Council and the Commission to make every effort to avoid any further renewal of this resolution, which extends immunity to the UN's own peacekeepers;

External relations, CFSP, ESDP

CFSP and ESDP

52. Expresses its interest in the recommendations presented by the High Representative for CFSP on a European Strategy on security and requests that it be involved in the formulation and implementation of the EU security strategy; recalls the proposals put forward during the present parliamentary term on all aspects of a genuine European Security and Defence Policy, including those concerning the institutions;

53. Notes with satisfaction that the EU now has operational capability across the full range of Petersberg tasks, which has been reaffirmed through the launching of the first ESDP operations: EUPM in Bosnia-Herzegovina, Concordia in FYROM and Artemis in Bunia in the DRC; regrets however that this operational capability is still limited and constrained by many shortfalls and calls therefore upon the Council to continue to develop the EU's military capabilities including through the establishment of ECAP Project Groups;

54. Recalls the agreement reached during the 2003 budgetary procedure on the provision at an early stage of information to, and consultation of, Parliament on the CFSP and ESDP; deplores the fact that the Council did not respect this agreement in the case of ESDP action in FYROM (the Concordia mission);

55. Welcomes the decision to establish in 2004 a Defence Capabilities Agency with the purpose of enhancing the capacity of the European defence industry to meet strategic requirements;

The Arab world

56. Agrees on the necessity of reinforcing its partnership with the Arab world, through the intensification of political dialogue, promoting pluralism, democratic reforms and economic and social development;

Middle East

57. Reasserts the crucial importance of respecting the Road Map proposals as adopted and of their immediate implementation; calls on all parties to demonstrate their sincere and resolute commitment, and considers that terrorism and violence can only waste this opportunity to resolve the conflict;

Thursday 3 July 2003

Iraq

58. Considers the adoption of UNSC Resolution 1483 as a clear indication of the wish to return to the constructive spirit of cooperation within the UN and looks forward to the contribution of the UN, and in particular its Special Representative, to the formation of a representative Iraqi government;

59. Supports the Council's determination to involve the EU in the humanitarian relief efforts and asks the Commission and the High Representative to submit proposals for the EU contribution without delay;

60. Recalls its commitment to participate in the reconstruction of Iraq within the framework of UNSC Resolution 1483 and recalls that the establishment of an Iraqi government as soon as possible would be a further guarantee that Iraqi natural resources will finally benefit the Iraqi population;

Cuba

61. Firmly condemns the current policy of the Cuban authorities which has brought increased repression of opposition leaders; reaffirms its resolution of 10 April 2003 on human rights in Cuba⁽¹⁾ and urges the Cuban authorities to free those detained and to end the harassment to which defenders of human rights and democracy are being subjected;

Iran

62. Recalls its support for the IAEA mission to examine Iran's nuclear programme and calls on Iran to commit itself to full transparency and cooperation with the IAEA, including the signing of the Additional Protocol;

63. Expresses its strong concern about and deplores the treatment of the opposition, especially students, by the authorities and certain vigilante groups, recalls its demands for improvement of the human rights situation in the country and expects the Commission and the Council to brief Parliament regularly on the political dialogue;

Green diplomacy

64. Welcomes the renewed commitment by the European Council to integrate the environment into external relations by promoting European diplomacy with regard to the environment and sustainable development, which translates into action Parliament's views and is fully in line with Parliament's statements in all international fora;

65. Underlines that, in the context of globalisation of environmental issues such as climate change, management of water resources and sustainable development in general, it is of particular relevance to integrate the environmental dimension into all policies at global level, as is the case at European level;

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66. Instructs its President to forward this resolution to the European Council, the Council, the Commission, the governments and parliaments of the Member States and the accession states and the European Convention.

⁽¹⁾ P5_TA(2003)0191.

Thursday 3 July 2003

P5_TA(2003)0321

Marco Polo Programme *II**

European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council regulation on the granting of Community financial assistance to improve the environmental performance of the freight transport system ('Marco Polo Programme') (5327/1/2003 — C5-0225/2003 — 2002/0038(COD))

(Codecision procedure: second reading)

The European Parliament,

- having regard to the Council common position (5327/1/2003 — C5-0225/2003) ⁽¹⁾,
 - having regard to its position at first reading ⁽²⁾ on the Commission proposal to Parliament and the Council (COM(2002) 54) ⁽³⁾,
 - having regard to Article 251(2) of the EC Treaty,
 - having regard to Rule 78 of its Rules of Procedure,
 - having regard to the recommendation for second reading of the Committee on Regional Policy, Transport and Tourism (A5-0220/2003),
1. Approves the common position;
 2. Notes that the act is adopted in accordance with the common position;
 3. Instructs its President to sign the act with the President of the Council pursuant to Article 254(1) of the EC Treaty;
 4. Instructs its Secretary-General duly to sign the act and, in agreement with the Secretary-General of the Council, to have it published in the Official Journal of the European Union;
 5. Instructs its President to forward its position to the Council and the Commission.

⁽¹⁾ Not yet published in the Official Journal.

⁽²⁾ P5_TA(2002)0440.

⁽³⁾ OJ C 126 E, 28.5.2002, p. 354.

P5_TA(2003)0322

ECB capital subscription key *

European Parliament legislative resolution on the proposal for a Council decision on the statistical data to be used for the adjustment of the key for subscription to the capital of the European Central Bank (COM(2003) 114 — C5-0125/2003 — 2003/0050(CNS))

(Consultation procedure)

Thursday 3 July 2003

The European Parliament,

- having regard to the Commission's proposal to the Council (COM(2003) 114) ⁽¹⁾,
 - having regard to the opinion of the European Central Bank ⁽²⁾,
 - having regard to Article 29 of the Protocol on the Statute of the European System of Central Banks (ESCB) and of the European Central Bank (ECB) annexed to the Treaty,
 - having regard to Article 107(6) of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0125/2003),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Economic and Monetary Affairs (A5-0215/2003),
1. Approves the Commission proposal;
 2. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 3. 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;
 4. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
 5. Instructs its President to forward its position to the Council and the Commission.

⁽¹⁾ Not yet published in the Official Journal.

⁽²⁾ OJ C 102, 29.4.2003, p. 11.

P5_TA(2003)0323

Gender budgeting

European Parliament resolution on gender budgeting — building public budgets from a gender perspective (2002/2198(INI))

The European Parliament,

- having regard to the EC Treaty, in particular to Articles 2, 3(2), 13 and 141(4) thereof,
- having regard to Article 23(1) of the EU Charter of Fundamental Rights ⁽¹⁾,
- having regard to the UN Convention of 18 December 1979 on the Elimination of All Forms of Discrimination Against Women (CEDAW) ⁽²⁾,
- having regard to the Vienna Declaration and Programme of Action, as adopted by the World Conference on Human Rights on 25 June 1993 ⁽³⁾,

⁽¹⁾ OJ C 364, 18.12.2000.

⁽²⁾ <http://www.unifem.org>

⁽³⁾ <http://www.unhchr.ch/huridocda/huridoca.nsf>

Thursday 3 July 2003

- having regard to the United Nations International Conference on Population and Development, held in Cairo in 1994,
 - having regard to the 1995 Commonwealth Plan of Action on Gender and Development and its 2000-2005 update ⁽¹⁾,
 - having regard to the Platform for Action adopted at the Fourth World Conference on Women held in Beijing on 15 September 1995 ⁽²⁾,
 - having regard to its resolution of 18 May 2000 on the follow-up to the Beijing Action Platform ⁽³⁾,
 - having regard to the Commission's communication of 7 June 2000 entitled 'Towards a Community framework strategy on gender equality (2001-2005)' (COM(2000) 335) and to its resolution of 3 July 2001 ⁽⁴⁾ on the work programme for 2001,
 - having regard to its resolution of 8 April 2003 containing the comments accompanying the decision concerning discharge in respect of the implementation of the general budget of the European Union for the year 2001 ⁽⁵⁾, in particular paragraphs 1 and 5 thereof,
 - having regard to the hearing on gender budgeting in the European Parliament held by the Committee on Women's Rights and Equal Opportunities on 23 January 2003 in Brussels,
 - having regard to Rule 163 of its Rules of Procedure,
 - having regard to the report of the Committee on Women's Rights and Equal Opportunities (A5-0214/2003),
- A. whereas equality of men and women is a fundamental principle of Community law according to Article 2 of the Treaty and thus part of the Community acquis; whereas equality between women and men is established by Article 23 of the Charter of Fundamental Rights,
- B. whereas Article 3(2) of the Treaty stipulates that equality between men and women must be promoted in all EU activities and that the Community shall aim to eliminate inequalities,
- C. whereas the Vienna Declaration on Human Rights clearly imposes the obligation to promote the full and equal participation of women in political, civil, economic, social and cultural life, at the national, regional and international levels, and declares the eradication of all forms of discrimination on grounds of sex as a priority objective of the international community (Article 18),
- D. whereas the Beijing Platform for Action endorsed gender mainstreaming as an effective strategy to promote gender equality and stated that governments and other players 'should promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes, so that before decisions are taken an analysis is made of the effects on women and men respectively',
- E. whereas gender mainstreaming means incorporating equal opportunities for women and men into all Community policies and activities and has thus been implemented in the work of the Commission, including the European Employment Strategy, the European Strategy for Social Inclusion, the research policy, the European Structural Funds, the policy for cooperation and development, the external relations,

⁽¹⁾ <http://www.thecommonwealth.org/gender>

⁽²⁾ <http://www.un.org/womenwatch>

⁽³⁾ OJ C 59, 23.2.2001, p. 258.

⁽⁴⁾ OJ C 65, 14.3.2002, p. 43.

⁽⁵⁾ P5_TA(2003)0150.

Thursday 3 July 2003

- F. whereas since 1996 the Commission has adopted a policy of gender mainstreaming and incorporation of equal opportunities for women and men in all Community activities and policies,
- G. whereas gender budgeting can be identified as the application of gender mainstreaming in the budgetary process and, as such, places emphasis on the analysis of the impact of public policies on women and men, incorporates the gender perspective at all levels of the process of building public budgets and aims at restructuring revenues and expenditures in order to promote gender equality,
- H. whereas the Commission has signalled its commitment in this respect by the decision to set up a working group within the framework of its Advisory Committee on Equal Opportunities for Women and Men to carry out a survey inside the EU Member States and to promote the implementation of gender budgeting in the EU and national budgets,
- I. whereas the Commission has signalled its commitment in this respect through Commissioner Schreyer's statement to the Women's Right and Equal Opportunities Committee during its public hearing on gender budgeting,
- J. whereas a working group of experts on gender budgeting has also been created in the Council of Europe and has produced a preliminary background paper,
- K. whereas the Belgian Presidency of the Council, together with the OECD, UNIFEM, the Commonwealth and the Nordic Council of Ministers, held a seminar on this issue in October 2001,
- L. whereas gender budgeting initiatives are already being taken in a number of EU countries, both at national and regional level, e.g. in Ireland, England, Scotland and Spain, and at local level, e.g. in some communes in Italy, and have already long existed in other parts of the world, e.g. in Australia, Canada and South Africa; recalling also that, in a number of countries in Asia, Africa and Latin America, gender budgeting initiatives are being tried out in specific sectoral policies,

Definition, aims and scope of gender budgeting

1. Endorses the definition of gender budgeting, as the application of gender mainstreaming in the budgetary process — proposed by the informal network on gender budgeting organised by the Council of Europe; this entails a gender-based assessment of budgets, incorporating a gender perspective at all levels of the budgetary process and restructuring revenues and expenditures in order to promote gender equality;
2. Emphasises that gender budgeting does not aim to produce separate budgets for women, but rather to influence public budgets, since they are not gender-neutral, as they have a different impact on women and men both from the revenue and from the expenditure perspective; with this in mind gender budgeting implies that in all budget programmes, measures and policies, revenue or expenditure in all programmes and actions should be assessed and restructured in order to ensure that women's priorities and needs are taken into account on an equal basis to those of men, the final aim being to achieve equality between men and women;
3. Highlights that, by defining and implementing budgetary policies, public authorities take specific political decisions affecting society and the economy; public budgets are not mere financial and economic tools, but are the basic framework within which the model of socio-economic development is shaped, criteria of income re-distribution are set and political aims are prioritised;

Thursday 3 July 2003

4. Recalls that gender budget strategies must be implemented in a broader macro-economic context which bolsters the development of human resources and human capital; according to the principles and objectives set at the Lisbon European Council, social development and human empowerment should be promoted as long-term investments in the framework of the European policies for employment and economic growth in order to create a competitive European economy based on knowledge;

5. Emphasises that successful implementation of gender budgeting requires a political commitment to achieving equality between women and men; this means that all institutions defining public policies must promote political and institutional representation of women at all levels, support a wider presence of women in all decision-making processes both in public and private sectors and develop public sensitivity and concern for equal opportunities and human capital development;

6. Stresses the fact that macro-economic policy can contribute to narrowing or widening gender gaps in terms of economic resources and power, education and training and health; by promoting gender equality and by implementing policies in the framework of gender budgeting, public budgets also achieve major political objectives such as:

- equality, fair and balanced budgetary policies aimed at reducing inequalities and promoting equal opportunities according to the different roles of women and men in the economy and society,
- efficiency, more efficient use of resources, higher quality and effectiveness of public services according to the different needs of female or male citizens,
- transparency, a better understanding of public revenue and expenditure among citizens and thus greater transparency and accountability of national and local governments;

Tools and methods of gender budgeting

7. Reiterates its support for greater efficiency in public spending, both at EU and Member State level, and an improvement in the functioning of the internal market; reaffirms the need to promote employment, as stipulated in the Lisbon summit, to enhance gender perspective in all policies, and to promote women's participation in the decision-making process; in this respect, gender budgeting can serve to improve the achievement of these aims while promoting a more equal distribution of financial burdens and benefits among citizens;

8. Specifies that building a public budget from a gender perspective means:

- identifying how different citizens benefit from public expenditure and contribute to public revenue, highlighting the difference between women and men by using qualitative and quantitative data and benchmarking,
- evaluating the different impact on women and men of budgetary policies and redistribution of resources in terms of money, services, time and work of social and family care/social reproduction,
- analysing gender impact in all sectors of public intervention and incrementally introducing gender budgeting in all policies, including education, welfare and social services, health assistance, actions and measures for employment, transport, housing, etc.,

Thursday 3 July 2003

- developing a bottom-up budgetary process and promoting the involvement and participation of all citizens — men and women — and actors concerned (associations and NGOs) with the aim of identifying different specific needs and appropriate policies and measures to respond to them,
- verifying that the allocation of resources corresponds in an appropriate and equal manner to the different needs and demands of women and men,
- ensuring that gender analyses and impact are thoroughly taken into consideration in all phases of the budgetary process, including project, definition, implementation, monitoring and evaluation,
- using public budgets to define meaningful political priorities and identify specific tools, mechanisms and actions in order to achieve equality between women and men through public policies,
- redefining priorities and reallocating public expenditure without necessarily increasing the total amount of a public budget,
- verifying/accounting for the efficacy and efficiency of public expenditures in respect of established priorities and commitments, in general terms, and, specifically, with regard to respect for equal opportunities between women and men in the re-distribution of public resources and services;

9. Points out that gender budgeting strategies require interministerial coordination linking ministries for the budget, economic affairs and finance with the ministry and/or departments and organisations responsible for equal opportunities, involving all the departmental heads and sectoral officials taking part in drawing up the public budget, in order to ensure that the gender perspective is incorporated in the definition of revenue and expenditure in all budget policies;

10. Emphasises that gender budget strategies are based on complex and diversified methodologies which encompass aims, tools, actions and measures specific to gender and to the context of implementation; this means that gender budgeting methodology must tackle socio-economic inequalities between women and men according to the different realities at local, regional, national and European level, in order to be appropriate and successful in achieving gender quality;

11. Calls on the Commission and the Member States to draw up and maintain gender-specific data for all policy areas;

Objectives of the report on Gender Budgeting

12. Calls on the Member States to monitor and analyse the impacts of macroeconomic and economic reform policies on women and men, and the development of strategies, mechanisms and corrective measures to address gender imbalances in key areas, with the aim of creating a broader economic and social framework in which gender budgeting could be positively implemented;

13. Calls on the Commission to promote the creation of a European network of entities carrying out gender budgeting and experts/managers dealing with the subject, in particular women, to be linked to the network of parliamentary committees for equal opportunities; this network may contribute to developing and disseminating knowledge of the methods, processes and mechanisms of gender budgeting, to promoting the exchange of best practice and positive experience, and to providing governments, parliaments and budgetary authorities with a framework for action and strategies of reproducible experience, in order to help them incorporate the objective of equality between men and women in all budget policies, programmes and measures;

Thursday 3 July 2003

14. Calls on the Commission, the Member States, and local and regional governments to carry out gender budgeting and stresses that the gender budgeting strategy should become a 'parliamentarised procedure' within the European Parliament and national, regional and local parliaments, with particular reference to the countries about to join the EU; to this end stresses that the parliamentary committees for women's rights must play a key role;

15. Calls on the Commission to apply the findings and principles of the opinion from the European Commission's Advisory Committee Working Group to the EU budget;

16. Asks the Commission, with a view to spreading knowledge of strategies and methodologies of gender budgeting through all institutions at European, national, regional and local level, to produce and distribute extensively a brochure explaining instruments and methods for incorporating gender budgeting and making available to all actors potentially concerned with budgetary processes and policies — i.e. institutions, governments, public authorities and administrations, associations and NGOs — a guide providing information on aims, strategies, mechanisms and tools of gender budgeting;

17. Calls on the Member States to use and promote the application of gender budgeting instruments and methods (accompanied by specific statistics broken down by gender, and indicators and benchmarks on equality between the sexes) so that budgetary revenue and expenditure policies may be structured and carried out with the aim of promoting equality between women and men;

18. Calls on the Commission to initiate a wide-ranging information campaign on the subject of gender budgeting, targeting the general public and national and regional governments and parliaments, distribute the brochure on gender budgeting and disseminate the experience acquired in developing and carrying out gender budgeting according to the results of the inquiry carried out by the working group on gender budgeting set up by the Commission;

19. Requests the Commission to produce within two years a communication on gender budgeting and draw up indicators or benchmarks, taking into consideration the results of the work of the Expert Group on GB, in order to provide an overview of the process and to shape a strategy for action for the EU and the Member States; calls also for the inclusion, in the implementation of the second part of the Fifth Programme for Equal Opportunities, of gender budget policy within the objectives, tools and mechanism of the Framework Strategy for Equality, following the mid-term review scheduled for December 2003;

20. Calls on its Committee on Budgets to implement gender budgeting in the process of EU budget definition in order to develop a gender-responsive budgetary policy in the EU; instructs its committee responsible with promoting and monitoring the implementation of gender budgeting in the EU budget with respect to definition, construction, implementation and evaluation of all EU budgetary policies;

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* *

21. Instructs its President to forward this resolution to the Commission and the governments of the Member States.

Thursday 3 July 2003

P5_TA(2003)0324

Single European Sky: Framework Regulation ***II

European Parliament legislative resolution on the Council common position with a view to the adoption of the regulation of the European Parliament and of the Council laying down the framework for the creation of the Single European Sky ('the framework regulation') (15851/3/2002 — C5-0138/2003 — 2001/0060(COD))

(Codecision procedure: second reading)

The European Parliament,

- having regard to the Council common position (15851/3/2002 — C5-0138/2003) ⁽¹⁾,
 - having regard to its position at first reading ⁽²⁾ on the Commission proposal to Parliament and the Council (COM(2001) 123) ⁽³⁾,
 - having regard to the amended proposal (COM(2002) 658) ⁽⁴⁾,
 - having regard to Article 251(2) of the EC Treaty,
 - having regard to Rule 80 of its Rules of Procedure,
 - having regard to the recommendation for second reading of the Committee on Regional Policy, Transport and Tourism (A5-0219/2003),
1. Amends the common position as follows;
 2. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ OJ C 129 E, 3.6.2003, p. 1.

⁽²⁾ P5_TA(2002)0391.

⁽³⁾ OJ C 103 E, 30.4.2002, p. 1.

⁽⁴⁾ Not yet published in OJ.

P5_TC2-COD(2001)0060

Position of the European Parliament adopted at second reading on 3 July 2003 with a view to the adoption of European Parliament and Council Regulation (EC) No .../2003 laying down the framework for the creation of the Single European Sky ('the framework Regulation')

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 80(2) thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the Opinion of the European Economic and Social Committee ⁽²⁾,

⁽¹⁾ OJ C 103 E, 30.4.2002, p. 1.

⁽²⁾ OJ C 241, 7.10.2002, p. 24.

Thursday 3 July 2003

Having regard to the Opinion of the Committee of the Regions ⁽¹⁾,

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

Whereas:

- (1) Implementation of the common transport policy requires an efficient air transport system allowing safe and regular operation of air transport services, thus facilitating the free movement of goods, persons and services.
- (2) At its Extraordinary Meeting in Lisbon on 23 and 24 March 2000, the European Council called on the Commission to put forward proposals on airspace management, air traffic control and air traffic flow management, based on the work of the High Level Group on the Single European Sky set up by the Commission. This Group, made up largely of the civil and military air navigation authorities in the Member States, submitted its report in November 2000.
- (3) ***Air navigation services should protect both air-transport users and residents affected by over-flying aircraft. They should therefore be provided in accordance with the highest standards of responsibility and competence.***
- (4) The Single European Sky initiative should be developed in line with the obligations stemming from the membership of the Community and its Member States of Eurocontrol, and in line with the principles laid down by the 1944 Chicago Convention on International Civil Aviation.
- (5) Decisions relating to the content, scope or carrying out of military operations and training do not fall within the sphere of competence of the Community.
- (6) Airspace constitutes a limited resource, the optimum and efficient use of which will be possible only if the requirements of all users are taken into account. Member States should enhance civil-military cooperation and, if and to the extent deemed necessary by all Member States concerned, facilitate cooperation between their armed forces in all matters of air traffic management.
- (7) For all these reasons, and with a view to extending the Single European Sky to include a larger number of European States, the Community should, while taking into account the developments occurring within Eurocontrol, lay down common objectives and an action programme to mobilise the efforts by the Community, the Member States and the various economic stakeholders in order to create a more integrated operating airspace: the Single European Sky.
- (8) Where Member States take action to ensure compliance with Community requirements, the authorities performing verifications of compliance should be sufficiently independent of air navigation service providers.
- (9) Air ***navigation*** services (***air traffic, communication, navigation and surveillance***) are comparable to public authorities requiring functional or structural separation and are organised according to very different legal forms in the various Member States.
- (10) Where independent audits are required relating to providers of air navigation services, inspections by the official auditing authorities of the Member States where those services are provided by the administration, or by a public body subject to the supervision of the abovementioned authorities, should be recognised as independent audits, whether the audit reports drawn up are made public or not.

⁽¹⁾ OJ C 278, 14.11.2002, p. 13.

⁽²⁾ Position of the European Parliament of 3 September 2002 (not yet published in the Official Journal), Council common position of 18 March 2003 (OJ C 129 E, 3.6.2003, p. 1) and position of the European Parliament of 3 July 2003.

Thursday 3 July 2003

- (11) It is desirable to extend the Single European Sky to European third countries, either within the framework of participation by the Community in the work of Eurocontrol, after the accession by the Community to Eurocontrol, or by means of agreements concluded by the Community with these countries.
- (12) The accession of the Community to Eurocontrol is an important component in the creation of a pan-European airspace.
- (13) In the process of creating the Single European Sky, the Community should, where appropriate, develop the highest level of cooperation with Eurocontrol in order to ensure regulatory synergies and consistent approaches, and to avoid any duplication between the two sides.
- (14) In accordance with the conclusions of the High Level Group, Eurocontrol is the body that has the appropriate expertise to support the Community in its role as regulator. Accordingly, implementing rules should be developed, for matters falling within the remit of Eurocontrol as a result of mandates to that organisation, subject to the conditions to be included in a framework of cooperation between the Commission and Eurocontrol.
- (15) The drafting of the measures necessary in order to create the Single European Sky requires broad-based consultations of economic and social stakeholders.
- (16) The social partners should be informed and consulted in an appropriate way on all measures having significant social implications. The Sectoral Dialogue Committee set up under Commission Decision 98/500/EC of 20 May 1998 on the establishment of Sectoral Dialogue Committees promoting the Dialogue between the social partners at European level ⁽¹⁾ should also be consulted.
- (17) ***In addition to the Single Sky Committee, an 'Industry Consultation Body', in which associations of airspace users, flight-safety organisations and the manufacturing industry would take part, should be established to advise the Commission on technical aspects of the implementation of the Single European Sky.***
- (18) The performance of the air navigation services system as a whole at European level should be assessed on a regular basis, with due regard to the maintenance of a high level of safety, to check the effectiveness of the measures adopted and to propose further measures.
- (19) ***There should be a scale of penalties, without reducing safety, proper enforcement and effective sanctions against airlines and service providers which breach the provisions of this Regulation.***
- (20) The impact of the measures taken to apply this Regulation should be evaluated in the light of reports to be submitted regularly by the Commission.
- (21) This Regulation does not affect the power of Member States to adopt provisions in relation to the organisation of their armed **forces**. **Provision** should therefore be made for a safeguards clause to enable this power to be exercised.
- (22) Arrangements for greater cooperation over the use of Gibraltar airport were agreed in London on 2 December 1987 by the Kingdom of Spain and the United Kingdom in a joint declaration by the Ministers of Foreign Affairs of the two countries. Such arrangements have yet to enter into operation.

⁽¹⁾ OJ L 225, 12.8.1998, p. 27.

Thursday 3 July 2003

- (23) Since the objective of this Regulation, namely the creation of the Single European Sky, cannot be sufficiently achieved by the Member States, by reason of the transnational scale of the action, and can therefore be better achieved at Community level, while allowing for detailed implementing rules that take account of specific local conditions, 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 this objective.
- (24) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽¹⁾,

HAVE ADOPTED THIS REGULATION:

Article 1
Objective and scope

1. The objective of the Single European Sky initiative is to enhance current safety standards and overall efficiency for general air traffic in Europe, to optimise capacity meeting the requirements of all airspace users and to minimise delays. In pursuit of this objective, the aim of this Regulation is to establish a harmonised regulatory framework for the creation of the Single European Sky by 31 December 2004.

2. This Regulation lays down the general lines of approach governing creation of the Single European Sky and identifies the fields for action by the Community and the means necessary, in terms of structures, procedures and resources, in order to create the Single European Sky, while taking into account the Member States' defence needs and Eurocontrol's task of establishing a pan-European airspace.

3. The application of this Regulation and of the measures referred to in Article 3 shall be without prejudice to the rights and duties of Member States under the 1944 Chicago Convention on International Civil Aviation.

4. The application of this Regulation and of the measures to be adopted in accordance with Article 3 to the airport of Gibraltar is understood to be without prejudice to the respective legal positions of the Kingdom of Spain and the United Kingdom with regard to the dispute over sovereignty over the territory in which the airport is situated.

5. Application of this Regulation and of the measures to be adopted in accordance with Article 3 to Gibraltar airport shall be suspended until the arrangements included in the Joint Declaration made by the Foreign Ministers of the Kingdom of Spain and the United Kingdom on 2 December 1987 enter into operation. The Governments of Spain and the United Kingdom will inform the Council of such date of entry into operation.

Article 2
Definitions

For the purpose of this Regulation and of the measures referred to in Article 3, the following definitions shall apply:

- 1) 'air traffic control (ATC) service' means a service provided for the purpose of:
- a) preventing collisions:
 - between aircraft, and
 - in the manoeuvring area between aircraft and obstructions; and

⁽¹⁾ OJ L 184, 17.7.1999, p. 23.

Thursday 3 July 2003

- b) expediting and maintaining an orderly flow of air traffic;
- 2) 'aerodrome control service' means an ATC service for aerodrome traffic;
- 3) 'aeronautical information service' means a service established within the defined area of coverage responsible for the provision of aeronautical information and data necessary for the safety, regularity, and efficiency of air navigation;
- 4) 'air navigation services' means air traffic services; communication, navigation and surveillance services; meteorological services for air navigation; and aeronautical information services;
- 5) 'air navigation service providers' means any public or private entity, **at Member-State discretion**, providing air navigation services for general air traffic;
- 6) 'airspace block' means an airspace of defined dimensions, in space and time, within which air navigation services are provided;
- 7) 'airspace management' means a planning function with the primary objective of maximising the utilisation of available airspace by dynamic time-sharing and, at times, the segregation of airspace among various categories of airspace users on the basis of short-term needs;
- 8) 'airspace users' means all aircraft operated as general air traffic;
- 9) 'air traffic flow management' means a function established with the objective of contributing to a safe, orderly and expeditious flow of air traffic by ensuring that ATC capacity is utilised **in a safe and efficient way**, and that the traffic volume is compatible with the capacities declared by the appropriate air traffic service providers;
- 10) 'air traffic management' means the aggregation of the airborne and ground-based functions (air traffic services, airspace management and air traffic flow management) required to ensure the safe and efficient movement of aircraft during all phases of operations;
- 11) 'air traffic services' means the various flight information services, alerting services, air traffic advisory services and ATC services (area, approach and aerodrome control services);
- 12) 'area control service' means an ATC service for controlled flights in a block of airspace;
- 13) 'approach control service' means an ATC service for arriving or departing controlled flights;
- 14) 'bundle of services' means two or more air navigation services;
- 15) 'certificate' means a document issued by a Member State in any form complying with national law, which confirms that an air navigation service provider meets the requirements for providing a specific service;
- 16) 'communication services' means aeronautical fixed and mobile services to enable ground-to-ground, air-to-ground and air-to-air communications for ATC purposes;
- 17) 'European air traffic management network' ('EATMN') means the collection of systems listed in Annex I to Regulation (EC) No .../2003 of the European Parliament and of the Council of ... on the interoperability of the European Air Traffic Management network (the 'interoperability Regulation')⁽¹⁾ enabling air navigation services in the Community to be provided, including the interfaces at boundaries with third countries;

⁽¹⁾ See page ... of this Official Journal.

Thursday 3 July 2003

- 18) 'concept of operation' means the criteria for the operational use of the EATMN or of part thereof;
- 19) 'constituents' means tangible objects such as hardware and intangible objects such as software upon which the interoperability of the EATMN depends;
- 20) 'Eurocontrol' is the European Organisation for the Safety of Air Navigation set up by the International Convention of 13 December 1960 relating to Cooperation for the Safety of Air Navigation⁽¹⁾;
- 21) 'Eurocontrol's principles for establishing the cost-base for route facility charges and the calculation of unit rates' means the principles as specified in document No 99.60.01/01 of 1 August 1999, issued by Eurocontrol;
- 22) 'flexible use of airspace' means an airspace management concept applied in the European Civil Aviation Conference area, as specified in the first edition of 5 February 1996 of the 'Airspace Management Handbook for the application of the Concept of the Flexible Use of Airspace' issued by Eurocontrol;
- 23) 'flight information region' means an airspace of defined dimensions within which flight information services and alerting services are provided;
- 24) 'flight level' means a surface of constant atmospheric pressure which is related to the specific pressure datum of 1013.2 hectopascals and is separated from other such surfaces by specific pressure intervals;
- 25) 'functional airspace block' means an airspace block based on operational requirements, reflecting the need to ensure more integrated management of the airspace regardless of existing boundaries.
- 26) 'general air traffic' means all movements of civil aircraft, as well as all movements of State aircraft (including military, customs and police aircraft) when these movements are carried out in conformity with the procedures of the ICAO;
- 27) 'ICAO' means the International Civil Aviation Organisation, as established by the 1944 Chicago Convention on International Civil Aviation.
- 28) 'interoperability' means a set of functional, technical and operational properties required of the systems and constituents of the EATMN and of the procedures for its operation, in order to enable its safe, seamless and efficient operation. Interoperability is achieved by making the systems and constituents compliant with the essential requirements;
- 29) 'meteorological services' means those facilities and services that provide aircraft with meteorological forecasts, briefs and observations as well as any other meteorological information and data provided by States for aeronautical use;
- 30) 'navigation services' means those facilities and services that provide aircraft with positioning and timing information;
- 31) 'operational data' means information concerning all phases of flight that are required to take operational decisions by air navigation service providers, airspace users, airport operators and other actors involved;
- 32) 'procedure', as used in the context of the interoperability Regulation, means a standard method for either the technical or the operational use of systems, in the context of agreed and validated concepts of operation requiring uniform implementation throughout the EATMN;

⁽¹⁾ Convention as amended by the Protocol of 12 February 1981, and revised by the Protocol of 27 June 1997.

Thursday 3 July 2003

- 33) 'putting into service' means the first operational use after the initial installation or an upgrade of a system;
- 34) 'route network' means a network of specified routes for channelling the flow of general air traffic as necessary for the provision of ATC services;
- 35) 'routing' means the chosen itinerary to be followed by an aircraft during its operation;
- 36) 'seamless operation' means the operation of the EATMN in such a manner that from the user's perspective it functions as if it were a single entity;
- 37) 'sector' means a subdivision of the totality of **the airspace block** into manageable airspace portions;
- 38) 'surveillance services' means those facilities and services used to determine the respective positions of aircraft to allow safe separation;
- 39) 'system' means the aggregation of airborne and ground-based constituents, as well as space-based equipment, that provides support for air navigation services for all phases of flight;
- 40) 'upgrade' means any modification that changes the operational characteristics of a system.

Article 3

Fields for action by the Community

1. This Regulation establishes a harmonised regulatory framework for the creation of the single European Sky in conjunction with:

- (a) Regulation (EC) No .../2003 of the European Parliament and of the Council of ... on the organisation and use of the airspace in the Single European Sky ('the airspace Regulation')⁽¹⁾;
- (b) Regulation (EC) No .../2003 of the European Parliament and of the Council of ... on the provision of air navigation services in the Single European Sky ('the service provision Regulation')⁽²⁾ and
- (c) the interoperability Regulation;

and with the implementing rules adopted by the Commission on the basis of this Regulation and the measures referred to above.

2. The measures referred to in paragraph 1 shall apply subject to the provisions of this Regulation.

Article 4

National Supervisory Authorities

1. Member States shall nominate or establish a body or bodies as their national supervisory authority in order to assume the tasks assigned to such authority under this Regulation and under the measures referred to in Article 3.

2. The national supervisory authorities shall be independent of air navigation service providers. This independence shall be achieved through adequate separation, at the functional level at least, between the national supervisory authorities and such providers. Member States shall ensure that national supervisory authorities exercise their powers impartially and transparently.

⁽¹⁾ See page ... of this Official Journal.

⁽²⁾ See page ... of this Official Journal.

Thursday 3 July 2003

3. Member States shall notify the Commission of the names and addresses of the national supervisory authorities, as well as changes thereto, and of the measures taken to ensure compliance with paragraph 2.

Article 5

Committee procedure

1. The Commission shall be assisted by *the Single Sky Committee*, hereinafter referred to as '*the Committee*', composed of two representatives of each Member State and chaired by a representative of the Commission. ***The Committee shall, in particular, seek to ensure a balance of interests between civilian and military users.***

2. Where reference is made to this paragraph, Articles 3 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

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

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

4. *The Committee* shall adopt its rules of procedure.

5. ***Eurocontrol shall participate in the work of the Committee with observer status.***

Article 6

Industry Consultation Body

In addition to the Committee, an 'Industry Consultation Body', to which associations of airspace users, flight-safety organisations and the manufacturing industry shall belong, shall be established to advise the Commission on technical aspects of the implementation of the Single European Sky.

Article 7

Relations with European third countries

When drafting the measures taken to implement this Regulation, the Commission shall act consistently in support of extending the Single European Sky to neighbouring countries which are not members of the European Union, whether under bilateral agreements concluded with the non-member countries or within the framework of Eurocontrol.

Article 8

Implementing rules

1. For the development of implementing rules pursuant to Article 3 which fall within the remit of Eurocontrol, the Commission shall issue mandates to Eurocontrol setting out the tasks to be performed and the timetable therefor. ***In this connection, it shall make use of the organisation's working procedures, particularly as regards the involvement and consultation of interested parties, including the military authorities.*** The Commission shall act in accordance with the procedure referred to in Article 5(2).

2. On the basis of the work completed pursuant to paragraph 1, decisions regarding the application of the results of such work within the Community and the deadline for their implementation shall be taken in accordance with the procedure referred to in Article 5(3). These decisions shall be published in the Official Journal of the European Union.

Thursday 3 July 2003

3. Notwithstanding paragraph 2, if Eurocontrol cannot accept a mandate that was issued to it under paragraph 1, or if the Commission, in consultation with *the Committee*, considers that

- a) the work carried out on the basis of such mandate is not progressing satisfactorily given the deadline set, or
- b) the results of the work carried out are not adequate,

the Commission, acting in accordance with the procedure referred to in Article 5(3), may adopt alternative measures to achieve the objectives of the mandate concerned.

4. For the development of implementing rules pursuant to Article 3 which fall outside the remit of Eurocontrol, the Commission shall act in accordance with the procedure referred to in Article 5(3).

Article 9

Sanctions

Member States shall lay down a system of sanctions for breaches of the provisions of this Regulation and shall take all the measures necessary to ensure that these sanctions are applied. The sanctions thus provided for shall be effective, proportional and dissuasive. The Member States shall take account, where appropriate, of the offender's status.

Article 10

Consultation of stakeholders

The Member States, acting in accordance with their national legislation, and the Commission shall establish consultation mechanisms for appropriate involvement of stakeholders in the implementation of the Single European Sky.

Such stakeholders may include:

- air navigation service providers,
- airspace users,
- airports,
- manufacturing industry, and
- professional staff representative bodies.

Consultation of stakeholders shall cover, in particular, the development and introduction of new concepts and technologies in the EATMN.

Article 11

Performance review

1. The Commission shall ensure the examination and evaluation of air navigation performance, drawing upon the existing expertise of Eurocontrol.

2. The analysis of the information collected for the purposes of paragraph 1 aims at:

- a) allowing the comparison and improvement of air navigation service provision;
- b) assisting air navigation service providers to deliver the required services;

Thursday 3 July 2003

- c) improving the consultation process between airspace users, air navigation service providers and airports;
- d) allowing the identification and the promotion of best practice, **in particular by means of a set of safety indicators.**

3. Without prejudice to the public's right of access to the Commission's documents as laid down in Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents⁽¹⁾, the Commission shall adopt, in accordance with the procedure referred to in Article 5(3), measures for the dissemination to interested parties of the information referred to in paragraph 2.

Article 12

Supervision, monitoring and methods of impact assessment

1. The supervision, monitoring and methods of impact assessment shall be based on the submission of regular reports by the Member States on implementation of the actions taken pursuant to this Regulation.
2. The Commission shall periodically review the application of this Regulation and of the measures to be adopted in accordance with Article 3, and shall report to the European Parliament and to the Council, on the first occasion by ... (*). For this purpose, the Commission may request from the Member States information additional to the information contained in the reports submitted by them in accordance with paragraph 1.
3. For the purposes of drafting the reports referred to in paragraph 2, the Commission shall request the opinion of *the Committee*.
4. The reports shall contain an evaluation of the results achieved by the actions taken pursuant to this Regulation **including appropriate information about developments in the sector, in particular concerning economic, social, employment and technological aspects, as well as about quality of service, and** in the light of the original objectives and with a view to future needs.

Article 13

Safeguards

This Regulation shall not prevent the application of measures by a Member State to the extent to which these are needed to safeguard essential security or defence policy interests. Such measures are in particular those which are imperative:

- for the surveillance of airspace that is under its responsibility in accordance with ICAO Regional Air Navigation agreements, including the capability to detect, identify and evaluate all aircraft using such airspace, with a view to seeking to safeguard safety of flights and to take action to ensure security and defence needs,
- in the event of serious internal disturbances affecting the maintenance of law and order,
- in the event of war or serious international tension constituting a threat of war,
- for the fulfilment of a Member State's international obligations in relation to the maintenance of peace and international security,

⁽¹⁾ OJ L 145, 31.5.2001, p. 43.

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

Thursday 3 July 2003

- in order to conduct military **operations**.

Article 14

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 ..., ...

For the European Parliament
The President

For the Council
The President

P5_TA(2003)0325

Single European Sky: Air Navigation Services ***II

European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council regulation on the provision of air navigation services in the Single European Sky ('the service provision Regulation') (15853/2/2002 — C5-0137/2003 — 2001/0235(COD))

(Codecision procedure: second reading)

The European Parliament,

- having regard to the Council common position (15853/2/2002 — C5-0137/2003) ⁽¹⁾,
- having regard to its position at first reading ⁽²⁾ on the Commission proposal to Parliament and the Council (COM(2001) 564) ⁽³⁾,
- having regard to the Commission's amended proposal (COM(2002) 658) ⁽⁴⁾,
- having regard to Article 251(2) of the EC Treaty,
- having regard to Rule 80 of its Rules of Procedure,

⁽¹⁾ OJ C 129 E, 3.6.2003, p. 16.

⁽²⁾ P5_TA(2002)0392.

⁽³⁾ OJ C 103 E, 30.4.2002, p. 26.

⁽⁴⁾ OJ C not yet published.

Thursday 3 July 2003

- having regard to the recommendation for second reading of the Committee on Regional Policy, Transport and Tourism (A5-0225/2003),
1. Amends the common position as follows;
 2. Instructs its President to forward its position to the Council and Commission.

P5_TC2-COD(2001)0235**Position of the European Parliament adopted at second reading on 3 July 2003 with a view to the adoption of European Parliament and Council Regulation (EC) No .../2003 on the provision of air navigation services in the Single European Sky ('the service provision Regulation')**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 80(2) thereof,

Having regard to the proposal from the Commission ⁽¹⁾,Having regard to the Opinion of the Economic and Social Committee ⁽²⁾,Having regard to the Opinion of the Committee of the Regions ⁽³⁾,Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽⁴⁾,

Whereas:

- (1) Member States have restructured, to varying degrees, their national air navigation service providers by increasing their level of autonomy and freedom to provide services. It is increasingly necessary to ensure that minimum public-interest requirements are satisfied under this new environment.
- (2) The report of the High Level Group on the Single European Sky, of November 2000, has confirmed the need for rules at Community level to distinguish between regulation and service provision and to introduce a system of certification aimed at preserving public-interest requirements, most notably in terms of safety, and to improve charging mechanisms.
- (3) Regulation (EC) No .../2003 of the European Parliament and of the Council of ... ('the framework Regulation') ⁽⁵⁾ lays down the framework for the creation of the Single European Sky.

⁽¹⁾ OJ C 103 E, 30.4.2002, p. 26.

⁽²⁾ OJ C 241, 7.10.2002, p. 24.

⁽³⁾ OJ C 278, 14.11.2002, p. 13.

⁽⁴⁾ Position of the European Parliament of 3 September 2002 (not yet published in the Official Journal), Council Common Position of 18 March 2003 (OJ C 129 E, 3.6.2003, p. 16) and position of the European Parliament of 3 July 2003.

⁽⁵⁾ See page ... of this Official Journal.

Thursday 3 July 2003

- (4) In order to create the Single European Sky, measures should be adopted to ensure the safe and efficient provision of air navigation services consistent with the organisation and use of airspace as provided for in Regulation (EC) No .../2003 of the European Parliament and of the Council of ... on the organisation and use of the airspace in the Single European Sky ('the airspace Regulation')⁽¹⁾. The establishment of a harmonised organisation for the provision of such services is important in order to respond adequately to the demand of airspace users and to regulate air traffic safely and efficiently.
- (5) The provision of air traffic services, as envisaged by this Regulation, is connected with the exercise of the powers of a public authority, which are not of an economic nature justifying the application of the Treaty rules of competition.
- (6) Member States are responsible for monitoring the safe and efficient provision of air navigation services and for the control of compliance by air navigation service providers with the common requirements established at Community level.
- (7) Member States should be permitted to entrust to recognised organisations, which are technically experienced, the verification of compliance of air navigation service providers with the common requirements established at Community level.
- (8) Smooth operation of the air transport system also requires uniform and high safety standards for air navigation service providers.
- (9) **Arrangements should be proposed to overcome the lack of controllers, through the improvement and harmonisation of the procedures for selection, training, authorisation, rating and licensing and the mutual recognition of licences. The Commission should monitor and, where appropriate, support Member States' recruitment programmes.**
- (10) Whilst guaranteeing the continuity of service provision, a common system should be established for certifying air navigation service providers, which constitutes a means for defining the rights and obligations of those providers. **Certificates should be granted for a maximum period of ten years.**
- (11) Conditions attached to certificates should be objectively justified and should be non-discriminatory, proportionate and transparent, and compatible with relevant international standards.
- (12) The certificates should be mutually recognised by all Member States in order to allow air navigation service providers to provide services in a Member State other than the country in which they obtained their certificates, within the limits of the safety requirements.
- (13) The provision of communication, navigation and surveillance services, as well as aeronautical information services, should be organised under market conditions whilst taking into account the special features of such services and maintaining a high level of safety.
- (14) In the interest of facilitating the safe handling of air traffic across the boundaries of the Member States for the benefit of the airspace users and their passengers, the system of certification should provide for a framework to enable Member States to designate providers of air traffic services, regardless of where they have been certified.
- (15) On the basis of their analysis of safety considerations, Member States should be able to designate one or more providers of meteorological services in respect of all or part of the airspace under their responsibility, without the need to organise a call for tenders.

⁽¹⁾ See page ... of this Official Journal.

Thursday 3 July 2003

- (16) Air navigation service providers should establish and maintain close cooperation with military authorities responsible for activities that may affect general air traffic, through appropriate arrangements.
- (17) The accounts of all air navigation service providers should provide for maximum transparency.
- (18) The introduction of harmonised principles and conditions for access to operational data should facilitate the provision of air navigation services and the operation of airspace users and airports under a new environment.
- (19) Charging conditions applying to airspace users should be fair and transparent.
- (20) User charges should provide remuneration for the facilities and services provided by air navigation service providers and Member States. The level of user charges should be proportionate to the cost, taking into consideration the objectives of safety and economic efficiency.
- (21) There should be no discrimination between airspace users as to the provision of equivalent air navigation services.
- (22) Air navigation service providers offer certain facilities and services directly related to the operation of aircraft, the costs of which they should be able to recover according to the 'user pays' principle, which is to say that airspace users should pay for the costs they generate at, or as close as possible to, the point of use.
- (23) It is important to ensure the transparency of the costs to which such facilities or services give rise. Accordingly, any changes made to the system or level of charges should be explained to airspace users; such changes or investment proposed by air navigation service providers should be explained as part of an exchange of information between their management bodies and airspace users.
- (24) There should be scope for modulating charges that contribute to maximising system-wide capacity. Financial incentives may be a useful way of accelerating the introduction of ground-based or airborne equipment that increases capacity, of rewarding high performance or of offsetting the inconvenience of choosing less desirable routings.
- (25) ***In the context of those revenues raised to provide a reasonable return on assets, and in direct correlation with the savings made from efficiency improvements, it should be possible to allow the establishment of a reserve to avoid a sudden increase in charges to airspace users at times of reduced levels of traffic.***
- (26) The Commission should examine the feasibility of organising temporary financial aid for measures to increase the capacity of Europe's air traffic control system as a whole.
- (27) The establishment and imposition of charges on airspace users should be reviewed by the Commission on a regular basis, in cooperation with Eurocontrol, and with national supervisory authorities and airspace users.
- (28) Owing to the particular sensitivity of information concerning air navigation service providers, national supervisory authorities should not disclose information covered by the obligation of professional secrecy, without prejudice to the organisation of a system for monitoring and publishing the performance of those providers,

Thursday 3 July 2003

HAVE ADOPTED THIS REGULATION:

CHAPTER I

GENERAL

Article 1

Scope and objective

1. Within the scope of the framework Regulation, this Regulation concerns the provision of air navigation services in the Single European Sky. The objective of this Regulation is to establish common requirements for the safe and efficient provision of air navigation services in the Community.
2. This Regulation shall apply to the provision of air navigation services for general air traffic in accordance with and within the scope of the framework Regulation.

Article 2

Tasks of national supervisory authorities

1. The national supervisory authorities referred to in Article 4 of the framework Regulation shall ensure the appropriate supervision of the application of this Regulation, in particular with regard to the safe and efficient operation of air navigation service providers which provide services relating to the airspace falling under the responsibility of the Member State which nominated or established the relevant authority.
2. To this end, each national supervisory authority shall organise proper inspections and surveys to verify compliance with the requirements of this Regulation. The air navigation service provider concerned shall facilitate such work.
3. In respect of functional airspace blocks that extend across the airspace falling under the responsibility of more than one Member State, the Member States concerned shall conclude an agreement on the supervision provided for in this Article with regard to the air navigation service providers providing services relating to those blocks. Member States may conclude an agreement on the supervision provided for in this Article with regard to the air navigation service provider providing services in a Member State other than that in which the provider has its principal place of operation.
4. National supervisory authorities shall make appropriate arrangements for close cooperation with each other to ensure adequate supervision of air navigation service providers holding a valid certificate from one Member State that also provide services relating to the airspace falling under the responsibility of another Member State. Such cooperation shall include arrangements for the handling of cases involving non-compliance with the applicable common requirements set out in Article 6 or conditions set out in Annex II.

Article 3

Recognised organisations

1. National supervisory authorities may decide to delegate in full or in part the inspections and surveys referred to in Article 2(2) to recognised organisations that fulfil the requirements set out in Annex I.
2. A recognition granted by a national supervisory authority shall be valid within the Community for a renewable period of three years. National supervisory authorities may instruct any of the recognised organisations located in the Community to undertake these inspections and surveys.

Thursday 3 July 2003

Article 4
Safety requirements

The Commission shall, in accordance with the procedure referred to in Article 5(3) of the framework Regulation, identify and adopt the Eurocontrol Safety Regulatory Requirements (ESARRs) and subsequent amendments to those requirements within the scope of this Regulation that shall be made mandatory under Community law. Publication shall take the form of references to such ESARRs in the Official Journal of the European Union.

Article 5
Licensing and training of controllers

On the basis of a Commission proposal to be agreed by the European Parliament and the Council, arrangements shall be made to overcome the lack of controllers and air traffic management personnel (ATM-personnel) through the improvement and harmonisation at Community level of the procedures for the selection, training, authorisation, rating and licensing of controllers and ATM-personnel, and to establish the mutual recognition of licences.

CHAPTER II
RULES FOR THE PROVISION OF SERVICES

Article 6
Common requirements

Common requirements for the provision of air navigation services shall be established in accordance with the procedure referred to in Article 5(3) of the framework Regulation. The common requirements shall include the following:

- technical and operational competence and suitability,
- systems and processes for safety and quality management,
- reporting systems,
- quality of services,
- financial strength,
- liability and insurance cover,
- ownership and organisational structure, ***including the prevention of conflict of interest,***
- human resources, ***including adequate staffing plans for all categories of ATM-personnel,***
- ***non-discriminatory access to services from airspace users and the required level of performance of such services, including safety and interoperability levels,***
- security.

Article 7
Certification of air navigation service providers

1. The provision of all air navigation services within the Community shall be subject to certification by Member States.

Thursday 3 July 2003

2. Applications for certification shall be submitted to the national supervisory authority of the Member State where the applicant has its principal place of operation and, if any, its registered office.

3. National supervisory authorities shall issue certificates to air navigation service providers where they comply with the common requirements referred to in *Article 6*. Certificates may be issued individually for each type of air navigation service as defined in Article 2 of the framework Regulation, or for a bundle of such services, including the situation where a provider of air traffic services, whatever its legal status, operates and maintains its own communication, navigation and surveillance systems. ***Certificates for the purpose of providing air navigation services shall be granted for a minimum period of five years and a maximum period of ten years.***

4. Certificates shall specify the rights and obligations of air navigation service providers, ***with particular regard to safety***. Certification may be subject only to the conditions set out in Annex II. Such conditions shall:

- a) be objectively justified, non-discriminatory, proportionate and transparent,
- b) ***reflect the public interest nature of air navigation services and be harmonised,***
- c) ***be compatible with applicable internationally agreed standards,***
- d) ***enable cooperation between service providers,***
- e) ***meet the quality standards required by users.***

5. Notwithstanding paragraph 1, Member States may allow the provision of air navigation services in all or part of the airspace under their responsibility without certification in cases where the provider of such services offers them primarily to aircraft movements other than general air traffic. In those cases, the Member State concerned shall inform the Commission and the other Member States of its decision and of the measures taken to ensure maximum compliance with the common requirements.

6. Without prejudice to *Article 8* and subject to *Article 9*, the issue of certificates shall confer on air navigation service providers the possibility of offering their services to other air navigation service providers, airspace users and airports within the Community.

7. National supervisory authorities shall monitor compliance with the common requirements and with the conditions attached to the certificates. If a national supervisory authority finds that the holder of a certificate no longer satisfies such requirements or conditions, it shall take appropriate measures while ensuring continuity of services. Such measures may include the revocation of the certificate.

8. A Member State shall recognise any certificate issued in another Member State in accordance with this ***Article***.

Article 8

Designation of air traffic service providers

1. Member States shall ensure the provision of air traffic services on an exclusive basis within specific airspace blocks in respect of the airspace under their responsibility. For this purpose, Member States shall designate an air traffic service provider holding a valid certificate in the Community.

2. Member States shall define the rights and obligations to be met by the designated service providers. The obligations may include conditions for the timely supply of relevant information enabling all aircraft movements in the airspace under their responsibility to be identified.

Thursday 3 July 2003

3. Member States have discretionary powers in choosing a service provider, on condition that the latter fulfils the requirements and conditions referred to in *Articles 6 and 7*.

4. In respect of functional airspace blocks established in accordance with *Article 7* of the airspace Regulation that extend across the airspace under the responsibility of more than one Member State, the Member States concerned shall jointly designate one or more air traffic service providers, ***within one month of the establishment of the airspace block***.

5. Member States shall inform the Commission and other Member States ***immediately*** of any decisions within the framework of this Article regarding the designation of air traffic service providers within specific airspace blocks in respect of the airspace under their responsibility.

Article 9

Designation of providers of meteorological services

1. Member States may designate a provider of meteorological services to supply all or part of meteorological data on an exclusive basis in all or part of the airspace under their responsibility, taking into account safety considerations.

2. Member States shall inform the Commission and other Member States without delay of any decision within the framework of this Article regarding the designation of a provider of meteorological services.

Article 10

Relations between service providers

1. Air navigation service providers may avail themselves of the services of other service providers that have been certified in the Community.

2. Air navigation service providers shall formalise their working relationships by means of written agreements or equivalent legal arrangements, setting out the specific duties and functions assumed by each provider. Those arrangements shall be notified to the national supervisory authority or authorities concerned.

3. In cases involving the provision of air traffic services, the approval of the Member States concerned shall be required. In cases involving the provision of meteorological services, the approval of the Member States concerned shall be required if they have designated a provider on an exclusive basis in accordance with *Article 9(1)*.

Article 11

Relations with military authorities

1. Member States shall, within the context of the common transport policy, take the necessary steps to ensure that written agreements between the competent civil and military authorities or equivalent legal arrangements, are established in respect of the management of specific airspace blocks.

2. ***As long as Member States have separate entities to provide air traffic services to civil and military air traffic, they shall keep the Commission informed of the way in which the cooperation between such entities is organised and the actions taken to enhance this cooperation or, where possible, to integrate such entities with one another.***

Thursday 3 July 2003

Article 12

Transparency of accounts

1. Air navigation service providers, whatever their system of ownership or legal form, shall draw up, submit to audit and publish their financial accounts. These accounts shall comply with the International Accounting Standards adopted by the Community. Where, owing to the legal status of the service provider, full compliance with the International Accounting Standards is not possible, the provider shall endeavour to achieve such compliance to the maximum possible extent.
2. In all cases, air navigation service providers shall publish an annual report and regularly undergo an independent audit.
3. When providing a bundle of services, air navigation service providers shall, in their internal accounting, identify the relevant costs and income for air navigation services, broken down in accordance with Eurocontrol's principles for establishing the cost-base for route facility charges and the calculation of unit rates and, where appropriate, shall keep consolidated accounts for other, non-air-navigation services, as they would be required to do if the services in question were provided by separate undertakings.
4. Member States shall designate the competent authorities that shall have a right of access to the accounts of service providers that provide services within the airspace under their responsibility.
5. Member States may apply the transitional provisions of Article 9 of Regulation (EC) No 1606/2002 of the European Parliament and of the Council of 19 July 2002 on the application of international accounting standards ⁽¹⁾ to air navigation service providers that fall within the scope of that Regulation.

Article 13

Access to and protection of data

1. Relevant operational data shall be exchanged in real-time between air navigation service providers and between such service providers, airspace users and airports to facilitate their operational needs. The data shall be used only for operational purposes.
2. Access to relevant operational data shall be granted to appropriate authorities, certified air navigation service providers, airspace users and airports on a non-discriminatory basis. **The requesting agencies shall bear the costs incurred.**
3. Certified service providers, airspace users and airports shall establish standard conditions of access to their relevant operational data other than those referred to in paragraph 1. National supervisory authorities shall approve such standard conditions. Detailed rules relating to such conditions shall be established, where appropriate, in accordance with the procedure referred to in Article 5(3) of the framework Regulation.

⁽¹⁾ OJ L 243, 11.9.2002, p. 1.

Thursday 3 July 2003

CHAPTER III
CHARGING SCHEMES

Article 14
General

In accordance with the requirements of *Articles 15 and 16*, a charging scheme for air navigation services shall be developed that contributes to the achievement of greater transparency with respect to the determination, imposition and enforcement of charges to airspace users. This scheme shall also be consistent with Article 15 of the 1944 Chicago Convention on International Civil Aviation and with Eurocontrol's charging system for en route charges.

Article 15
Principles

1. The charging scheme shall be based on the account of costs for air navigation services incurred by service providers for the benefit of airspace users. The scheme shall allocate these costs among categories of users.
2. The following principles shall be applied when establishing the cost-base for charges:
 - (a) The cost to be shared among airspace users shall be the full cost of providing air navigation services, including appropriate amounts for interest on capital investment and depreciation of assets, as well as the costs of maintenance, operation, management and administration;
 - (b) The costs to be taken into account in this context shall be those assessed in relation to the facilities and services provided for and implemented under the ICAO Regional Air Navigation Plan, European Region. They may also include costs incurred by national supervisory authorities and/or recognised organisations, as well as other costs incurred by the relevant Member State and service provider in relation to the provision of air navigation services;
 - (c) The cost of different air navigation services shall be identified separately, as provided for in *Article 12(3)*;
 - (d) Cross-subsidy between different air navigation services shall be allowed subject to clear identification;
 - (e) Transparency of the cost-base for charges shall be **guaranteed**. Implementing rules for the provision of information by the service providers shall be adopted in order to permit reviews of the provider's forecasts, actual costs and revenues. Information shall be regularly exchanged between the national supervisory authorities, service providers, airspace users, the Commission and Eurocontrol.
3. Without prejudice to Eurocontrol's charging system for en-route charges, Member States shall comply with the following principles when setting charges in accordance with paragraph 2:
 - (a) Charges shall be set for the availability of air navigation services under non-discriminatory conditions. When imposing charges on different airspace users for the use of the same service, no distinction shall be made in relation to the nationality or category of the user;
 - (b) Exemption of certain users, especially light aircraft and State aircraft, may be permitted, provided that the cost of such exemption is not passed on to other users;
 - (c) Air navigation services may produce sufficient revenues to exceed all direct and indirect operating costs and to provide for a reasonable return on assets to contribute towards necessary capital improvements;

Thursday 3 July 2003

- (d) Charges shall reflect the cost of air navigation services and facilities made available to airspace users taking into account the relative productive capacities of the different aircraft types concerned;
- (e) Charges shall **encourage** the safe, **efficient** and effective provision of air navigation services **at the lowest possible cost** and shall stimulate integrated service provision. **They may provide incentives and deterrents consisting of financial advantages and disadvantages which apply to air navigation service providers and/or airspace users. They may also provide revenues** to benefit projects designed to assist specific categories **of users** and/or air navigation service providers in order to improve collective air navigation infrastructures, the provision of air navigation services and the use of airspace. **Cross-subsidisation of different air navigation services shall be permitted only in exceptional cases and in that event must be clearly identified.**
4. The implementing rules in the fields covered by paragraphs 1, 2 and 3 shall be established in accordance with the procedure under *Article 8* of the framework Regulation.

Article 16

Review of charges

1. The Commission shall provide for the ongoing review of compliance with the principles and rules referred to in *Articles 14* and *15*, acting in cooperation with the Member States. The Commission shall endeavour to establish the necessary mechanisms for making use of Eurocontrol expertise.
2. At the request of one or more Member States which consider that the abovementioned principles and rules have not been properly applied, or on its own initiative, the Commission shall carry out an investigation on any allegation of non-compliance or non-application of the principles and/or rules concerned. Within two months of receipt of a request, after having heard the Member State concerned and after consulting the Single Sky Committee in accordance with the procedure referred to in *Article 5(2)* of the framework Regulation, the Commission shall take a decision on the application of *Articles 14* and *15* and as to whether the practice concerned may continue.
3. The Commission shall address its decision to the Member States and inform the service provider thereof, insofar as it is legally concerned. Any Member State may refer the Commission's decision to the Council within one month. The Council, acting by a qualified majority, may take a different decision within a period of one month.

CHAPTER IV

FINAL PROVISIONS

Article 17

Adjustment to technical progress

1. In order to make adaptations to technical developments, adjustments may be made to the Annexes in accordance with the procedure referred to in *Article 5(3)* of the framework Regulation.
2. The Commission shall publish implementing rules adopted on the basis of this Regulation in the Official Journal of the European Union.

Article 18

Confidentiality

1. Neither the national supervisory authorities, acting in accordance with their national legislation, nor the Commission shall disclose information of a confidential nature, in particular information about air navigation service providers, their business relations or their cost components.

Thursday 3 July 2003

2. Paragraph 1 shall be without prejudice to the right of disclosure by national supervisory authorities where it is essential for the purposes of fulfilling their duties, in which case such disclosure shall be proportionate and shall have regard to the legitimate interests of air navigation service providers in the protection of their business secrets.

3. Moreover, paragraph 1 shall not preclude disclosure of information, other than information of a confidential nature, on the conditions and performance of service provision.

Article 19

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 ..., ...

For the European Parliament
The President

For the Council
The President

ANNEX I

REQUIREMENTS FOR RECOGNISED ORGANISATIONS

The recognised organisation must:

- be able to document extensive experience in assessing public and private entities in the air transport sectors, in particular air navigation service providers, and in other similar sectors in one or more of the fields covered by this Regulation;
- have comprehensive rules and regulations for the periodic survey of the above mentioned entities, published and continually upgraded and improved through research and development programmes;
- not be controlled by air navigation service providers, by airport management authorities or by others engaged commercially in the provision of air navigation services or in air transport services;
- be established with a significant technical, managerial, support and research staff commensurate with the tasks to be carried out;
- be managed and administered in such a way as to ensure the confidentiality of information required by the administration;
- be prepared to provide relevant information to the national supervisory authority concerned;
- have defined and documented its policy and objectives for, and commitment to, quality and have ensured that this policy is understood, implemented and maintained at all levels in the organisation;

Thursday 3 July 2003

- have developed, implemented and maintained an effective internal quality system based on appropriate parts of internationally recognised quality standards and in compliance with EN 45004 (inspection bodies) and with EN 29001, as interpreted by the IACS Quality System Certification Scheme Requirements;
- be subject to certification of its quality system by an independent body of auditors recognised by the authorities of the Member State in which it is located.

ANNEX II

CONDITIONS TO BE ATTACHED TO CERTIFICATES

1. Certificates shall specify:

- a) the national supervisory authority issuing the certificate;
- b) the applicant (name and address);
- c) the services which are certified;
- d) a statement of the applicant's conformity with the common requirements, as defined in *Article 6*;
- e) the date of issue and the period of validity of the certificate.

2. Additional conditions attached to certificates may, as appropriate, be related to:

- a) the operational specifications for the particular services;
 - b) the time by which the services should be provided;
 - c) the various operating equipment to be used within the particular services;
 - d) ring-fencing or restriction of operations of services other than those related to the provision of air navigation services;
 - e) contracts, agreements or other arrangements between the services provider and a third party and which concern the service(s);
 - f) provision of information reasonably required for the verification of compliance of the services with the common requirements, including plans, financial and operational data, and major changes in the type and/or scope of air navigation services provided;
 - g) any other legal conditions which are not specific to air navigation services, such as conditions relating to the suspension or revocation of the certificate.
-

P5_TA(2003)0326

Single European Sky: Airspace ***II

European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council regulation on the organisation and use of the airspace in the Single European Sky ('the airspace Regulation') (15852/3/2002 — C5-0139/2003 — 2001/0236(COD))

(Codecision procedure: second reading)

The European Parliament,

- having regard to the Council common position (15852/3/2002 — C5-0139/2003) ⁽¹⁾,
 - having regard to its position at first reading ⁽²⁾ on the Commission proposal to Parliament and the Council (COM(2001) 564) ⁽³⁾,
 - having regard to the Commission's amended proposal (COM(2002) 658) ⁽⁴⁾,
 - having regard to Article 251(2) of the EC Treaty,
 - having regard to Rule 80 of its Rules of Procedure,
 - having regard to the recommendation for second reading of the Committee on Regional Policy, Transport and Tourism (A5-0225/2003),
1. Amends the common position as follows;
 2. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ OJ C 129 E, 3.6.2003, p. 11.

⁽²⁾ P5_TA(2002)0393.

⁽³⁾ OJ C 103 E, 30.4.2002, p. 35.

⁽⁴⁾ OJ C not yet published.

P5_TC2-COD(2001)0236

Position of the European Parliament adopted at second reading on 3 July 2003 with a view to the adoption of European Parliament and Council Regulation (EC) No .../2003 on the organisation and use of the airspace in the Single European Sky ('the airspace Regulation')

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 80(2) thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the Opinion of the European Economic and Social Committee ⁽²⁾,

⁽¹⁾ OJ C 103 E, 30.4.2002, p. 35.

⁽²⁾ OJ C 241, 7.10.2002, p. 24.

Thursday 3 July 2003

Having regard to the Opinion of the Committee of the Regions ⁽¹⁾,

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

Whereas:

- (1) The creation of the Single European Sky requires a harmonised approach for regulation of the organisation and the use of airspace.
- (2) The report of the High Level Group on the Single European Sky in November 2000 has confirmed the need for rules at Community level to design, regulate and **strategically** manage airspace on a European basis and enhance air traffic flow management.
- (3) The Communication of the Commission on the creation of the Single European Sky of 30 November 2001 calls for structural reform to permit the creation of the Single European Sky by way of **of integrated** management of airspace and the development of new concepts and procedures of air traffic management.
- (4) Regulation (EC) No .../2003 of the European Parliament and of the Council of ... (*the framework Regulation*) ⁽³⁾ lays down the framework for the creation of the Single European Sky.
- (5) In Article 1 of the 1944 Chicago Convention on Civil Aviation, the Contracting States recognise that 'every State has complete and exclusive sovereignty over the airspace above its territory'. It is within the framework of such sovereignty that the Member States of the Community, subject to applicable international conventions, exercise the powers of a public authority when controlling air traffic.
- (6) Airspace is a **common** resource that needs to be used flexibly by all users, ensuring fairness and transparency whilst taking into account security and defence needs of Member States and their commitments within international organisations.
- (7) Efficient airspace management is fundamental to increasing the capacity of the air traffic services system, to providing the optimum response to various user requirements and to achieving the most flexible use of airspace.
- (8) The activities of Eurocontrol confirm that the route network and airspace structure cannot realistically be developed in isolation, as each individual Member State is an integral element of the European Air Traffic Management Network ('EATMN'), both inside and outside the Community.
- (9) A **single** airspace should be established for en-route general air traffic in the upper airspace; the interface between upper and lower airspace should be identified accordingly.
- (10) A European Upper Flight Information Region ('EUIR') encompassing the upper airspace under the responsibility of the Member States within the scope of this Regulation should facilitate common planning and aeronautical information publication in order to overcome regional bottlenecks.
- (11) Airspace users face disparate conditions of access to, and freedom of movement within, the Community airspace. This is due to the lack of harmonisation in the classification of airspace.

⁽¹⁾ OJ C 278, 14.11.2002, p. 13.

⁽²⁾ Position of the European Parliament of 3 September 2002 (not yet published in the Official Journal), Council Common Position of 18 March 2003 (OJ C 129 E, 3.6.2003, p. 11) and position of the European Parliament of 3 July 2003.

⁽³⁾ See page ... of this Official Journal.

Thursday 3 July 2003

- (12) The reconfiguration of airspace should be based on operational requirements regardless of existing boundaries. ***The plan for creating uniform functional airspace blocks should be drawn up by Eurocontrol.***
- (13) It is essential to achieve a common, harmonised airspace structure in terms of routes and sectors, to base the present and future organisation of airspace on common principles, and to design and manage airspace in accordance with harmonised rules.
- (14) The concept of the flexible use of airspace should be applied effectively; it is necessary to optimise the use of sectors of airspace, especially during peak periods for general air traffic and in high-traffic airspace, by cooperation between Member States in respect of the use of such sectors for military operations and training. To that end, it is necessary to allocate the appropriate resources for an effective implementation of the concept of the flexible use of airspace, taking into account both civil and military requirements.
- (15) Differences in the organisation of civil-military cooperation in the Community restrict uniform and timely airspace management and the implementation of changes. The success of the Single European Sky is dependent upon effective cooperation between civil and military authorities, without prejudice to the prerogatives and responsibilities of the Member States in the field of defence.
- (16) Military operations and training should be safeguarded whenever the application of common principles and criteria is detrimental to their safe and efficient performance.
- (17) Adequate measures should be introduced to improve the effectiveness of air traffic flow management in order to assist existing operational units, including the Eurocontrol Central Flow Management Unit, to ensure efficient flight operations.
- (18) It is desirable to reflect upon the extension of upper airspace concepts to the lower airspace,

HAVE ADOPTED THIS REGULATION:

Chapter I

General

Article 1

Objective and scope

1. Within the scope of the framework Regulation, this Regulation concerns the organisation and the use of airspace in the Single European Sky. The objective of this Regulation is to support the concept of a **single** operating airspace within the context of the common transport policy and to establish common procedures for design, planning and management ensuring the efficient and safe performance of air traffic management.

2. The use of airspace shall support the operation of the air navigation services as a coherent and consistent whole in accordance with Regulation (EC) No .../2003 of the European Parliament and of the Council of ... on the provision of air navigation services in the Single European Sky ('the service provision Regulation')⁽¹⁾.

⁽¹⁾ See page ... of this Official Journal.

Thursday 3 July 2003

3. This Regulation shall apply to the airspace within the ICAO EUR and AFI regions where Member States are responsible for the provision of air traffic services in accordance with the service provision Regulation. Member States may also apply this Regulation to airspace under their responsibility within other ICAO regions, on condition that they inform the Commission and the other Member States thereof.

4. The Flight Information Regions comprised within the airspace to which this Regulation applies shall be published in the Official Journal of the European Union.

Chapter II

Airspace architecture

Article 2

Division level

The division level between upper and lower airspace shall be set at flight level 285.

Deviations from the division level that are justified in the light of operational requirements may be decided upon in agreement with the Member States concerned in accordance with the procedure referred in Article 5(3) of the framework Regulation.

Article 3

European Upper Flight Information Region (EUIR)

1. The Community and its Member States shall **achieve** the establishment and recognition by the ICAO of a single EUIR **by ... (*) at the latest**. To that effect, for matters which fall within the competence of the Community, the Commission shall submit a recommendation to the Council in accordance with Article 300 of the Treaty.

2. The EUIR shall be designed to encompass the airspace falling under the responsibility of the Member States in accordance with Article 1(3) and may also include airspace of European third countries.

3. The establishment of the EUIR shall be without prejudice to the responsibility of Member States for the designation of air traffic service providers for the airspace under their responsibility in accordance with Article 8(1) of the service provision Regulation.

4. Member States shall retain their responsibilities towards the ICAO within the geographical limits of the upper flight information regions and flight information regions entrusted to them by the ICAO on the date of entry into force of this Regulation.

5. Without prejudice to the publication by Member States of aeronautical information and in a manner consistent with this publication, the Commission, in close cooperation with Eurocontrol, shall coordinate the development of a single aeronautical information publication relating to the EUIR, taking account of relevant ICAO requirements.

Article 4

Creation of a European Lower Flight Information Region

Within five years of the establishment of the EUIR, the European Parliament and the Council, shall, on the basis of a proposal from the Commission, extend the concept referred to in Article 3(1) to include the creation of a European Lower Flight Information Region.

(*) 5 years from the date of entry into force of this Regulation.

Thursday 3 July 2003

Article 5

Airspace classification

The Commission and the Member States shall **designate the EUIR in accordance with a harmonised** airspace classification, designed to ensure the seamless provision of air navigation services within the framework of the Single European Sky, **establishing a single category of environment within which all air traffic is known to providers of air traffic services, with position and flight intentions**. This common approach shall be based on a simplified application of airspace classification, as defined within the Eurocontrol airspace strategy for the European Civil Aviation Conference States in accordance with ICAO standards.

The necessary implementing rules in this field shall be established in accordance with the procedure under Article 8 of the framework Regulation.

Article 6

Reconfiguration of the upper airspace

1. With a view to achieving maximum capacity and efficiency of the air traffic management network within the Single European Sky, and with a view to maintaining a high level of safety, the upper airspace shall be reconfigured into functional airspace blocks.

2. Functional airspace blocks shall, inter alia:

- a) be supported by a safety case;
- b) enable optimum use of airspace, taking into account air traffic flows;
- c) be justified by their overall added value, including optimal use of technical and human resources, on the basis of cost-benefit analyses;
- d) ensure a fluent and flexible transfer of responsibility for air traffic control between air traffic service units;
- e) ensure compatibility between the configurations of upper and lower airspace;
- f) comply with conditions stemming from regional agreements concluded within the ICAO; and
- g) respect regional agreements in existence on the date of entry into force of this Regulation, in particular those involving European third countries.

3. Common general principles for the establishment and modification of functional airspace blocks shall be developed in accordance with the procedure under Article 8 of the framework Regulation.

4. A functional airspace block shall only be established by mutual agreement between all Member States who have responsibility for any part of the airspace included in the block, or by a declaration of one Member State if the airspace included in the block is wholly under its responsibility. The Member State(s) concerned shall only act after having consulted interested parties, including the Commission and the other Member States.

5. In a case where a functional airspace block relates to airspace that is wholly or partly under the responsibility of two or more Member States, the agreement by which the block is established shall contain the necessary provisions concerning the way in which the block can be modified and the way in which a Member State can withdraw from the block, including transitional arrangements.

6. Where disputes arise between two or more Member States with regard to the definition of a cross-border functional airspace block, a final decision shall be taken in accordance with the procedure referred to in Article 5(3) of the framework Regulation and on the basis of the criteria laid down in paragraph 2 and the common general principles referred to in paragraph 3.

Thursday 3 July 2003

7. The decisions referred to in paragraphs 4 and 5 shall be notified to the Commission for publication in the Official Journal of the European Union. Such publication shall specify the date of entry into force of the relevant decision.

Article 7

Uniform airspace design

The structuring, division and categorising of airspace together with the planning of routes shall rely on a uniform, efficient and effective design process within the agreed concept of operation and shall be developed centrally.

Article 8

Optimised route and sector design in the upper airspace

1. Common principles and criteria for route and sector design shall be established to ensure the safe, economically efficient and environmentally friendly use of airspace. Sector design shall be coherent inter alia with route design.
2. The implementing rules in the fields covered by paragraph 1 shall be adopted in accordance with the procedure under Article 8 of the framework Regulation.
3. Decisions regarding the establishment or modification of routes and sectors shall require the approval of the Member States who have responsibility for the airspace to which such decisions apply.

Article 9

Consistency with the design for lower airspace

On the basis of the criteria specified in Article 6(2), as regards the concept of functional airspace blocks, the planning and design of lower airspace shall be harmonised to be consistent with upper airspace in accordance with the procedure referred to in Article 8 of the framework Regulation. The concept shall be extended to establish similar blocks in the lower airspace, particularly to address cross-border problems for short to medium flights.

Chapter III

Flexible use of airspace in the Single European Sky

Article 10

Civil-Military Cooperation

1. Taking into account the organisation of military aspects under their responsibility, Member States shall ensure the uniform application within the Single European Sky of the concept of the flexible use of airspace as described by the ICAO and as developed by Eurocontrol, in order to facilitate airspace management and air traffic management in the context of the common transport policy.
2. Member States shall ***work towards full integration of civil and military airspace and traffic flow management. Civil and military providers of air navigation services shall exchange data under the agreements provided for in Article 10 of the service provision Regulation.***
3. ***Subject to the general conditions for air traffic flow management, as defined under Article 12, criteria shall be established, in accordance with the procedure referred to in Article 8 of the framework Regulation:***
 - a) ***for the use of segregated airspace, including factors for the determination of horizontal and vertical extensions, the location of such airspace, and its sub-division into functional elements to be activated according to demand;***

Thursday 3 July 2003

b) *for the application of the concept of flexible use of airspace.*

4. Member States shall ensure the full integration of air defence in airspace management in order to allow full exploitation of airspace under certain agreed conditions and arrangements, taking into account national security requirements.

5. Without prejudice to international agreements and conventions to which the Community is a contracting party and in order to ensure the safety of civil aviation, Member States may require submission of a flight plan for any military flight entering the airspace where they have designated air traffic service providers in accordance with Article 8 of the service provision Regulation, regardless of the origin and/or the destination of the flight.

Article 11

Temporary suspension

1. In cases where the application of Article 10 gives rise to significant operational difficulties, Member States may temporarily suspend such application on condition that they inform without delay the Commission and the other Member States thereof.

2. Pursuant to Article 12 of the framework Regulation, Member States shall submit to the Commission the necessary information on the demand and actual use of airspace prohibited, closed, or restricted for military reasons, for further analysis and publication.

3. Following the introduction of a temporary suspension, adjustments to the rules adopted under Article 10(3) may be worked out for the airspace under the responsibility of the Member State(s) concerned, in accordance with the procedure under Article 8 of the framework Regulation.

Article 12

Air traffic flow management

1. Implementing rules for air traffic flow management shall be established in accordance with the procedure under Article 8 of the framework Regulation, with a view to optimising available capacity in the use of airspace and enhancing air traffic flow management processes. These rules shall be based on transparency and efficiency, ensuring that capacity is provided in a flexible and timely manner, consistent with the recommendations of the ICAO Regional Air Navigation Plan, European Region.

2. The implementing rules shall support operational decisions by air navigation service providers, airport operators and airspace users and shall cover the following areas:

a) flight planning;

b) use of available airspace capacity during all phases of flight, including slot assignment; and

c) use of routings by general air traffic, including

— the creation of a single publication for route and traffic orientation,

— options for diversion of general air traffic from congested areas, and

— priority rules regarding access to airspace for general air traffic, particularly during periods of congestion and crisis.

Thursday 3 July 2003

Chapter IV

Final **provisions**

Article 13

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 ..., ...

For the European Parliament
The President

For the Council
The President

P5_TA(2003)0327

Single European Sky: Interoperability of the European Air traffic management network *II**

European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council regulation on the interoperability of the European Air Traffic Management network ('the interoperability Regulation') (15854/3/2002 — C5-0140/2003 — 2001/0237(COD))

(Codecision procedure: second reading)

The European Parliament,

- having regard to the Council common position (15854/3/2002 — C5-0140/2003) ⁽¹⁾,
- having regard to its position at first reading ⁽²⁾ on the Commission proposal to Parliament and the Council (COM(2001) 564) ⁽³⁾,
- having regard to the Commission's amended proposal (COM(2002) 658) ⁽⁴⁾,
- having regard to Article 251(2) of the EC Treaty,
- having regard to Rule 80 of its Rules of Procedure,
- having regard to the recommendation for second reading of the Committee on Regional Policy, Transport and Tourism (A5-0225/2003),

⁽¹⁾ OJ C 129 E, 3.6.2003, p. 26.

⁽²⁾ P5_TA(2002)0394.

⁽³⁾ OJ C 103 E, 30.4.2002, p. 41.

⁽⁴⁾ OJ C not yet published.

Thursday 3 July 2003

1. Amends the common position as follows;
2. Instructs its President to forward its position to the Council and Commission.

P5_TC2-COD(2001)0237**Position of the European Parliament adopted at second reading on 3 July 2003 with a view to the adoption of European Parliament and Council Regulation (EC) No .../2003 on the interoperability of the European Air Traffic Management network ('the interoperability Regulation')**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 80(2) thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the Opinion of the Economic and Social Committee ⁽²⁾,

Having regard to the Opinion of the Committee of the Regions ⁽³⁾,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽⁴⁾,

Whereas:

- (1) In order to create the Single European Sky, measures should be adopted in relation to systems, constituents and associated procedures with the objective of ensuring the interoperability of the European air traffic management network ('EATMN') consistent with the provision of air navigation services as provided for in Regulation (EC) No .../2003 of the European Parliament and of the Council of ... on the provision of air navigation services in the Single European Sky ('the service provision Regulation') ⁽⁵⁾ and the organisation and use of airspace as provided for in Regulation (EC) No .../2003 of the European Parliament and of the Council of ... on the organisation and use of the airspace in the Single European Sky ('the airspace Regulation') ⁽⁶⁾.
- (2) The report of the High Level Group on the Single European Sky has confirmed the need to establish technical regulation on the basis of the 'new approach' in accordance with the Council resolution of 7 May 1985 on a new approach to technical harmonisation and standards ⁽⁷⁾ where essential requirements, rules and standards are complementary and consistent.
- (3) Regulation (EC) No .../2003 of the European Parliament and of the Council of ... ('the framework Regulation') ⁽⁸⁾ lays down the framework for the creation of the Single European Sky.

⁽¹⁾ OJ C 103 E, 30.4.2002, p. 41.

⁽²⁾ OJ C 241, 7.10.2002, p. 24.

⁽³⁾ OJ C 278, 14.11.2002, p. 13.

⁽⁴⁾ Position of the European Parliament of 3 September 2002 (not yet published in the Official Journal), Council Common Position of 18 March 2003 (OJ C 129 E, 3.6.2003, p. 26) and Position of the European Parliament of 3 July 2003.

⁽⁵⁾ See page ... of this Official Journal.

⁽⁶⁾ See page ... of this Official Journal.

⁽⁷⁾ OJ C 136, 4.6.1985, p. 1.

⁽⁸⁾ See page ... of this Official Journal.

Thursday 3 July 2003

- (4) The report of the High Level Group has confirmed that even though progress has been achieved during the last few years towards seamless operation of the EATMN, the situation still remains unsatisfactory, with a low level of integration between national air traffic management systems and a slow pace in the introduction of new concepts of operation and technology necessary to deliver the additional required capacity.
- (5) Enhancing the level of integration at Community level would result in better efficiency and lower costs for system procurement and maintenance and in improved operational coordination.
- (6) The predominance of national technical specifications used in procurement has led to fragmentation of the systems market and does not facilitate industrial cooperation at Community level; as a result, industry is particularly affected since it needs to considerably adapt its products for each national market; these practices render development and implementation of new technology unnecessarily difficult and slow down the introduction of new operational concepts that are required to increase capacity.
- (7) It is therefore in the interest of all those involved in air traffic management to develop a new partnership approach allowing the balanced involvement of all parties and stimulating creativity and the sharing of knowledge, experience and risks; such partnership should aim at defining, in cooperation with industry, a coherent set of Community specifications that can fulfil the widest possible range of needs.
- (8) The internal market is a Community objective and therefore measures taken under this Regulation should contribute to its progressive development in this sector.
- (9) It is therefore appropriate to define essential requirements which should apply to the European air traffic management network, its systems, constituents and associated procedures.
- (10) Implementing rules for interoperability should be drawn up for systems whenever necessary to complement or further refine the essential requirements; those rules should also be drawn up where necessary to facilitate the coordinated introduction of new, agreed and validated concepts of operation or technologies; compliance with those rules should be permanently maintained; those rules should rely on rules and standards developed by international organisations such as Eurocontrol or ICAO.
- (11) The development and adoption of Community specifications concerning EATMN, its systems and constituents and associated procedures is an appropriate means of defining the technical and operational conditions necessary to meet the essential requirements and relevant implementing rules for interoperability; compliance with published Community specifications, which remains voluntary, creates a presumption of conformity with the essential requirements and the relevant implementing rules for interoperability.
- (12) Community specifications should be established by the European standardisation bodies in conjunction with the European Organisation for Civil Aviation Equipment ('Eurocae') and by Eurocontrol, in accordance with general Community standardisation procedures.
- (13) The procedures governing the assessment of conformity or suitability for use of constituents should be based on the use of the modules covered by Council Decision 93/465/EEC of 22 July 1993 concerning the modules for the various phases of the conformity assessment procedures and the rules for the affixing and use of the CE conformity marking, which are intended to be used in the technical harmonisation directives⁽¹⁾; as far as necessary, these modules should be expanded to cover specific requirements of the industries concerned.

⁽¹⁾ OJ L 220, 30.8.1993, p. 23.

Thursday 3 July 2003

- (14) The market concerned is of small size and consists of systems and constituents used almost exclusively for air traffic management purposes and not intended for the general public; it would be therefore excessive to affix the CE mark to constituents as, on the basis of the assessment of conformity and/or suitability for use, the manufacturer's declaration of conformity is sufficient; that should not affect the obligation on manufacturers to affix the CE mark to certain constituents in order to certify their compliance with other Community legislation relating to them.
- (15) The putting into service of air traffic management systems should be subject to verification of compliance with the essential requirements and relevant implementing rules for interoperability; use of Community specifications creates a presumption of conformity with the essential requirements and relevant implementing rules for interoperability.
- (16) The full application of this Regulation should be accomplished by means of a transitional strategy designed to attain the objectives of this Regulation while not creating unjustified cost-benefit barriers to preservation of the existing infrastructure.
- (17) Within the framework of the relevant Community legislation, due account should be taken of the need to ensure:
- harmonised conditions with regard to the availability and efficient use of radio spectrum necessary for the implementation of the Single European Sky, including electromagnetic compatibility aspects,
 - protection of the safety-of-life services from harmful interference,
 - efficient and appropriate use of frequencies allocated to and managed exclusively by the aviation sector.
- (18) Council Directive 93/65/EEC of 19 July 1993 on the definition and use of compatible technical specifications for the procurement of air traffic management equipment and systems ⁽¹⁾ is limited to obligations of awarding entities; this Regulation is more comprehensive in that it addresses obligations of all actors, including air navigation service providers, airspace users, industry and airports, and provides both for rules applicable to all and for the adoption of Community specifications which, while being voluntary, creates a presumption of conformity with the essential requirements. Therefore, Directive 93/65/EEC, Commission Directive 97/15/EC of 25 March 1997 adopting Eurocontrol standards and amending Council Directive 93/65/EEC on the definition and use of compatible technical specifications for the procurement of air-traffic-management equipment and systems ⁽²⁾ and Commission Regulations (EC) No 2082/2000 of 6 September 2000 adopting Eurocontrol standards and amending Directive 97/15/EC ⁽³⁾ and (EC) No 980/2002 of 4 June 2002 amending Regulation (EC) No 2082/2000 should be repealed after a transitional period.

⁽¹⁾ OJ L 187, 29.7.1993, p. 52. Directive as last amended by Commission Directive 97/15/EC (OJ L 95, 10.4.1997, p. 16).

⁽²⁾ OJ L 95, 10.4.1997, p. 16. Directive as last amended by Regulation (EC) No 2082/2000 (OJ L 254, 9.10.2000, p. 1).

⁽³⁾ OJ L 254, 9.10.2000, p. 1. Regulation as last amended by Regulation (EC) No 980/2002 (OJ L 150, 8.6.2002, p. 38).

Thursday 3 July 2003

- (19) For reasons of legal certainty it is important to ensure that the substance of certain provisions of Community legislation adopted on the basis of Directive 93/65/EEC remains in force unchanged. The adoption under this Regulation of the implementing rules corresponding to such provisions will necessitate a certain amount of time,

HAVE ADOPTED THIS REGULATION:

CHAPTER I

General Provisions

Article 1

Objective and scope

1. Within the scope of the framework Regulation, this Regulation concerns the interoperability of the EATMN.
2. This Regulation shall apply to the systems, their constituents and associated procedures identified in Annex I.
3. The objective of this Regulation is to achieve interoperability between the different systems, constituents and associated procedures of the EATMN, taking due account of the relevant international rules. This Regulation aims also at ensuring the coordinated and rapid introduction of new agreed and validated concepts of operations or technology in air traffic management.

CHAPTER II

Essential requirements, implementing rules for interoperability and Community Specifications

Article 2

Essential requirements

The EATMN, its systems and their constituents and associated procedures shall meet essential requirements. The essential requirements are set out in Annex II.

Article 3

Implementing rules for interoperability

1. Implementing rules for interoperability shall be drawn up whenever necessary to achieve in a coherent way the objectives of this Regulation.
2. Systems, constituents and associated procedures shall comply with the relevant implementing rules for interoperability throughout their lifecycle.
3. Implementing rules for interoperability shall in particular:
 - a) determine any specific requirements that complement or refine the essential requirements, in particular in terms of safety, seamless operation and performance; and/or
 - b) describe, where appropriate, any specific requirements that complement or refine the essential requirements, in particular regarding the coordinated introduction of new, agreed and validated concepts of operation or technologies; and/or

Thursday 3 July 2003

- c) determine the constituents when dealing with systems; and/or
- d) describe the specific conformity assessment procedures involving, where appropriate, notified bodies as referred to in Article 8, based on the modules defined in Decision 93/465/EEC to be used to assess either the conformity or the suitability for use of constituents as well as the verification of systems; and/or
- e) specify the conditions of implementation including, where appropriate, the date by which all relevant stakeholders are required to comply with them.

4. The preparation, adoption and review of implementing rules for interoperability shall take into account the estimated costs and benefits of technical solutions by means of which they may be complied with, with a view to defining the most viable solution, having due regard to the maintenance of an agreed high level of safety. An assessment of the costs and benefits of those solutions for all stakeholders concerned shall be attached to each draft implementing rule for interoperability.

5. Implementing rules for interoperability shall be established in accordance with the procedure under Article 8 of the framework Regulation.

Article 4

Community specifications

1. In pursuit of the objective of this Regulation, Community specifications may be established. Such specifications may be:

- a) European standards for systems or constituents, together with the relevant procedures, drawn up by the European standardisation bodies in cooperation with Eurocae, on a mandate from the Commission in accordance with Article 6(4) of Directive 98/34/EC of the European Parliament and of the Council of 22 June 1998 laying down a procedure for the provision of information in the field of technical standards and regulations⁽¹⁾ and pursuant to the general guidelines on cooperation between the Commission and the standardisation bodies signed on 13 November 1984;

or

- b) specifications drawn up by Eurocontrol on matters of operational coordination between air navigation service providers, in response to a request from the Commission in accordance with the procedure referred to in Article 5(2) of the framework Regulation.

2. Compliance with the essential requirements and/or the implementing rules for interoperability shall be presumed for systems, together with the associated procedures, or constituents that meet the relevant Community specifications and whose reference numbers have been published in the Official Journal of the European Union.

3. The Commission shall publish the references to the European standards referred to in *paragraph 1(a)* in the Official Journal of the European Union.

4. The references to Eurocontrol specifications referred to in *paragraph 1(b)*, shall be published by the Commission in the Official Journal of the European Union in accordance with the procedure referred to in Article 5(2) of the framework Regulation.

5. Where a Member State or the Commission considers that conformity with a published Community specification does not ensure compliance with the essential requirements and/or implementing rules for interoperability which the said Community specification is intended to cover, the procedure referred to in Article 5(2) of the framework Regulation shall apply.

⁽¹⁾ OJ L 204, 21.7.1998, p. 37. Directive as last amended by Directive 98/48/EC (OJ L 217, 5.8.1998, p. 18).

Thursday 3 July 2003

6. In the case of shortcomings of published European standards, partial or total withdrawal of the standards concerned from the publications containing them, or amendments thereto, may be decided upon in accordance with the procedure referred to in Article 5(2) of the framework Regulation after consultation of the committee set up under Article 5 of Directive 98/34/EC.

7. In the case of shortcomings of published Eurocontrol specifications, partial or total withdrawal of the specifications concerned from the publications containing them, or amendment thereof, may be decided upon in accordance with the procedure referred to in Article 5(2) of the framework Regulation.

CHAPTER III

Verification of compliance

Article 5

EC declaration of conformity or suitability for use of constituents

1. Constituents shall be accompanied by an EC declaration of conformity or suitability for use. The elements of this declaration are set out in Annex III.
2. The manufacturer, or its authorised representative established in the Community, shall ensure and declare, by means of the EC declaration of conformity or suitability for use, that he has applied the provisions laid down in the essential requirements and in the relevant implementing rules for interoperability.
3. Compliance with the essential requirements and the relevant implementing rules for interoperability shall be presumed in relation to those constituents that are accompanied by the EC declaration of conformity or suitability for use.
4. The relevant implementing rules for interoperability shall identify, where appropriate, the tasks pertaining to the assessment of conformity or suitability for use of constituents to be carried out by the notified bodies referred to in Article 8.

Article 6

EC declaration of verification of systems

1. Systems shall be subject to an EC verification by the air navigation service provider in accordance with the relevant implementing rules for interoperability, in order to ensure that they meet the essential requirements of this Regulation and the implementing rules for interoperability, when integrated into the EATMN.
2. Before a system is put into service, the relevant air navigation service provider shall establish an EC declaration of verification, confirming compliance, and shall submit it to the national supervisory authority together with a technical file. The elements of this declaration and of the technical file are set out in Annex IV. The national supervisory authority may require any additional information necessary to supervise such compliance.
3. The relevant implementing rules for interoperability shall identify, where appropriate, the tasks pertaining to the verification of systems to be carried out by the notified bodies as referred to in Article 8.
4. The EC declaration of verification shall be without prejudice to any assessments that the national supervisory authority may need to carry out on grounds other than interoperability.

Thursday 3 July 2003

Article 7
Safeguards

1. Where the national supervisory authority ascertains that:

a) a constituent accompanied by an EC declaration of conformity or suitability for use, or

b) a system accompanied by the EC declaration of verification

does not comply with the essential requirements and/or relevant implementing rules for interoperability, it shall, with due regard to the need to ensure safety and continuity of operations, take all measures necessary to restrict the area of application of the constituent or the system concerned or to prohibit its use by the entities under the responsibility of the authority.

2. The Member State concerned shall immediately inform the Commission of any such measures, indicating its reasons and, in particular, whether in its opinion non-compliance with the essential requirements is due to:

a) failure to meet the essential requirements;

b) incorrect application of the implementing rules for interoperability and/or Community specifications;

c) shortcomings in the implementing rules for interoperability and/or Community specifications.

3. As soon as possible, the Commission shall consult the parties concerned. After such consultation, the Commission shall inform the Member State of its findings and of its opinion as to whether the measures taken by the national supervisory authority are justified.

4. Where the Commission establishes that the measures taken by the national supervisory authority are not justified, it shall request the Member State concerned to ensure that they are withdrawn without delay. It shall forthwith so inform the manufacturer or its authorised representative established in the Community.

5. Where the Commission establishes that non-compliance with the essential requirements is due to incorrect application of the implementing rules for interoperability and/or the Community specifications, the Member State concerned shall take appropriate measures against the originator of the declaration of conformity or suitability for use or the EC declaration of verification and shall inform the Commission and the other Member States thereof.

6. Where the Commission establishes that non-compliance with the essential requirements is due to shortcomings in the Community specifications, the procedures referred to in Article 4(6) or (7) shall apply.

Article 8
Notified bodies

1. Member States shall notify the Commission and the other Member States of the bodies they have appointed to carry out tasks pertaining to the assessment of conformity or suitability for use referred to in Article 5, and/or the verification referred to in Article 6, indicating each body's area of responsibility and its identification number obtained from the Commission. The Commission shall publish in the Official Journal of the European Union the list of bodies, their identification numbers and areas of responsibility, and shall keep the list updated.

Thursday 3 July 2003

2. Member States shall apply the criteria provided for in Annex V for the assessment of the bodies to be notified. Bodies meeting the assessment criteria provided for in the relevant European standards shall be deemed to meet the said criteria.

3. Member States shall withdraw notification of a notified body which no longer meets the criteria provided for in Annex V. It shall forthwith inform the Commission and the other Member States thereof.

4. Without prejudice to the requirements referred to in paragraphs 1, 2 and 3, Member States may decide to appoint organisations recognised in conformity with Article 3 of the service provision Regulation as notified bodies.

CHAPTER IV

Final Provisions

Article 9

Revision of Annexes

In case of any technical or operational developments, adjustments may be made to Annexes I and II in accordance with the procedure referred to in Article 5(3) of the framework Regulation.

Article 10

Transitional arrangements

1. Starting from ... (*), the essential requirements shall apply to the putting into service of systems and constituents of the EATMN, if not otherwise specified by the relevant implementing rules for interoperability.

2. Compliance with the essential requirements shall be required for all systems and constituents of the EATMN currently in operation by ... (**), if not otherwise specified by the relevant implementing rules for interoperability.

3. Where systems of the EATMN have been ordered or binding contracts to that effect have been signed

— before the date of entry into force of this Regulation, or, where appropriate,

— before the date of entry into force of one or more relevant implementing rules for interoperability,

so that compliance with the essential requirements and/or the relevant implementing rules for interoperability cannot be guaranteed within the time limit mentioned in paragraph 1, the Member State concerned shall communicate to the Commission detailed information on the essential requirements and/or implementing rules for interoperability where uncertainty of compliance has been identified.

The Commission shall enter into consultation with the parties concerned, after which it shall take a decision in accordance with the procedure referred to in Article 5(3) of the framework Regulation.

Article 11

Repeal

Directives 93/65/EEC and 97/15/EC and Regulations (EC) Nos 2082/2000 and 980/2002 shall be repealed on ... (***) .

(*) **The** date of entry into force of this Regulation.

(**) **4 years** after the date of entry into force of this Regulation.

(***) 18 months after the date of entry into force of this Regulation.

Thursday 3 July 2003

Article 12
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 ..., ...

For the European Parliament
The President

For the Council
The President

ANNEX I

LIST OF SYSTEMS FOR AIR NAVIGATION SERVICES

For the purpose of this Regulation the EATMN is subdivided into eight systems.

1. Systems and procedures for airspace management.
2. Systems and procedures for air traffic flow management.
3. Systems and procedures for air traffic services, in particular flight data processing systems, surveillance data processing systems and human-machine interface systems.
4. Communications systems and procedures for ground-to-ground, air-to-ground and air-to-air communications.
5. Navigation systems and procedures.
6. Surveillance systems and procedures.
7. Systems and procedures for aeronautical information services.
8. Systems and procedures for the use of meteorological information.

ANNEX II

ESSENTIAL REQUIREMENTS

Part A: GENERAL REQUIREMENTS

These are network-wide requirements that are generally applicable to each one of the systems identified in Annex I.

Thursday 3 July 2003

1. Seamless operation

Air traffic management systems and their constituents shall be designed, built, maintained and operated using the appropriate and validated procedures, in such a way as to ensure the seamless operation of the EATMN at all times and for all phases of flight. Seamless operation can be expressed, in particular, in terms of information-sharing, including the relevant operational status information, common understanding of information, comparable processing performances and the associated procedures enabling common operational performances agreed for the whole or parts of the EATMN.

2. Support for new concepts of operation

The EATMN, its systems and their constituents shall support, on a coordinated basis, new agreed and validated concepts of operation that improve the quality and effectiveness of air navigation services, in particular in terms of safety and capacity.

The potential of new concepts, such as collaborative decision-making, increasing automation and alternative methods of delegation of separation responsibility, shall be examined taking due account of technological developments and of their safe implementation, following validation.

3. Safety

Systems and operations of the EATMN shall achieve agreed high levels of safety. Agreed safety management and reporting methodologies shall be established to achieve this.

In respect of appropriate ground-based systems, or parts thereof, these high levels of safety shall be enhanced by safety nets which shall be subject to agreed common performance characteristics.

A harmonised set of safety requirements for the design, implementation, maintenance and operation of systems and their constituents, both for normal and degraded modes of operation, shall be defined with a view to achieving the agreed safety levels, for all phases of flight and for the entire EATMN.

Systems shall be designed, built, maintained and operated, using the appropriate and validated procedures, in such a way that the tasks assigned to the control staff are compatible with human capabilities, in both the normal and degraded modes of operation, and are consistent with required safety levels.

Systems shall be designed, built, maintained and operated using the appropriate and validated procedures, in such a way as to be free from harmful interference in their normal operational environment.

4. Civil-military coordination

The EATMN, its systems and their constituents shall support the progressive implementation of civil/military coordination, to the extent necessary for effective airspace and air traffic flow management, and the safe and efficient use of airspace by all users, through the application of the concept of the flexible use of airspace.

To achieve these objectives, the EATMN, its systems and their constituents shall support the timely sharing of correct and consistent information covering all phases of flight, between civil and military parties.

Account should be taken of national security requirements.

Thursday 3 July 2003

5. Environmental constraints

Systems and operations of the EATMN shall take into account the need to minimise environmental impact in accordance with Community legislation.

6. Principles governing the logical architecture of systems

Systems shall be designed and progressively integrated with the objective of achieving a coherent and increasingly harmonised, evolutionary and validated logical architecture within the EATMN.

7. Principles governing the construction of systems

Systems shall be designed, built and maintained on the grounds of sound engineering principles, in particular those relating to modularity, enabling interchangeability of constituents, high availability, and redundancy and fault tolerance of critical constituents.

Part B: SPECIFIC REQUIREMENTS

These are the requirements that are specific to each one of the systems and that complement or further refine the general requirements.

1. Systems and procedures for airspace management

1.1. Seamless operation

Information relating to pre-tactical and tactical aspects of airspace availability shall be provided to all interested parties in a correct and timely way so as to ensure an efficient allocation and use of airspace by all airspace users. This should take into account national security requirements.

2. Systems and procedures for air traffic flow management

2.1. Seamless operation

Systems and procedures for air traffic flow management shall support the sharing of correct, coherent and relevant strategic, pre-tactical and tactical, as applicable, flight information covering all phases of flight and offer dialogue capabilities with a view to achieving optimised use of airspace.

3. Systems and procedures for air traffic services

3.1. Flight data processing systems

3.1.1. Seamless operation

Flight data processing systems shall be interoperable in terms of the timely sharing of correct and consistent information, and a common operational understanding of that information, in order to ensure a coherent and consistent planning process and resource-efficient tactical coordination throughout the EATMN during all phases of flight.

In order to ensure safe, smooth and expeditious processing throughout the EATMN, flight data processing performances shall be equivalent and appropriate for a given environment (surface, terminal manoeuvring area (TMA), en-route), with known traffic characteristics and exploited under an agreed and validated operational concept, in particular in terms of accuracy and error tolerance of processing results.

3.1.2. Support for new concepts of operation

Flight data processing systems shall accommodate the progressive implementation of advanced, agreed and validated concepts of operation for all phases of flight.

Thursday 3 July 2003

The characteristics of automation-intensive tools must be such as to enable coherent and efficient pre-tactical and tactical processing of flight information in parts of the EATMN.

Airborne and ground systems and their constituents supporting new, agreed and validated concepts of operation shall be designed, built, maintained and operated, using appropriate and validated procedures, in such a way as to be interoperable in terms of timely sharing of correct and consistent information and a common understanding of the current and predicted operational situation.

3.2. Surveillance data processing systems

3.2.1. Seamless operation

Surveillance data processing systems shall be designed, built, maintained and operated using the appropriate and validated procedures, in such a way as to provide the required performance and quality of service within a given environment (surface, TMA, en-route) with known traffic characteristics, in particular in terms of accuracy and reliability of computed results, correctness, integrity, availability, continuity and timeliness of information at the control position.

Surveillance data processing systems shall accommodate the timely sharing of relevant, accurate, consistent and coherent information between them to ensure optimised operations through different parts of the EATMN.

3.2.2. Support for new concepts of operation

Surveillance data processing systems shall accommodate the progressive availability of new sources of surveillance information in such a way as to improve the overall quality of service.

3.3. Human-machine interface systems

3.3.1. Seamless operation

Human-machine interfaces of ground air traffic management systems shall be designed, built, maintained and operated using the appropriate and validated procedures, in such a way as to offer to all control staff a progressively harmonised working environment, including functions and ergonomics, meeting the required performance for a given environment (surface, TMA, en-route), with known traffic characteristics.

3.3.2. Support for new concepts of operation

Human-machine interface systems shall accommodate the progressive introduction of new, agreed and validated concepts of operation and increased automation, in such a way as to ensure that the tasks assigned to the control staff remain compatible with human capabilities, in both the normal and degraded modes of operation.

4. Communications systems and procedures for ground-to-ground, air-to-ground and air-to-air communications

4.1. Seamless operation

Communication systems shall be designed, built, maintained and operated using the appropriate and validated procedures, in such a way as to achieve the required performances within a given volume of airspace or for a specific application, in particular in terms of communication processing time, integrity, availability and continuity of function.

The communications network within the EATMN shall be such as to meet the requirements of quality of service, coverage and redundancy.

Thursday 3 July 2003

4.2. Support for new concepts of operation

Communication systems shall support the implementation of advanced, agreed and validated concepts of operation for all phases of flight.

5. Navigation systems and procedures

5.1. Seamless operation

Navigation systems shall be designed, built, maintained and operated using appropriate and validated procedures in such a way as to achieve the required horizontal and vertical navigation performance, in particular in terms of accuracy and functional capability, for a given environment (surface, TMA, en-route), with known traffic characteristics and exploited under an agreed and validated operational concept.

6. Surveillance systems and procedures

6.1. Seamless operation

Surveillance systems shall be designed, built, maintained and operated using appropriate and validated procedures in such a way as to provide the required performance applicable in a given environment (surface, TMA, en-route) with known traffic characteristics and exploited under an agreed and validated operational concept, in particular in terms of accuracy, coverage, range and quality of service.

The surveillance network within the EATMN shall be such as to meet the requirements of accuracy, timeliness, coverage and redundancy. The surveillance network shall enable surveillance data to be shared in order to enhance operations throughout the EATMN.

7. Systems and procedures for aeronautical information services

7.1. Seamless operation

Accurate, timely and consistent aeronautical information shall be provided progressively in an electronic form, based on a commonly agreed and standardised data set.

Accurate and consistent aeronautical information, in particular concerning airborne and ground-based constituents or systems, shall be made available in a timely manner.

7.2. Support for new concepts of operation

Increasingly accurate, complete and up-to-date aeronautical information shall be made available and used in a timely manner in order to support continuous improvement of the efficiency of airspace and airport use.

8. Systems and procedures for the use of meteorological information

8.1. Seamless operation

Systems and procedures for the use of meteorological information shall improve the consistency and timeliness of its provision and the quality of its presentation, using an agreed data set.

Thursday 3 July 2003

8.2. Support for new concepts of operation

Systems and procedures for the use of meteorological information shall improve the promptness of its availability and the speed with which it may be used, in order to support continuous improvement of the efficiency of airspace and airport use.

ANNEX III

CONSTITUENTS

- EC declaration of conformity
- EC declaration of suitability for use

1. Constituents

The constituents will be identified in the implementing rules for interoperability in accordance with the provisions of Article [3] of this Regulation.

2. Scope

The EC declaration covers:

- either the assessment of the intrinsic conformity of a constituent, considered in isolation, with the Community specifications to be met, or
- the assessment/judgment of the suitability for use of a constituent, considered within its air traffic management environment.

The assessment procedures implemented by the notified bodies at the design and production stages will draw upon the modules defined in Decision 93/465/EEC, in accordance with the conditions set out in the relevant implementing rules for interoperability.

3. Contents of the EC declaration

The EC declaration of conformity or suitability for use and the accompanying documents must be dated and signed.

That declaration must be written in the same language as the instructions and must contain the following:

- the Regulation references,
- the name and address of the manufacturer or its authorised representative established within the Community (give trade name and full address and, in the case of the authorised representative, also give the trade name of the manufacturer),
- description of the constituent,
- description of the procedure followed in order to declare conformity or suitability for use (Article 5 of this Regulation),
- all of the relevant provisions met by the constituent and in particular its conditions of use,

Thursday 3 July 2003

- if applicable, name and address of notified body or bodies involved in the procedure followed in respect of conformity or suitability for use and date of examination certificate together, where appropriate, with the duration and conditions of validity of the certificate,
- where appropriate, reference to the Community specifications followed,
- identification of signatory empowered to enter into commitments on behalf of the manufacturer or of the manufacturer's authorised representative established in the Community.

ANNEX IV

SYSTEMS

EC declaration of verification of systems

Verification procedure for systems

1. Contents of EC declaration of verification of systems

The EC declaration of verification and the accompanying documents must be dated and signed. That declaration must be written in the same language as the technical file and must contain the following:

- the Regulation references,
- name and address of the air navigation service provider (trade name and full address),
- a brief description of the system,
- description of the procedure followed in order to declare conformity of the system (Article 6 of this Regulation),
- name and address of the notified body which carried out tasks pertaining to the verification procedure, if applicable,
- the references of the documents contained in the technical file,
- where appropriate, reference to the Community specifications,
- all the relevant temporary or definitive provisions to be complied with by the systems and in particular, where appropriate, any operating restrictions or conditions,
- if temporary: duration of validity of the EC declaration,
- identification of the signatory.

2. Verification procedure for systems

Verification of systems is the procedure whereby an air navigation service provider checks and certifies that a system complies with this Regulation and may be put into operation on the basis of this Regulation.

The system is checked for each of the following aspects:

- overall design,

Thursday 3 July 2003

- development and integration of the system, including in particular constituent assembly and overall adjustments,
- operational system integration,
- specific system maintenance provisions if applicable.

Where involvement of a notified body is required by the relevant implementing rule for interoperability, the notified body, after having carried out the tasks incumbent upon it in accordance with the rule, draws up a certificate of conformity in relation to the tasks it carried out. This certificate is intended for the air navigation service provider.

This provider then draws up the EC declaration of verification intended for the national supervisory authority.

3. Technical file

The technical file accompanying the EC declaration of verification must contain all the necessary documents relating to the characteristics of the system, including conditions and limits of use, as well as the documents certifying conformity of constituents where appropriate.

The following documents shall be included as a minimum:

- indication of the relevant parts of the technical specifications used for procurement that ensure compliance with the applicable implementing rules for interoperability and, where appropriate, the Community specifications,
- list of constituents as referred to in Article 3 of this Regulation,
- copies of the EC declaration of conformity or suitability for use with which the above mentioned constituents must be provided in accordance with Article 5 of this Regulation accompanied, where appropriate, by a copy of the records of the tests and examinations carried out by the notified bodies,
- where a notified body has been involved in the verification of the system(s), a certificate countersigned by itself, stating that the system complies with this Regulation and mentioning any reservations recorded during performance of activities and not withdrawn,
- where there has not been involvement of a notified body, a record of the tests and installation configurations made with a view to ensuring compliance with essential requirements and any particular requirements contained in the relevant implementing rules for interoperability.

4. Submission

The technical file must be attached to the EC declaration of verification which the air navigation service provider submits to the national supervisory authority.

A copy of the technical file must be kept by the provider throughout the service life of the system. It must be sent to any other Member States which so request.

ANNEX V

NOTIFIED BODIES

1. The body, its Director and the staff responsible for carrying out the checks may not become involved, either directly or as authorised representatives, in the design, manufacture, marketing or maintenance of the constituents or systems or in their use. This does not exclude the possibility of an exchange of technical information between the manufacturer or constructor and that body.
2. The body and the staff responsible for the checks must carry out the checks with the greatest possible professional integrity and the greatest possible technical competence and must be free of any pressure and incentive, in particular of a financial type, which could affect their judgment or the results of their inspection, in particular from persons or groups of persons affected by the results of the checks.
3. The body must employ staff and possess the means required to perform adequately the technical and administrative tasks linked with the checks; it should also have access to the equipment needed for exceptional checks.
4. The staff responsible for inspection must have:
 - sound technical and vocational training,
 - satisfactory knowledge of the requirements of the inspections they carry out and adequate experience of such operations,
 - the ability required to draw up the declarations, records and reports to demonstrate that the inspections have been carried out.
5. The impartiality of the inspection staff must be guaranteed. Their remuneration must not depend on the number of inspections carried out or on the results of such inspections.
6. The body must take out liability insurance unless its liability is assumed by the Member State in accordance with national law, or the Member State itself is directly responsible for the inspections.
7. The staff of the body must observe professional secrecy with regard to all information acquired in carrying out their tasks under this Regulation.

P5_TA(2003)0328

Transitional transit system applicable to heavy goods vehicles travelling through Austria for 2004 *II**

European Parliament legislative resolution the common position adopted by the Council with a view to the adoption of a regulation of the European Parliament and of the Council establishing a transitional transit system applicable to heavy goods vehicles travelling through Austria for 2004 (6235/1/2003 — C5-0226/2003 — 2001/0310(COD))

(Codecision procedure: second reading)

Thursday 3 July 2003

The European Parliament,

- having regard to the Council common position (6235/1/2003 — C5-0226/2003) ⁽¹⁾,
 - having regard to its position at first reading ⁽²⁾ on the Commission proposal to Parliament and the Council (COM(2001) 807) ⁽³⁾,
 - having regard to Article 251(2) of the EC Treaty,
 - having regard to Rule 80 of its Rules of Procedure,
 - having regard to the recommendation for second reading of the Committee on Regional Policy, Transport and Tourism (A5-0213/2003),
1. Amends the common position as follows;
 2. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ Not yet published in the Official Journal.

⁽²⁾ P5_TA(2003)0048.

⁽³⁾ OJ C 103 E, 30.4.2002, p. 230.

P5_TC2-COD(2001)0310

Position of the European Parliament adopted at second reading on 3 July 2003 with a view to the adoption of European Parliament and Council Regulation (EC) No .../2003 establishing a transitional points system applicable to heavy goods vehicles travelling through Austria for 2004 within the framework of a sustainable transport policy for the sensitive Alpine region

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 71(1) thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the Opinion of the European Economic and Social Committee ⁽²⁾,

Having regard to the opinion of the Committee of the Regions ⁽³⁾,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽⁴⁾,

Whereas:

- (1) Article 11(2)(a) of Protocol 9 to the Act of Accession of the Republic of Austria to the European Union ⁽⁵⁾ stipulates that the ecopoint system will lapse on 31 December 2003.

⁽¹⁾ OJ C 103 E, 30.4.2002, p. 230.

⁽²⁾ OJ C 221, 17.9.2002, p. 84.

⁽³⁾ OJ C ...

⁽⁴⁾ *Position* of the European Parliament of 12 February 2003 (not yet published in the Official Journal), Council Common Position of 28 March 2003 (not yet published in the Official Journal) and *Position* of the European Parliament of 3 July 2003.

⁽⁵⁾ OJ C 241, 29.8.1994, p. 361.

Thursday 3 July 2003

- (2) Paragraph 58 of the conclusions of the Laeken European Council of 14 and 15 December 2001 requested that the ecopoint system be extended as a temporary solution. This extension is in keeping with policy on environmental protection in vulnerable areas such as the Alpine region. Paragraph 35 of the conclusions of the Copenhagen European Council of 12 and 13 December 2002 requested the Council to adopt, before the end of 2002, a Regulation on the interim solution for the transit of heavy goods vehicles through Austria 2004-2006.
- (3) This measure is required pending adoption of the framework proposal on charging for the use of infrastructure, as set out in the White Paper on European transport policy for 2010 which the Commission has declared it intends to present in 2003.
- (4) ***This measure is also justified by the need to protect the environment and therefore the local population from the extremely serious consequences of air and noise pollution caused by the transit of very high numbers of heavy goods vehicles.***
- (5) ***The European Environment Agency notes that enlargement of the European Union is likely to result in a huge increase in transit traffic. The scope of this Regulation should therefore be extended with a view to enlargement to include the applicant countries.***
- (6) ***The United Nations declared 2002 the International Year of Mountains and has been promoting the protection and sustainable use of mountain areas in order to ensure the well-being of people living in both mountain and lowland areas.***
- (7) ***The Convention on the protection of the Alps (Alpine Convention), signed and approved by the European Community⁽¹⁾, lays down various rules to reduce heavy goods traffic in the Alpine area. In particular, it provides that the volume of and dangers posed by intra-Alpine and transalpine traffic are to be reduced to a level which is not harmful to humans, animals and plants and their habitats.***
- (8) 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⁽²⁾.
- (9) ***It is essential to find non-discriminatory solutions to reconcile the obligations deriving from the Treaty (including Articles 6, 51(1) and 71), for instance as regards free movement of services and goods and protection of the environment and the local population, and from other international conventions and treaties such as the Alpine Convention and in particular the Transport Protocol thereto — which the European Union needs to ratify as a matter of urgency — and the Kyoto Agreement.***
- (10) A transitional **points** system should therefore be established for the year 2004,

HAVE ADOPTED THIS REGULATION:

Article 1

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

- a) 'vehicle' means vehicle as defined in Article 2 of Council Regulation (EEC) No 881/92 of 26 March 1992 on access to the market in the carriage of goods by road within the Community to or from the territory of a Member State or passing across the territory of one or more Member States⁽³⁾;

⁽¹⁾ Council Decision 96/191/EC of 26 February 1996 (OJ L 61, 12.3.1996, p. 31).

⁽²⁾ OJ L 184, 17.7.1999, p. 23.

⁽³⁾ OJ L 95, 9.4.1992, p. 1. Regulation as last amended by Regulation (EC) No 484/2002 of the European Parliament and of the Council (OJ L 76, 19.3.2002, p. 1).

Thursday 3 July 2003

- b) 'international carriage' means international carriage as defined in Article 2 of Regulation (EEC) No 881/92;
- c) 'transit traffic through **the Austrian Alps**' means traffic through **the Austrian Alps** from a point of departure to a point of arrival, both of which lie outside Austria;
- d) 'heavy goods vehicle' means *any* motor *vehicle* with a maximum authorised weight of more than 7,5 tonnes registered in a Member State and designed for the transport of freight and *any* trailer or semi-trailer *combination* with a maximum authorised weight of more than 7,5 tonnes drawn by a motor vehicle with a maximum authorised vehicle weight not exceeding 7,5 tonnes registered in a Member State;
- e) 'transit of goods by road through **the Austrian Alps**' means transit traffic of heavy goods vehicles through **the Austrian Alps**, whether such vehicles are loaded or empty;
- f) 'bilateral journeys' means international journeys on routes carried out by a given vehicle where the point of departure or point of arrival is located in Austria and the respective point of arrival or point of departure is located in another Member State and where unloaded journeys are carried out in conjunction with these journeys;
- g) '**sensitive Alpine region**' means **the transfrontier area comprising the whole of the Alpine arc as defined in geographical terms in the Alpine Convention.**

Article 2

This Regulation shall apply to the international carriage of goods by road on journeys carried out within the territory of the Community. The transitional **points** system implies no direct limitation in the number of transits through *the Austrian Alps*.

Article 3

1. For journeys which involve transit of goods by road through *the Austrian Alps*, the regime established for journeys on own account and for journeys for hire or reward under the First Council Directive on the establishment of common rules for certain types of carriage of goods by road of 23 July 1962 ⁽¹⁾ and Regulation (EEC) No 881/92 shall apply subject to the provisions of this Article.

2. **During the period for which the transitional points system is introduced** the following provisions shall apply:

- (a) The transit of Euro 4-standard heavy goods vehicles is not subject to the transitional **points** system;
- (b) The transit of Euro-0 heavy goods vehicles is prohibited, **except in 2004**;
- (c) The total NO_x emissions from heavy goods vehicles crossing Austria in transit shall be set according to the values given for the year concerned in Annex I;
- (d) **The total** NO_x emissions **attributable to** heavy goods vehicles shall be **determined on the basis of the formerecopoint system as laid down in Protocol 9 to the Act of Accession of the Republic of Austria to the European Union**. Under that system any heavy goods **vehicle shall** require, **in order to cross the Austrian Alps**, a number of points equivalent to its NO_x emissions (authorised under the Conformity of Production (COP) value or type-approval value). The method of calculation and administration of such points is described in Annex II.

⁽¹⁾ OJ L 70, 6.8.1962, p. 2005. Directive as last amended by Regulation (EEC) No 881/92.

Thursday 3 July 2003

- (e) Austria shall issue and make available in good time the points required for the administration of the transitional **points** system, pursuant to Annex II, for heavy goods vehicles crossing *the Austrian Alps* in transit;
- (f) The total quota for NO_x emissions allowed in 2004 is equivalent to the total quota allowed under the ecopoint system in 2003 and shall be managed and distributed by the Commission among Member States *according to the same principles as those applicable to the ecopoint system in 2003, in conformity with the provisions of Regulation (EC) No 3298/94* ⁽¹⁾;
- (g) The reallocation of points of the Community reserve shall be weighted according to the criteria mentioned in Article 8(2) of Regulation (EC) No 3298/94 and, more particularly, according to the effective use of the points allocated to Member **States**.

3. If the **legislation** on charging for the use of infrastructure **has not entered into force by the end of 2004, the use of environment-friendly heavy goods vehicles shall be encouraged for transit traffic in the Austrian Alps, in particular in the Brenner, the Tauern and the Pyhrn, in accordance with the following arrangements:**

In 2004:

- **quota system** ⁽²⁾ **for EURO 0, 1, and 2 heavy goods vehicles** ⁽³⁾,
- **unrestricted transit for EURO 3 heavy goods vehicles.**

In 2005 and 2006:

- **no transit for EURO 0 and 1 heavy goods vehicles,**
- **quota system for EURO 2 heavy goods vehicles,**
- **unrestricted transit for EURO 3 and 4 heavy goods vehicles.**

After 2006, no quota system shall be applied.

4. **The Commission, acting in accordance with the procedure laid down in Article 5, shall:**

- **fix the number of points in accordance with paragraph 2(d);**
- **adopt detailed measures concerning the procedures relating to the transitional points system, the distribution of points and technical issues concerning the application of this Article;**
- **increase proportionally by each new Member State and by year the quotas fixed in accordance with the provisions of this Article and the Annexes, taking account of the accession of central and eastern European countries in 2004.**

Article 4

1. As long as the provisions of Article 3(2) and, where appropriate, of Article 3(3) apply, the Member States, under their mutual cooperation arrangements, shall take any necessary measures compatible with the Treaty against misuse of the transitional **points** system.

⁽¹⁾ Commission Regulation (EC) No 3298/94 of 21 December 1994 laying down detailed measures concerning the system of rights of transit (ecopoints) for heavy goods vehicles transiting through Austria, (OJ L 341, 30.12.1994, p. 20). Regulation as last amended by Council Regulation (EC) No 2012/2000 (OJ L 241, 26.9.2000, p. 18).

⁽²⁾ **The quotas will be based on the 2002 ecopoint quotas.**

⁽³⁾ **Heavy goods vehicles complying with emission standards as defined in Council Directive 91/542/EEC of 1 October 1991 amending Directive 88/77/EEC on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous pollutants from diesel engines for use in vehicles (OJ L 295, 25.10.1991, p. 1) and in Directive 1999/96/EC of the European Parliament and of the Council of 13 December 1999 on the approximation of the laws of the Member States relating to measures to be taken against the emission of gaseous and particulate pollutants from compression ignition engines for use in vehicles, and the emission of gaseous pollutants from positive ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles and amending Council Directive 88/77/EEC (OJ L 44, 16.2.2000, p. 1).**

Thursday 3 July 2003

2. The decisions of the Commission and the committee referred to in Article 5 must be consistent with a sustainable transport policy devised for the Alpine region as a whole, especially sensitive areas such as the Brenner area, Mont Blanc, the Tauern, the Pyhrn, the Lyon to Turin route (Fréjus), and others. That policy shall be based on the one hand on the objective obligations incumbent on the European Union and its Member States under the provisions of the Treaty, the Alpine Convention and other binding instruments, and on the other hand, in so far as legislation permits, on the principles set out by the Commission in its White Paper on European transport policy for 2010 with regard to sensitive mountain regions, for example sustainability, freedom to provide services, protection of citizens and the environment, promotion of intermodal transport and cross-financing.

The above policy must result in a traffic-flow regulation system applying only to Alpine passes and other ecologically sensitive areas lying along trans-European corridors, and shall comply fully with Article 3(3).

3. Hauliers with a Community authorisation issued by the competent authorities in Austria shall not be entitled to carry goods on international journeys where neither loading nor unloading takes place in Austria. All such journeys involving transit through *the Austrian Alps* shall, however, be subject to the provisions of Article 3.

4. To the extent necessary, any monitoring methods including electronic systems relating to the implementation of Article 3 shall be decided in accordance with the procedure laid down in Article 5.

5. The countries affected by this Regulation shall be called upon to include in the existing system the necessary checks to ascertain whether NO_x emissions from heavy goods vehicles actually correspond to the COP value or type-approval value.

Article 5

1. The Commission shall be assisted by a committee.
2. Where reference is made to this Article, Articles 3 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.
3. The Committee shall adopt its Rules of Procedure.

Article 6

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

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

Done at ..., ...

For the European Parliament
The President

For the Council
The President

ANNEX I

Points Quotum Bands

Year	Points for EU-15	
1991	23 556 220 (100 %)	
	Quotum bands	
	Maximum	Minimum
2004	9 422 488 (40 %)	9 422 488 (40 %)
2005	9 422 488 (40 %)	9 186 926 (39 %) - 8 951 364 (38 %)
2006	9 422 488 (40 %)	8 951 364 (38 %) - 8 221 121 (34,9 %)

ANNEX II

CALCULATION AND ADMINISTRATION OF THE POINTS

1. The following documents must be submitted by the driver of a heavy goods vehicle each time it crosses the Austrian border (in any direction):

- a) a document showing the COP value for NO_x emissions from the vehicle in question;
- b) a valid **points** card issued by the competent authority.

Concerning (a):

In the case of EURO 0, EURO 1, EURO 2, EURO 3-standards heavy goods vehicles registered after 1 October 1990, the document showing the COP value must be a certificate issued by the competent authority giving details of an official COP value for NO_x emissions or the type-approval certificate showing the date of approval and value established for type-approval purposes. In the latter case the COP value will be the type-approval value plus 10 %. Once such a value has been determined for a vehicle it cannot be changed during the vehicle's life.

In the case of heavy goods vehicles registered before 1 October 1990 and heavy goods vehicles for which no certificate is submitted, a COP value of 15,8 g/kWh will be set.

Concerning (b):

The **points** card/ecotag contains a certain number of points and is endorsed as follows on the basis of the COP value for the vehicles in question:

Thursday 3 July 2003

- (1) Each g/kWh of NO_x, calculated according to paragraph 1(a), counts as one point.
 - (2) NO_x emission values are rounded up to the next full point if the decimal is 0,5 or more, otherwise they are rounded down.
2. At three-month intervals the Commission, acting in compliance with the procedure laid down in Article 5, calculates the number of journeys and the average level of NO_x emission from heavy goods vehicles and maintains statistical records broken down according to nationality.

P5_TA(2003)0329

Compensation and assistance to air passengers ***II

European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council regulation establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91 (15855/1/2002 — C5-0136/2003 — 2001/0305(COD))

(Codecision procedure: second reading)

The European Parliament,

- having regard to the Council common position (15855/1/2002 — C5-0136/2003) ⁽¹⁾,
 - having regard to its position at first reading ⁽²⁾ on the Commission proposal to Parliament and the Council (COM(2001) 784) ⁽³⁾,
 - having regard to the Commission's amended proposal (COM(2002) 717) ⁽⁴⁾,
 - having regard to Article 251(2) of the EC Treaty,
 - having regard to Rule 80 of its Rules of Procedure,
 - having regard to the recommendation for second reading of the Committee on Regional Policy, Transport and Tourism (A5-0221/2003),
1. Amends the common position as follows;
 2. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ OJ C 125 E, 27.5.2003, p. 63.

⁽²⁾ P5_TA (2002)0514.

⁽³⁾ OJ C 103 E, 30.4.2002, p. 225.

⁽⁴⁾ OJ C 71 E, 25.3.2003, p. 188.

Thursday 3 July 2003

P5_TC2-COD(2001)0305

Position of the European Parliament adopted at second reading on 3 July 2003 with a view to the adoption of European Parliament and Council Regulation (EC) No .../2003 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 80(2) thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the Opinion of the European Economic and Social Committee ⁽²⁾,

After consulting the Committee of the Regions,

Acting in accordance with the procedure referred to in Article 251 of the Treaty ⁽³⁾,

Whereas:

- (1) Action by the Community in the field of air transport should aim, among other things, at ensuring a high level of protection for passengers. Moreover, full account should be taken of the requirements of consumer protection in general.
- (2) Denied boarding and cancellation or long delay of flights cause serious trouble and inconvenience to passengers.
- (3) While Council Regulation (EEC) No 295/91 of 4 February 1991 establishing common rules for a denied boarding compensation system in scheduled air transport ⁽⁴⁾ created basic protection for passengers, the number of passengers denied boarding against their will remains too high, as does that affected by cancellations without prior warning and that affected by long delays.
- (4) The Community should therefore raise the standards of protection set by that Regulation both to strengthen the rights of passengers and to ensure that air carriers operate under harmonised conditions in a liberalised market.
- (5) Since the distinction between scheduled and non-scheduled air services is weakening, such protection should apply to passengers not only on scheduled but also on non-scheduled flights, including those forming part of package tours.
- (6) The protection accorded to passengers departing from an airport located in a Member State should be extended to those leaving an airport located in a third country for one situated in a Member State, when a Community carrier operates the flight.
- (7) In order to ensure the effective application of this Regulation, the obligations that it creates should rest with the operating air carrier who performs or intends to perform a flight, whether with owned aircraft, under dry or wet lease, or on any other basis.

⁽¹⁾ OJ C 103 E, 30.4.2002, p. 225.

⁽²⁾ OJ C 241, 7.10.2002, p. 29.

⁽³⁾ Position of the European Parliament of 24 October 2002 (not yet published in the Official Journal), Council Common Position of 18 March 2003 (OJ C 125 E, 27.5.2003, p. 63) and position of the European Parliament of 3 July 2003.

⁽⁴⁾ OJ L 36, 8.2.1991, p. 5.

Thursday 3 July 2003

- (8) This Regulation should not restrict the rights of the operating air carrier to seek compensation from any person, including third parties, in accordance with the law applicable.
- (9) The number of passengers denied boarding against their will should be reduced by requiring air carriers to call for volunteers to surrender their reservations, in exchange for benefits, instead of denying passengers boarding, and by fully compensating those finally denied boarding.
- (10) Passengers denied boarding against their will should be able either to cancel their flights, with reimbursement of their tickets, or to continue them under satisfactory conditions, and should be adequately cared for while awaiting a later flight.
- (11) Volunteers should also be able to cancel their flights, with reimbursement of their tickets, or continue them under satisfactory conditions, since they face difficulties of travel similar to those experienced by passengers denied boarding against their will.
- (12) The trouble and inconvenience to passengers caused by cancellation of flights should also be reduced. This should be achieved by inducing carriers to inform passengers of cancellations before the scheduled time of departure and in addition to offer them reasonable re-routing, so that the passengers can make other arrangements. Air carriers should compensate passengers if they fail to do this and should also offer adequate care, except when the cancellation occurs in extraordinary circumstances which could not have been avoided even if all reasonable measures had been taken.
- (13) Passengers whose flights are cancelled should be able either to obtain reimbursement of their tickets or to obtain re-routing under satisfactory conditions, and should be adequately cared for while awaiting a later flight, except when cancellation occurs in extraordinary circumstances which could not have been avoided even if all reasonable measures had been taken.
- (14) ***Passengers travelling on all modes of transport should be treated equally, and distortion of competition between different modes of transport should be avoided.***
- (15) As under the Montreal Convention, obligations on operating air carriers should be limited or excluded in cases where an event has been caused by extraordinary circumstances which could not have been avoided even if all reasonable measures had been taken. Such circumstances may, in particular, occur in cases of political instability, meteorological conditions incompatible with the operation of the flight concerned, security risks, unexpected flight safety shortcomings and strikes that affect the operation of an operating air carrier.
- (16) ***Extraordinary*** circumstances should be deemed to exist where the impact of an air traffic ***control*** decision in relation to a particular aircraft on a particular day gives rise to a long delay, an overnight delay, or the cancellation of one or more flights by that aircraft, even though all reasonable efforts had been made by the air carrier concerned to avoid the delays or cancellations.
- (17) In cases where a package tour is cancelled for reasons other than the flight being cancelled, this Regulation should not apply.
- (18) Similarly, passengers whose flights are delayed for a specified time should be able to cancel their flights with reimbursement of their tickets or to continue them under satisfactory conditions, and should be adequately cared for while awaiting a later flight, except when the delay occurs in extraordinary circumstances which could not have been avoided even if all reasonable measures had been taken.

Thursday 3 July 2003

- (19) Care for passengers awaiting an alternative or a delayed flight may be limited or declined if the provision of the care would itself cause further delay.
- (20) Operating air carriers should meet the special needs of persons with reduced mobility and any persons accompanying them.
- (21) Passengers should be fully informed of their rights in the event of denied boarding and of cancellation or long delay of flights, so that they can effectively exercise their rights.
- (22) Member States should lay down rules on sanctions applicable to infringements of the provisions of this Regulation and ensure that these sanctions are applied. The sanctions should be effective, proportionate and dissuasive.
- (23) Member States should ensure and supervise general compliance by their air carriers with this Regulation and designate an appropriate body to carry out such enforcement tasks. The supervision should not affect the rights of passengers and air carriers to seek legal redress from courts under procedures of national law.
- (24) The Commission should analyse the application of this Regulation and should assess in particular the opportunity of extending its scope to all passengers having a contract with a tour operator or with a Community carrier, when departing from a third country airport to an airport in a Member State.
- (25) Arrangements for greater co-operation over the use of Gibraltar airport were agreed in London on 2 December 1987 by the Kingdom of Spain and the United Kingdom in a joint declaration by the Ministers of Foreign Affairs of the two countries. Such arrangements have yet to enter into operation.
- (26) Regulation (EEC) No 295/91 should accordingly be repealed,

HAVE ADOPTED THIS REGULATION:

Article 1

Subject

1. This Regulation establishes, under the conditions specified herein, minimum rights for passengers when:
 - a) they are denied boarding against their will;
 - b) their flight is cancelled;
 - c) their flight is delayed.
2. Application of this Regulation to Gibraltar airport is understood to be without prejudice to the respective legal positions of the Kingdom of Spain and the United Kingdom with regard to the dispute over sovereignty over the territory in which the airport is situated.
3. Application of this Regulation to Gibraltar airport shall be suspended until the arrangements in the Joint Declaration made by the Foreign Ministers of the Kingdom of Spain and the United Kingdom on 2 December 1987 enter into operation. The Governments of Spain and the United Kingdom will inform the Council of such date of entry into operation.

Thursday 3 July 2003

Article 2
Definitions

For the purposes of this Regulation:

- a) 'air carrier' means an air transport undertaking with a valid operating licence;
- b) 'operating air carrier' means an air carrier that performs or intends to perform a flight under a contract with a passenger or on behalf of another person, legal or natural, having a contract with that passenger;
- c) 'Community carrier' means an air carrier with a valid operating licence granted by a Member State in accordance with the provisions of Council Regulation (EEC) No 2407/92 of 23 July 1992 on licencing of air carriers ⁽¹⁾;
- d) 'tour operator' means, with the exception of an air carrier, an **organiser within** the meaning of Article 2, **point 2**, of Council Directive 90/314/EEC of 13 June 1990 on package travel, package holidays and package tours ⁽²⁾;
- e) 'package' means those services defined in Article 2, point 1, of Directive 90/314/EEC;
- f) 'ticket' means a valid document giving entitlement to transport, or something equivalent in paperless form, including electronic form, issued or authorised by the air carrier or its authorised agent;
- g) 'reservation' means the fact that the passenger has a ticket, or other proof, which indicates that the reservation has been accepted and registered by the air carrier or tour operator;
- h) 'final destination' means the destination on the ticket presented at the check-in counter or, in the case of directly connecting flights, the destination of the last flight; **Connecting flights which can be carried out without difficulties although a delay has been caused by denied boarding shall not be taken into account;**
- i) 'person with reduced mobility' means any person whose mobility is reduced when using transport because of any physical disability (sensory or locomotory, permanent or temporary), intellectual impairment, age or any other cause of disability, and whose situation needs special attention and adaptation to the person's needs of the services made available to all passengers;
- j) 'denied boarding' means a refusal to carry passengers on a flight, although they have presented themselves for boarding under the conditions laid down in Article 3(2), except where there are reasonable grounds to deny them boarding, such as reasons of health, safety or security, or inadequate travel documentation;
- (k) 'volunteer' means a person who has presented himself for boarding under the conditions laid down in Article 3(2) and responds positively to the air carrier's call for passengers prepared to surrender their reservation in exchange for benefits;
- l) **'cancellation' means the cancellation of a flight which is not made but is listed in the computerised reservation system during the seven days preceding the expected departure;**

⁽¹⁾ OJ L 240, 24.8.1992, p. 1.

⁽²⁾ OJ L 158, 23.6.1990, p. 59.

Thursday 3 July 2003

Article 3

Scope

1. This Regulation shall apply:
 - a) to passengers departing from an airport located in the territory of a Member State to which the Treaty applies;
 - b) to passengers departing from an airport located in a third country to an airport situated in the territory of a Member State to which the Treaty applies, unless they received benefits or compensation and were given assistance in that third country, if the operating air carrier of the flight concerned is a Community carrier.
2. Paragraph 1 shall apply on the condition that passengers:
 - a) have a **confirmed** reservation on **a flight** and present themselves for check-in **either** as stipulated and at the time indicated in **advance by** the air carrier, the tour operator or an authorised travel agent, or if no time is indicated, not later than **sixty minutes** before the published departure time; or
 - b) have been transferred by an air carrier or tour operator from the flight for which they held a reservation to another flight, irrespective of the reason.
3. This Regulation shall not apply to passengers travelling free of charge or at a reduced fare not available directly or indirectly to the public. However, it shall apply to passengers having tickets issued under a Frequent Flyer Programme or other commercial programme by an air carrier or tour operator.
4. This Regulation shall apply to any operating air carrier providing transport to passengers covered by paragraphs 1 and 2. Where an operating air carrier which has no contract with the passenger performs obligations under this Regulation, it shall be regarded as doing so on behalf of the person having a contract with that passenger.
5. This Regulation shall not affect the rights of passengers under Directive 90/314/EEC. This Regulation shall not apply in cases where a package tour is cancelled for reasons other than cancellation of the flight.

Article 4

Denied boarding

1. When an operating air carrier reasonably expects to deny boarding on a flight, it shall first call for volunteers to surrender their reservations in exchange for benefits under conditions to be agreed between the passenger concerned and the operating air carrier. Volunteers shall be assisted in accordance with Article 8, such assistance being additional to the benefits mentioned in this paragraph.
2. If an insufficient number of volunteers comes forward to allow the remaining passengers with reservations to board the flight, the operating air carrier may then deny boarding to passengers against their will.
3. If boarding is denied to passengers against their will, the operating air carrier shall immediately compensate them in accordance with Article 7 and assist them in accordance with Articles 8 and 9.

Thursday 3 July 2003

Article 5
Cancellation

1. In case of cancellation of a flight, the passengers concerned shall:
 - a) be offered assistance by the operating air carrier in accordance with Article 8; and
 - b) be offered assistance by the operating air carrier in accordance with Article 9, except where the carrier can prove that the cancellation is caused by extraordinary circumstances which could not have been avoided even if all reasonable measures had been taken; and
 - c) have the right to compensation by the operating air carrier in accordance with Article 7, unless
 - i) they are informed of the cancellation at least two weeks before the scheduled time of departure; or
 - ii) they are informed of the cancellation between two weeks and seven days before the scheduled time of departure and are offered re-routing, allowing them to depart no more than two hours before the scheduled time of departure and to reach their final destination less than four hours after the scheduled time of arrival; or
 - iii) they are informed of the cancellation less than seven days before the scheduled time of departure and are offered re-routing, allowing them to depart no more than one hour before the scheduled time of departure and to reach their final destination less than two hours after the scheduled time of arrival.
2. When passengers are informed of the cancellation, an explanation shall be given concerning possible alternative transport.
3. An operating air carrier shall not be obliged to pay compensation in accordance with Article 7, if it can prove that the cancellation is caused by extraordinary circumstances which could not have been avoided even if all reasonable measures had been taken.
4. The burden of proof concerning the questions whether and when the passenger has been informed of the cancellation of the flight shall rest with the operating air carrier.

Article 6
Delay

1. When an operating air carrier reasonably expects a flight to be delayed beyond its scheduled time of departure
 - a) for two hours or more in the case of flights of **1 500 kilometres or less**, or
 - b) for **three hours or more in the case of all intra-Community flights of more than 1 500 kilometres and of all other flights between 1 500 and 3 500 kilometres; or**
 - c) **for four hours or more in the case of all flights not falling under (a) or (b)**,

passengers shall be offered by the operating air carrier the assistance specified in **Article 9**.

2. In any event, the assistance shall be offered within the time limits set out above with respect to each distance bracket.

Thursday 3 July 2003

Article 7
Right to compensation

1. Where reference is made to this Article, passengers shall receive compensation amounting to:
- (a) EUR 250 for all flights of 1 500 kilometres or less;
 - (b) EUR 400 for all intra-Community flights of more than 1 500 kilometres, and for all other flights between 1 500 and 3 500 kilometres;
 - (c) EUR 600 for all flights not falling under (a) or (b).

In determining the distance, the basis shall be the last destination at which the denial of boarding or cancellation will delay the passenger's arrival after the scheduled time.

2. When passengers are offered re-routing to their final destination on an alternative flight pursuant to Article 8, the arrival time of which does not exceed the scheduled arrival time of the flight originally booked

- a) by two hours, in respect of **all flights of 1 500 kilometres or less**; or
- b) by **three hours, in respect of all intra-Community flights of more than 1 500 kilometres and of all other flights between 1 500 and 3 500 kilometres; or**
- c) **by four hours, in respect of all flights not falling under (a) or (b),**

the operating air carrier may reduce the compensation provided for in paragraph 1 by 50 %.

3. The compensation referred to in paragraph 1 shall be paid in cash, by electronic bank transfer, bank orders or bank cheques or, with the signed agreement of the passenger, in travel vouchers and/or other services.

4. The distances given in paragraphs 1 and 2 shall be measured by the great circle route method.

Article 8
Right to reimbursement or re-routing

1. Where reference is made to this Article, passengers shall be offered the choice between:
- a) — reimbursement within seven days, by the means provided for in Article 7(3), of the full cost of the ticket at the price at which it was bought, for the part or parts of the journey not made, and for the part or parts already made if the flight is no longer serving any purpose in relation to the passenger's original travel plan, together with, when relevant:
 - a return flight to the first point of departure, at the earliest opportunity;
 - b) re-routing, under comparable transport conditions, to their final destination at the earliest opportunity;
or
 - c) re-routing, under comparable transport conditions **and within the validity of the ticket**, to their final destination at a later date at the passenger's convenience **and subject to scheduling**.

2. Paragraph 1(a) shall also apply to passengers whose flights form part of a package, except for the right to reimbursement where such right arises under Directive 90/314/EEC.

Thursday 3 July 2003

3. When, in the case where a town, city or region is served by several airports, an operating air carrier offers a passenger a flight to an airport alternative to that for which the booking was made, the operating air carrier shall bear the cost of transferring the passenger from that alternative airport either to that for which the booking was made, or to another close-by destination agreed with the passenger.

Article 9
Right to care

1. Where reference is made to this Article, passengers shall be offered free of charge:
 - a) meals and refreshments in a reasonable relation to the waiting time;
 - b) hotel accommodation in cases
 - where a stay of one or more nights becomes necessary, or
 - where a stay additional to that intended by the passenger becomes necessary;
 - c) transport between the airport and place of accommodation (hotel or other).
2. In addition, passengers shall be offered free of charge two telephone calls, telex or fax messages, or e-mails.
3. In applying this Article, the operating air carrier shall pay particular attention to the needs of persons with reduced mobility and any persons accompanying them, as well as to the needs of unaccompanied children.

Article 10
Upgrading and downgrading

1. If an operating air carrier places a passenger in a class higher than that for which the ticket was purchased, it may not request any supplementary payment.
2. If an operating air carrier places a passenger in a class lower than that for which the ticket was purchased, it shall within seven days, by the means provided for in Article 7(3), reimburse
 - a) **30 % of the price of the ticket for all flights of 1 500 kilometres or less, or**
 - b) **50 % of the price of the ticket for all intra-Community flights of more than 1 500 kilometres and for all other flights between 1 500 and 3 500 kilometres, or**
 - c) **75 % of the price of the ticket for all flights not falling under (a) or (b) and for flights to and from the French overseas departments.**

Article 11
Persons with reduced mobility or special needs

1. Operating air carriers shall give priority to carrying persons with reduced mobility and any persons or certified service dogs accompanying them, as well as unaccompanied children.

Thursday 3 July 2003

2. In cases of denied boarding, cancellation and delays of any length, persons with reduced mobility and any persons accompanying them, as well as unaccompanied children, shall have the right to care in accordance with Article 9 as soon as possible.

Article 12

Further compensation

1. This Regulation shall apply without prejudice to a passenger's rights to further **compensation**.
2. Without prejudice to relevant principles and rules of national law, including case-law, paragraph 1 shall not apply to passengers who have voluntarily surrendered a reservation under Article 4(1).

Article 13

Right of redress

1. In cases where an operating air carrier pays compensation or meets the other obligations incumbent on it under this Regulation, no provision of this Regulation may be interpreted as restricting its right to seek compensation from any person, including third parties, in accordance with the law applicable. In particular, this Regulation shall in no way restrict the operating air carrier's right to seek reimbursement from a tour operator or another person with whom the operating air carrier has a contract. **Similarly, any tour operator or third party who, under this Regulation, has incurred expenses or suffered losses because of actions by the operating air carrier may seek reimbursement or compensation.**
2. **Member States shall ensure that any claim for compensation under the principle that the agency responsible should pay may be made and enforced against any third party.**

Article 14

Obligation to inform passengers of their rights

1. The operating air carrier shall ensure that at check-in a clearly legible notice containing the following text is displayed in a manner clearly visible to passengers: 'If you are denied boarding or if your flight is cancelled or delayed for at least two hours, ask at the check-in counter or boarding gate for the text stating your rights, particularly with regard to compensation and assistance'.
2. An operating air carrier denying boarding or cancelling a flight shall provide each passenger affected with a written notice setting out the rules for compensation and assistance in line with this Regulation. It shall also provide each passenger affected by a delay of at least two hours with an equivalent notice. The contact details of the national designated body referred to in Article 16 shall also be given to the passenger in written form.
3. In respect of blind and visually impaired persons, the provisions of this Article shall be applied using appropriate alternative means.

Thursday 3 July 2003

Article 15

Exclusion of waiver

1. Obligations vis-à-vis passengers pursuant to this Regulation may not be limited or waived, notably by a derogation or restrictive clause in the contract of carriage.
2. If, nevertheless, such a derogation or restrictive clause is applied in respect of a passenger, or if the passenger is not correctly informed of his rights and for that reason has accepted compensation which is inferior to that provided for in this Regulation, the passenger shall still be entitled to take the necessary proceedings before the competent courts or bodies in order to obtain additional compensation.

Article 16

Infringements

1. Each Member State shall designate a body responsible for the enforcement of this Regulation as regards flights from airports situated on its territory and flights from a third country to such airports. Where appropriate, this body shall take the measures necessary to ensure that the rights of passengers are respected. The Member States shall inform the Commission of the body that has been designated in accordance with this paragraph.
2. Without prejudice to Article 12, each passenger may complain to any body designated under paragraph 1, or to any other competent body designated by a Member State, about an alleged infringement of this Regulation at any airport situated on the territory of a Member State or concerning any flight from a third country to an airport situated on that territory.
3. The sanctions laid down by Member States for infringements of this Regulation shall be effective, proportionate and dissuasive.

Article 17

Report

The Commission shall report to the European Parliament and the Council by **1 January 2007** on the operation and the results of this Regulation, in particular regarding:

- the incidence of denied boarding and of cancellation of flights,
- the possible extension of the scope of this Regulation to passengers having a contract with a Community carrier or holding a flight reservation which forms part of a 'package tour' to which Directive 90/314/EEC applies and who depart from a third-country airport to an airport in a Member State, on flights not operated by Community air carriers,
- the possible revision of the amounts of compensation referred to in Article 7(1).

The report shall be accompanied where necessary by legislative proposals.

Thursday 3 July 2003

Article 18

Repeal

Regulation (EEC) No 295/91 shall be repealed.

Article 19

Entry into force

This Regulation shall enter into force on (*).

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

Done at ..., ...

For the European Parliament

The President

For the Council

The President

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

P5_TA(2003)0330

Food additives other than colours and sweeteners *I**

European Parliament legislative resolution on the proposal for a European Parliament and Council directive amending Directive 95/2/EC on food additives other than colours and sweeteners (COM(2002) 662 — C5-0577/2002 — 2002/0274(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2002) 662) ⁽¹⁾,
- having regard to Articles 251(2) and 95 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0577/2002),
- having regard to Rule 67 of its Rules of Procedure,
- having regard to the report of the Committee on the Environment, Public Health and Consumer Policy (A5-0216/2003),

⁽¹⁾ Not yet published in OJ.

Thursday 3 July 2003

1. Approves the Commission proposal as amended;
2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
3. Instructs its President to forward its position to the Council and Commission.

P5_TC1-COD(2002)0274

Position of the European Parliament adopted at first reading on 3 July 2003 with a view to the adoption of European Parliament and Council Directive 2003/.../EC amending Directive 95/2/EC on food additives other than colours and sweeteners

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 95 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Economic and Social Committee ⁽²⁾,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽³⁾,

Whereas:

- (1) Food additives may be approved for use in foodstuffs only if they comply with Annex II to Council Directive 89/107/EEC of 21 December 1988 on the approximation of the laws of the Member States concerning food additives authorised for use in foodstuffs intended for human consumption ⁽⁴⁾.
- (2) Directive 95/2/EC of the European Parliament and of the Council of 20 February 1995 on food additives other than colours and sweeteners ⁽⁵⁾ lays down a list of food additives that may be used in the Community and the conditions for their use.
- (3) There have been technical developments in the field of food additives since the adoption of Directive 95/2/EC. That Directive should be adapted to take account of those developments.
- (4) Council Directive 88/388/EEC of 22 June 1988 on the approximation of the laws of the Member States relating to flavourings for use in foodstuffs and to source materials for their production ⁽⁶⁾ provides for the adoption of a list of additives necessary for the storage and use of flavourings, and the adoption of any special conditions for the use of such additives that may be necessary for the protection of public health and to ensure fair trade.

⁽¹⁾ OJ C ..., ..., p. ...

⁽²⁾ OJ C 208, 3.9.2003, p. 30.

⁽³⁾ Opinion of the European Parliament of 3 July 2003 (not yet published in the Official Journal), and Decision of the Council of ...

⁽⁴⁾ OJ L 40, 11.2.1989, p. 27. Directive as amended by Directive 94/34/EC of the European Parliament and of the Council (OJ L 237, 10.9.1994, p. 1).

⁽⁵⁾ OJ L 61, 18.3.1995, p. 1. Directive as last amended by Directive 2003/52/EC (OJ L 178, 17.7.2003, p. 23).

⁽⁶⁾ OJ L 184, 15.7.1988, p. 61. Directive as amended by Commission Directive 91/71/EEC (OJ L 42, 15.2.1991, p. 25).

Thursday 3 July 2003

- (5) It is desirable to incorporate into Directive 95/2/EC those measures on additives necessary for the storage and use of flavourings, in order to contribute to transparency and consistency of Community legislation, and to facilitate compliance with Community legislation on food additives by food manufacturers, especially by small and medium size enterprises. In addition, according to Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety ⁽¹⁾, flavourings fall within the definition of 'food'.
- (6) While the use of additives which are necessary to ensure the safety and quality of flavourings and to facilitate their storage and use should be authorised, the levels of additives present in such flavourings should be the minimum required to achieve the intended purpose. In addition, consumers should be guaranteed correct, adequate and non-misleading information on the use of additives.
- (7) The presence of an additive in a foodstuff, due to the use of a flavouring, is generally low and the additive does not have a technological function in the foodstuff. However, if under certain circumstances the additive does have a technological function in the compound foodstuff, it should be considered as an additive of the compound foodstuff and not as an additive of the flavouring, and the relevant rules relating to the additive in the particular foodstuff should apply, including the labelling rules laid down in Directive 2000/13/EC of the European Parliament and of the Council of 20 March 2000 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs ⁽²⁾.
- (8) In accordance with Directive 88/388/EEC, food manufacturers should be informed about the concentrations of all additives in flavourings in order to enable them to comply with Community legislation. That Directive also requires quantitative labelling of each component subject to a quantitative limitation in a foodstuff. A quantitative limitation is expressed either numerically or by the 'quantum satis' principle.
- (9) In accordance with the principle of proportionality, it is necessary and appropriate for the achievement of the basic objective of ensuring market unity and a high level of consumer protection to lay down rules on the use of additives in flavourings. This Directive does not go beyond what is necessary in order to achieve the objectives pursued in accordance with the third paragraph of Article 5 of the Treaty.
- (10) In accordance with a request from a Member State and the opinion of the Scientific Committee on Food, established by Commission Decision 97/579/EC of 23 July 1997 setting up Scientific Committees in the field of consumer health and food safety ⁽³⁾, hydrogenated poly-1-decene, which was authorised at national level under Directive 89/107/EEC, should be authorised at Community level.
- (11) Biphenyl (E 230), orthophenyl phenol (E 231) and sodium orthophenyl phenol (E 232) are listed as preservatives in and on citrus fruits in Directive 95/2/EC. However, they fall under the definition of 'plant protection products' in Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market ⁽⁴⁾. Therefore, they should no longer come within the scope of Directive 95/2/EC. The Member States and the Commission should take all possible steps to ensure that there is no legal vacuum with regard to these substances. Authorisation to place on the market these substances as plant protection products should be dealt with as swiftly as possible.

⁽¹⁾ OJ L 31, 1.2.2002, p. 1. Regulation as amended by Regulation (EC) No 1642/2003 (OJ L 245, 29.9.2003, p. 4).

⁽²⁾ OJ L 109, 6.5.2000, p. 29. Directive as amended by Commission Directive 2001/101/EC (OJ L 310, 28.11.2001, p. 19).

⁽³⁾ OJ L 237, 28.8.1997, p. 18. Decision as amended by Decision 2000/443/EC (OJ L 179, 18.7.2000, p. 13).

⁽⁴⁾ OJ L 230, 19.8.1991, p. 1. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

Thursday 3 July 2003

- (12) On 4 April 2003, the Scientific Committee on Food stated that the temporary acceptable daily intake for E 214 to E 219 p-hydroxybenzoic acid alkyl esters and their sodium salts should be withdrawn if no further data are submitted in respect of intake and toxicity.
- (13) Directive 95/2/EC should therefore be amended accordingly.
- (14) Council Directive 67/427/EEC of 27 June 1967 on the use of certain preservatives for the surface treatment of citrus fruit and on the control measures to be used for the qualitative and quantitative analysis of preservatives in and on citrus fruit ⁽¹⁾ lays down the control measures on preservatives in and on citrus fruits. Since those preservatives are no longer authorised for use in citrus fruits by Directive 95/2/EC, it is necessary to repeal Directive 67/427/EEC.
- (15) The Scientific Committee on Food has been consulted on the adoption of provisions that may have an effect upon public health, pursuant to Article 6 of Directive 89/107/EEC,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Directive 95/2/EC is hereby amended as follows:

(1) In Article 1(3), point (v) shall be replaced by the following:

'v) "stabilisers" are substances which make it possible to maintain the physico-chemical state of a foodstuff; stabilisers include substances which enable the maintenance of a homogenous dispersion of two or more immiscible substances in a foodstuff, substances which stabilise, retain or intensify an existing colour of a foodstuff and substances which increase the binding capacity of the food, including the formation of cross-links between proteins enabling the binding of food pieces into re-constituted food;'

(2) Article 3 shall be amended as follows:

a) Paragraph (1) shall be replaced by the following:

'1. The presence of a food additive is permissible:

- a) in a compound foodstuff other than one mentioned in Article 2(3), to the extent to which the food additive is permitted in one of the ingredients of the compound foodstuff;
- b) in a foodstuff where a flavouring has been added, to the extent to which the food additive is permitted in the flavouring in compliance with this Directive and has been carried over to the foodstuff via the flavouring, provided the food additive has no technological function in the final foodstuff; or
- c) if the foodstuff is destined to be used solely in the preparation of a compound foodstuff and to an extent such that the compound foodstuff conforms to the provisions of this Directive.'

⁽¹⁾ OJ P 148, 11.7.1967, p. 1.

Thursday 3 July 2003

b) The following paragraph shall be added:

'3. The level of additives in flavourings shall be limited to the minimum necessary to guarantee the safety and quality of flavourings and to facilitate their storage. Furthermore, the presence of additives in flavourings must not mislead consumers or present a hazard to their health. If the presence of an additive in a foodstuff, as a consequence of adding flavourings, has a technological function in the foodstuff, it shall be considered as an additive of the foodstuff and not as an additive of the flavouring.'

(3) The Annexes shall be amended as set out in the Annex to this Directive.

Article 2

1. Before 1 July 2004, the Commission and the European Food Safety Authority shall review the conditions for the use of additives E214 to E219.

2. Before ... (*), the Commission shall submit to the European Parliament and the Council a report on the progress of the re-evaluation of additives. This re-evaluation shall in particular focus on E 432 to E 436 (polysorbates) as well as E 251 and E 252 (nitrates) and E 249 and E 250 (nitrites).

Article 3

Directive 67/427/EEC shall be repealed.

Article 4

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive in order to:

- authorise trade in and use of products conforming with this Directive by ... (**) at the latest,
- prohibit trade in and use of products not conforming with this Directive by ... (*) at the latest; however, products placed on the market or labelled before that date which do not comply with this Directive may be marketed until stocks are exhausted.

They shall forthwith inform the Commission thereof.

2. When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such a reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

Article 5

This Directive shall enter into force on the day of its publication in the Official Journal of the European Union.

(*) 24 months after the entry into force of this Directive.

(**) 18 months after the entry into force of this Directive.

Thursday 3 July 2003

Article 6

This Directive is addressed to the Member States.

Done at ..., ...

For the European Parliament
The President

For the Council
The President

ANNEX

The Annexes to Directive 95/2/EC shall be amended as follows:

(1) In Annex I:

(a) Note 2 shall be replaced by the following:

'2. The substances listed under numbers E 407, E 407a and E 440 may be standardised with sugars, on condition that this is stated in addition to the number and designation.'

b) in the list of additives:

- the entire entry for E 170 shall be replaced by 'E 170 Calcium carbonate'.
- in the entry for E 466, the name 'Cellulose gum' shall be added.
- in the entry for E 469, the name 'Enzymatically hydrolysed cellulose gum' shall be added.

(2) In Annex II:

- a) the name 'E 170 Calcium carbonates' shall be replaced throughout by 'E 170 Calcium carbonate'.
- b) the following shall be added to the list of additives and the maximum levels concerning 'Cocoa and chocolate products as defined in Directive 2000/36/EC':

	'E 472c Citric acid esters of mono- and diglycerides of fatty acids	quantum satis'
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- c) the following shall be inserted in the list of additives and the maximum level for "Frozen and deep-frozen unprocessed fruit and vegetables; prepacked, refrigerated unprocessed fruit and vegetables ready for consumption and prepacked, unprocessed and peeled potatoes':

	'E 296 Malic acid	quantum satis (only for peeled potatoes)'
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Thursday 3 July 2003

d) the following shall be added to the list of additives and the maximum level for 'Fruit compote':

	'E 440 Pectin E 509 Calcium chloride	quantum satis (only for fruit compote other than apple)
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e) the following shall be inserted in the list of additives and the maximum level for 'Mozzarella and whey cheese':

	'E 460ii Powdered cellulose	quantum satis (only for grated and sliced cheese)
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f) the following rows shall be added at the end of the Annex:

'UHT goat milk	E 331 Sodium citrates	4 g/l
Chestnuts in liquid	E 410 Locust bean gum E 412 Guar gum E 415 Xanthane gum	quantum satis'

(3) In Annex III

A. Part A shall be amended as follows:

a) the designation 'Partially baked, pre-packed bakery wares intended for retail sale' shall be replaced by the following: 'Partially baked, pre-packed bakery wares intended for retail sale and energy-reduced bread intended for retail sale'

b) at the end of this Part, the following rows shall be added:

'Crayfish tails, cooked, and pre-packed marinated cooked molluscs	2000					
Flavourings				1500		'

Thursday 3 July 2003

B. Part C shall be amended as follows:

a) the following rows shall be deleted:

E 230	Biphenyl, diphenyl	Surface treatment of citrus fruit	70 mg/kg
E 231 E 232	Orthophenyl phenol (*) Sodium orthophenyl phenol (*)	Surface treatment of citrus fruit	12 mg/kg individually or in combination expressed as orthophenyl phenol

(*) **The deletion of E 231 orthophenyl phenol and E 232 sodium orthophenyl phenol, shall enter into force as soon as requirements for the labelling of foodstuffs treated with these substances become applicable by virtue of Community legislation on maximum residue limits for pesticides.'**

b) the following foodstuff shall be added to E 1105:

		'Wine in accordance with Regulation (EC) No 1493/1999 (*) and its implementing Regulation (EC) No 1622/2000 (**)	Pro memoria
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(*) Council Regulation (EC) No 1493/1999 of 17 May 1999 on the common organisation of the market in wine (OJ L 179, 14.7.1999, p. 1). Regulation as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

(**) Commission Regulation (EC) No 1622/2000 of 24 July 2000 laying down certain detailed rules for implementing Regulation (EC) No 1493/1999 on the common organisation of the market in wine and establishing a Community code of oenological practices and processes (OJ L 194, 31.7.2000, p. 1). Regulation as last amended by Regulation (EC) No 1410/2003 (OJ L 201, 8.8.2003, p. 9)."

C. Part D shall be amended as follows:

a) the following foodstuffs and maximum levels shall be added at the end of this Part:

E 310 E 311 E 312	Propyl gallate Octyl gallate Dodecyl gallate	Essential oils	1 000 mg/kg (gallates and BHA, individually or in combination)
E 320	Butylated hydroxyanisole (BHA)	Flavourings other than essential oils	100 mg/kg (gallates, individually or in combination) or 200 mg/kg (BHA)

b) in the list of foodstuffs concerning E 315 and E 316, the designation 'Semi-preserved and preserved meat products' shall be replaced by the following: 'Cured meat products and preserved meat products'

Thursday 3 July 2003

(4) In Annex IV:

a) the following foodstuff and maximum level concerning E 338 to E 452 shall be added:

		'Flavourings	40 g/kg'
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b) the following foodstuff and maximum level concerning E 338 to E 452 shall be deleted:

		'Cider and perry	2 g/l'
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c) the following foodstuff and maximum level shall be added to E 416:

		'Flavourings	50 g/kg'
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d) the following foodstuffs and maximum levels concerning E 432 to E 436 shall be added:

		'Flavourings, except liquid smoke flavourings and flavourings based on spice oleoresins (*)	10 g/kg
		Foodstuffs containing liquid smoke flavourings and flavourings based on spice oleoresins	1 g/kg

(*) Spice oleoresins are defined as extracts of spices from which the extraction solvent has been evaporated leaving a mixture of the volatile oil and resinous material from the spice'

e) the following foodstuffs and maximum levels concerning E 444 shall be added:

		'Flavoured cloudy spirit drinks containing less than 15 % alcohol by volume	300 mg/l'
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f) the following entry concerning E 551 shall be inserted after the list of foodstuffs and maximum levels for E 535 to E 538:

'E551	Silicon dioxide	Flavourings	50 g/kg'
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Thursday 3 July 2003

g) the following foodstuff and maximum level shall be added to E 900:

		'Flavourings	10 mg/kg'
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h) in the list of foodstuffs and maximum levels for E 901 to E 904, the entry: 'E 903 Carnauba wax' shall be deleted and the following entry concerning E 903 shall be added after the entry 'E 904 shellac':

E 903	Carnauba wax	As glazing agents only:	
		— confectionery (including chocolate)	500 mg/kg 1 200 mg/kg (only for chewing gum)
		— small products of fine bakery wares coated with chocolate	200 mg/kg
		— snacks	200 mg/kg
		— nuts	200 mg/kg
		— coffee beans	200 mg/kg
		— dietary food supplements	200 mg/kg
		— fresh citrus fruits, melons, apples, pears, peaches and pineapples (surface treatment only)	200 mg/kg'

i) the following foodstuffs and maximum levels shall be added to E 459:

E 459	Beta-cyclodextrin	Encapsulated flavourings in	
		— flavoured teas and flavoured powdered instant drinks	500 mg/l
		— flavoured snacks	1 g/kg in foodstuffs as consumed or as reconstituted according to the instructions of the manufacturer'

j) the following rows shall be added at the end of the Annex:

E 907	Hydrogenated poly-1-decene	As glazing agent for	
		— sugar confectionery	2 g/kg
		— dried fruits	2 g/kg

Thursday 3 July 2003

E 1505	Triethyl citrate	Flavourings	3 g/kg from all sources in foodstuffs as consumed or as reconstituted according to the instructions of the manufacturer; individually or in combination. In the case of beverages, the maximum level of E 1520 shall be 1g/l.
E 1517	Glyceryl diacetate (diacetin)		
E 1518	Glyceryl triacetate (triacetin)		
E 1520	Propan-1,2-diol (propylene glycol)		
E 1519	Benzyl alcohol	Flavourings for	100 mg/l
		— liqueurs, aromatised wines, aromatised wine-based drinks and aromatised wine-products cocktails	
		— confectionery including chocolate and fine bakery wares	250 mg/kg from all sources in foodstuffs as consumed or as reconstituted according to instruction of the manufacturer.'

(5) In Annex V:

a) the following row shall be added at the end of the Annex:

'E 555	Potassium aluminium silicate	In E 171 titanium dioxide and E 172 iron oxides and hydroxides (max 90 % relative to the pigment)'
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b) for E 468, the name 'Cross-linked cellulose gum' shall be added.

(6) In Annex VI:

a) in the introductory note, the following subparagraph shall be inserted after the first subparagraph:

'Formulae and weaning foods for infants and young children may contain E 1450 starch sodium octenyl succinate resulting from the addition of vitamin preparations or polyunsaturated fatty acid preparations. The carry over of E 1450 in the product ready for consumption is not to be more than 100 mg/kg from vitamin preparations and 1 000 mg/kg from polyunsaturated fatty acid preparations.'

b) in PART 4

— the title shall be replaced by the following:

'FOOD ADDITIVES PERMITTED IN DIETARY FOODS FOR INFANTS AND YOUNG CHILDREN FOR SPECIAL MEDICAL PURPOSES AS DEFINED IN DIRECTIVE 1999/21/EC (*)

(*) Commission Directive 1999/21/EC of 25 March 1999 on dietary foods for special medical purposes, (OJ L 91, 7.4.1999, p. 29).'

Thursday 3 July 2003

— the following shall be added to the table:

'E 472c	Citric acid esters of mono- and diglycerides of fatty acids	7,5 g/l sold as powder 9 g/l sold as liquid	From birth onwards'
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P5_TA(2003)0331

Protection of vulnerable road users ***I

European Parliament legislative resolution on the proposal for a European Parliament and Council directive relating to the protection of pedestrians and other vulnerable road users in the event of a collision with a motor vehicle and amending Directive 70/156/EEC (COM(2003) 67 — C5-0054/2003 — 2003/0033(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 67) ⁽¹⁾,
 - having regard to Article 251(2) and Article 95 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0054/2003),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Regional Policy, Transport and Tourism and the opinions of the Committee on Legal Affairs and the Internal Market and the Committee on the Environment, Public Health and Consumer Policy (A5-0223/2003),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ Not yet published in OJ.

Thursday 3 July 2003

P5_TC1-COD(2003)0033

Position of the European Parliament adopted at first reading on 3 July 2003 with a view to the adoption of European Parliament and Council Directive 2003/.../EC relating to the protection of pedestrians and other vulnerable road users *before and in the event of a collision with a motor vehicle and amending Directive 70/156/EEC*

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 95 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Economic and Social Committee ⁽¹⁾,

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

Whereas:

- (1) In order to reduce the number of road accident casualties in the Community, it is necessary to introduce measures so as to improve the protection of pedestrians and other vulnerable road users from injury in the event of a collision with the fronts of motor vehicles.
- (2) ***A package of active and passive measures for improving safety (avoidance of accidents and reduction of secondary effects by traffic calming and infrastructure improvements) for vulnerable road users, such as pedestrians, cyclists and motorcyclists, is urgently needed in the framework of the forthcoming road safety action programme.***
- (3) The internal market comprises an area without internal frontiers in which the free movement of goods, persons, services and capital must be ensured and to which end a Community type-approval system for motor vehicles is in place; the technical requirements for the type-approval of motor vehicles with regard to pedestrian protection should be harmonised to avoid the adoption of different requirements among Member States and to ensure the proper functioning of the internal market.
- (4) Pedestrian protection objectives can be achieved by ***a combination of active and passive safety measures***. The recommendations by the European Enhanced Vehicle-safety Committee (EEVC) of June 1999 are ***the subject of a wide consensus*** in this area. Those recommendations propose performance requirements for the frontal structures of certain categories of motor vehicles to reduce their aggressiveness. This Directive presents tests and limit values based on the EEVC recommendations.
- (5) ***The Commission should examine the feasibility of extending the scope of this Directive to vehicles with a total permissible mass of up to 3,5 tonnes, and report its findings to the European Parliament and to the Council.***
- (6) ***This Directive should be considered as one element of a broader package of measures concerning road users, vehicles and infrastructure, to be undertaken by the Community, the industry and the relevant authorities of the Member States, on the basis of exchanges in best practice, in order to address pre-crash (active), in-crash (passive), and post-crash safety of pedestrian and other vulnerable road users.***

⁽¹⁾ OJ C ...

⁽²⁾ Position of the European Parliament of 3 July 2003.

Thursday 3 July 2003

- (7) In view of the speed of technological development in this area, alternative **measures at least equivalent in terms of actual effectiveness** to the requirements of this Directive — **either passive or a combination of active and passive measures** — may be proposed by the industry and shall be assessed following a feasibility study **carried out by independent experts** by 1 July 2004; the introduction of alternative **measures at least equivalent in terms of actual effectiveness** would require **adapting or** amending this Directive.
- (8) Because of the ongoing research and technical progress in the area of pedestrian protection, it is appropriate to introduce a certain degree of flexibility in this field. Accordingly, this Directive establishes the fundamental provisions regarding pedestrian protection in the form of tests to be complied with by new types of vehicles and by new vehicles. The technical prescriptions for the application of those tests should be adopted by Commission decision.
- (9) **The rapidly advancing technology in active safety means that collision mitigation and avoidance systems could provide major safety benefits, for example in reducing collision speed and adjusting impact direction. The development of such technologies should be encouraged by this Directive.**
- (10) The Associations representing the European, Japanese and Korean motor vehicle manufacturers have undertaken commitments to start applying the EEVC recommendations concerning limit values and tests, or agreed alternative measures of at least equivalent effect, as from 2010, and a first set of limit values and tests as from 2005 to new types of vehicles and to apply the first set of tests to 80 % of all new vehicles as from 1 July 2010, to 90 % of all new vehicles as from 1 July 2011 and to all new vehicles as from 31 December 2012.
- (11) The provisions laid down in this Directive should also contribute to establishing a high level of protection in the context of the international harmonisation of legislation in this area, which started under the 1998 Agreement of the UN/ECE concerning the establishment of global technical regulations for wheeled vehicles, equipment and parts which can be fitted and/or be used on wheeled vehicles.
- (12) This Directive is one of *the Directives* which must be complied with in order to conform to the EC type-approval procedure established by Council Directive 70/156/EEC of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their *trailers* ⁽¹⁾.
- (13) Directive 70/156/EEC should therefore be amended accordingly.

HAVE ADOPTED THIS DIRECTIVE:

Article 1

1. This Directive applies to the frontal surfaces of vehicles. For the purpose of this Directive, 'vehicle' means any motor vehicle as defined in Article 2 of and Annex II to Directive 70/156/EEC, of category M_1 , of a total permissible mass not exceeding 2,5 tonnes, and N_1 derived from M_1 , of a total permissible mass not exceeding 2,5 tonnes.

2. This Directive has the purpose of reducing injuries to pedestrians and other vulnerable road users who are hit by the frontal surfaces of the vehicles defined in paragraph 1.

⁽¹⁾ OJ L 42, 23.2.1970, p. 1. Directive as last amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36).

Article 2

1. With effect from 1 January 2004 no Member State may, on grounds relating to pedestrian protection:

- refuse, in respect of a type of motor vehicle, to grant EC type-approval, or national type-approval or
- prohibit the registration, sale or entry into service of vehicles,

provided that the vehicles comply with the technical provisions set out in section 3.1. or 3.2 of Annex I.

2. With effect from 1 October 2005, Member States shall no longer grant:

- EC type-approval, or
- national type-approval,

except where the provisions of Article 8(2) of Directive 70/156/EEC are invoked, for any type of vehicle on grounds relating to pedestrian protection if the technical provisions set out in section 3.1. or 3.2. of Annex I are not complied with.

3. Paragraph 2 shall not apply to vehicles which do not differ with respect to their essential aspects of bodywork construction and design forward of the A pillars from vehicle types which have been granted EC type approval or national type approval before 1 October 2005, which have not already been approved to this Directive.

4. With effect from 1 September 2010, Member States shall no longer grant:

- EC type-approval, or
- national type-approval,

except where the provisions of Article 8(2) of Directive 70/156/EEC are invoked, for any type of vehicle on grounds relating to pedestrian protection if the technical provisions set out in section 3.2. of Annex I to this Directive are not complied with.

5. With effect from 31 December 2012, Member States:

- shall consider certificates of conformity which accompany new vehicles in accordance with the provisions of Directive 70/156/EEC to be no longer valid for the purposes of Article 7(1) of that Directive, and
- shall refuse the registration, sale and entry into service of new vehicles which are not accompanied by a certificate of conformity in accordance with Directive 70/156/EEC

on grounds relating to pedestrian protection if the technical provisions set out in section 3.1. or 3.2. of Annex I are not complied with.

6. With effect from 5 years after the date referred to in *paragraph 4*, Member States:

- shall consider certificates of conformity which accompany new vehicles in accordance with the provisions of Directive 70/156/EEC to be no longer valid for the purposes of Article 7(1) of that Directive, and

Thursday 3 July 2003

- shall refuse the registration, sale and entry into service of new vehicles which are not accompanied by a certificate of conformity in accordance with Directive 70/156/EEC

on grounds relating to pedestrian protection if the technical provisions set out in section 3.2 of Annex I are not complied with.

Article 3

Subject to the provisions in Article 2, Member States shall ensure that the tests laid down in section 3.1 or 3.2 of Annex I are carried out in accordance with the technical prescriptions which the Commission shall specify by decision.

Article 4

The approval authorities of each Member State shall send monthly to the Commission a copy of the type-approval certificate, the model for which is set out in Appendix 2 of Annex II, in respect of each vehicle which they have approved in accordance with this Directive during that month.

Article 5

1. The Commission, based on relevant information communicated by the approval authorities and interested parties as well as on independent studies, shall monitor the progress made by the industry in the area of pedestrian protection, and shall carry out, by 1 July 2004, **an independent** feasibility assessment concerning the provisions in Annex I, section 3.2 and in particular **alternative** measures — **either passive or a combination of active and passive measures** — which are at least equivalent **in terms of actual effectiveness. The feasibility assessment shall be based, inter alia, on practical tests and independent scientific studies.**

2. **If, as a result of the feasibility assessment referred to in paragraph 1, it is considered necessary to adapt the provisions of Annex I, section 3.2, to include a combination of active and passive measures which afford at least the same level of protection as the existing provisions of Annex I, section 3.2, the Commission shall submit to the European Parliament and the Council a proposal to amend this Directive accordingly.**

3. **As long as adaptation of this Directive is restricted to the introduction of alternative passive measures which afford at least the same level of protection as the existing provisions of Annex I, section 3.2, such adaptation may be carried out by the Committee on the Adaptation to Technical Progress, in accordance with the procedure laid down in Article 13 of Directive 70/156/EEC.**

4. The Commission shall report **before 1 April 2006, and every two years thereafter**, to the European Parliament and the Council on the results of the monitoring referred to in paragraph 1.

Article 6

Directive 70/156/EEC is amended as follows:

1. In Annex I, points 9.[23] and 9.[23].1 are inserted:

'9.[23] Pedestrian protection

- 9.[23].1. A detailed description, including photographs and/or drawings, of the vehicle with respect to the structure, the dimensions, the relevant reference lines and the constituent materials of the frontal part of the vehicle (interior and exterior) shall be provided. This description should include detail of any active protection system installed, where appropriate.'

Thursday 3 July 2003

2. In Annex III, Section A, points 9.[23] and 9.[23].1 are inserted:

'9.[23] Pedestrian protection

9.[23].1. A detailed description, including photographs and/or drawings, of the vehicle with respect to the structure, the dimensions, the relevant reference lines and the constituent materials of the frontal part of the vehicle (interior and exterior) shall be provided. This description should include detail of any active protection system installed, where appropriate.'

3. In Annex IV, part I, an item [58], and footnotes, is inserted as follows:

Subject	Directive number	Official journal reference	Applicability												
			M ₁	M ₂	M ₃	N ₁	N ₂	N ₃	O ₁	O ₂	O ₃	O ₄			
'[58]. Pedestrian Protection	[.../.../EC]	L ..., ..., p. ...	X ⁽⁶⁾				X ^(6, 7)								

⁽⁶⁾ not exceeding 2,5 tonnes total permissible mass.

⁽⁷⁾ derived from M₁ category vehicles.'

4. In Annex XI, appendix 1, an item [58] is inserted, as follows:

Item	Subject	Directive number	M ₁ ≤ 2 500 (¹) kg	M ₁ > 2 500 (¹) kg	M ₂	M ₃
'[58]	Pedestrian Protection	[.../.../EC]	X'			

5. In Annex XI, appendix 2, an item [58] is inserted as follows:

Item	Subject	Directive number	M ₁	M ₂	M ₃	N ₁	N ₂	N ₃	O ₁	O ₂	O ₃	O ₄
'[58]	Pedestrian Protection	[.../.../EC]'										

6. In Annex XI, appendix 3, an item [58] is inserted, as follows:

Item	Subject	Directive number	M ₂	M ₃	N ₁	N ₂	N ₃	O ₁	O ₂	O ₃	O ₄
'[58]	Pedestrian Protection	[.../.../EC]'									

Article 7

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 31 December 2003 at the latest. They shall forthwith inform the Commission thereof.

They shall apply those provisions with effect from 1 January 2004.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such a reference is to be made.

Thursday 3 July 2003

2. Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field governed by this Directive.

Article 8

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

Article 9

This Directive is addressed to the Member States.

Done at ..., ...

For the European Parliament
The President

For the Council
The President

ANNEX I

TECHNICAL PROVISIONS

1. SCOPE

This Directive applies to the frontal surfaces of vehicles. For the purpose of this Directive, vehicle means any motor vehicle as defined in Article 2 of and Annex II to Directive 70/156/EEC of category M₁ of a total permissible mass not exceeding 2,5 tonnes and to N₁ vehicles derived from M₁, of a total permissible mass not exceeding 2,5 tonnes.

2. DEFINITIONS

For the purposes of this Directive:

- 2.1. 'A-pillar' means the foremost and outermost roof support extending from the chassis to the roof of the vehicle.
- 2.2. 'Bumper' means the front, lower, outer structure of a vehicle. It includes all structures that are intended to give protection to a vehicle when involved in a low speed frontal collision with another vehicle and also any attachments to this structure.
- 2.3. 'Bonnet Leading Edge' means the front upper outer structure including the bonnet and wings, the upper and side members of the headlight surround and any other attachments.
- 2.4. 'Bonnet top' means the outer structure that includes the upper surface of all outer structures except the windscreen, the A-pillars and structures rearwards of them. It therefore includes, but is not limited to, the bonnet, wings, scuttle, wiper spindle and lower windscreen frame. 'Head Performance Criterion (HPC)' is a calculation, over a specified time period, of the maximum resultant acceleration experienced during the impact.

Thursday 3 July 2003

2.5. 'Windscreen' means the frontal glazing of the vehicle which meets all the relevant requirements of Annex I to Directive 77/649/EEC ⁽¹⁾.

2.6. 'Vehicle Type' means a category of vehicles which, forward of the A-pillars, do not differ in such essential respects as:

- the structure,
- the main dimensions,
- the materials of the outer surfaces of the vehicle,
- the component arrangement (external or internal),

insofar as they may be considered to have a negative effect on the results of the impact tests prescribed in this Directive.

3. TEST PROVISIONS

3.1. The following tests are required to be carried out; however, the limit values specified in items 3.1.3 and 3.1.4 are required for monitoring purposes only.

3.1.1. Legform to Bumper:

One of the two following legform tests are required to be performed:

3.1.1.1. Lower legform to bumper: The test is performed at an impact speed of 40 km/h. The maximum dynamic knee bending angle shall not exceed 21,0°, the maximum dynamic knee shearing displacement shall not exceed 6,0 mm, and the acceleration measured at the upper end of the tibia shall not exceed 200 g

3.1.1.2. Upper legform to bumper: The test is performed at an impact speed of 40 km/h. The instantaneous sum of the impact forces with respect to time shall not exceed 7,5 kN and the bending moment on the test impactor shall not exceed 510 Nm.

3.1.2. Child/Small Adult headform to bonnet top: The test is performed at an impact speed of 35 km/h using a 3,5 kg test impactor. The Head Performance Criterion (HPC) shall not exceed 1 000 over 2/3 of the bonnet test area and 2 000 for the remaining 1/3 of the bonnet test area.

3.1.3. Upper legform to bonnet leading edge: The test is performed at an impact speed up to 40 km/h. The instantaneous sum of the impact forces with respect to time should not exceed a possible target of 5,0 kN and the bending moment on the test impactor shall be recorded and compared with the possible target of 300 Nm.

3.1.4. Adult headform to windscreen: The test is performed at an impact speed of 35 km/h using a 4,8 kg test impactor. The Head Performance Criterion (HPC) shall be recorded and compared with the possible target of 1 000.

3.2. The following tests are required to be carried out.

3.2.1. Legform to Bumper:

One of the two following legform tests are required to be performed:

⁽¹⁾ Council Directive 77/649/EEC of 27 September 1977 on the approximation of the laws of the Member States relating to the field of vision of motor vehicle drivers (OJ L 267, 19.10.1977, p. 1). Directive as last amended by Commission Directive 90/630/EEC (OJ L 341, 6.12.1990, p. 20).

Thursday 3 July 2003

- 3.2.1.1. Lower legform to bumper: The test is performed at an impact speed of 40 km/h. The maximum dynamic knee bending angle shall not exceed 15,0°, the maximum dynamic knee shearing displacement shall not exceed 6,0 mm, and the acceleration measured at the upper end of the tibia shall not exceed 150 g.
- 3.2.1.2. Upper legform to bumper: The test is performed at an impact speed of 40 km/h. The instantaneous sum of the impact forces with respect to time shall not exceed 5,0 kN and the bending moment on the test impactor shall not exceed 300 Nm.
- 3.2.2. Child headform to bonnet top: The test is performed at an impact speed of 40 km/h using a 2,5 kg test impactor. The Head Performance Criterion (HPC) shall not exceed 1 000 for the whole of the bonnet test area.
- 3.2.3. Upper legform to bonnet leading edge: The test is performed at an impact speed up to 40 km/h. The instantaneous sum of the impact forces with respect to time shall not exceed 5,0 kN and the bending moment on the test impactor shall not exceed 300 Nm.
- 3.2.4. Adult headform to bonnet top: The test performed at an impact speed of 40 km/h using a 4,8 kg test impactor. The Head Performance Criterion (HPC) shall not exceed 1 000 for the whole bonnet test area.

ANNEX II

ADMINISTRATIVE PROVISIONS FOR TYPE-APPROVAL

1. APPLICATION FOR EC TYPE APPROVAL

- 1.1. The application for EC type-approval pursuant to Article 3(4) of Directive 70/156/EEC of a vehicle type with regard to pedestrian protection shall be submitted by the manufacturer.
- 1.2. A model for the information document is given in Appendix 1.
- 1.3. A vehicle, representative of the vehicle type to be approved, shall be submitted to the technical service responsible for conducting the type-approval tests.

2. GRANTING OF EC TYPE-APPROVAL

- 2.1. If the tests referred to in Annex I are conducted in accordance with the specifications provided in that Annex and the technical prescriptions referred to in Article 3, EC type-approval pursuant to Article 4(3) and, if applicable, 4(4) of Directive 70/156/EEC shall be granted.
- 2.2. A model for the EC type-approval certificate is given in Appendix 2.
- 2.3. An approval number in accordance with Annex VII to Directive 70/156/EEC shall be assigned to each type of vehicle approved. The same Member State shall not assign the same number to another type of vehicle.
- 2.4. In case of doubt, account shall be taken, when verifying the compliance with the test procedures, of any data or test results, provided by the manufacturer, which can be taken into consideration in validating the approval test carried out by the approval authority.

Thursday 3 July 2003

3. MODIFICATION OF THE TYPE AND AMENDMENTS TO APPROVALS

- 3.1. Any modification of the vehicle affecting the general form of the frontal structure of the vehicle which in the judgement of the authority would have a marked influence on the results of the tests shall require a repetition of the test.
- 3.2. In the case of modification of a vehicle type approved pursuant to this Directive, the provisions of Article 5 of Directive 70/156/EEC shall apply.

4. CONFORMITY OF PRODUCTION

- 4.1. Measures to ensure the conformity of production shall be taken in accordance with the provisions laid down in Article 10 of Directive 70/156/EEC.

Appendix 1 to Annex II

Information document No ...

pursuant to Annex I of Council Directive 70/156/EEC

relating to the EC type-approval of a vehicle with respect to Pedestrian protection

The following information, if applicable, must be supplied in triplicate and include a list of contents. Any drawings must be supplied in appropriate scale and in sufficient detail on size A4 or on a folder of A4 format. Photographs, if any, must show sufficient detail.

If the systems, components or separate technical units have electronic controls, information concerning their performance must be supplied.

0. GENERAL

- 0.1. Make (trade name of manufacturer):.....
- 0.2. Type and general commercial description(s):.....
- 0.3. Means of identification of type, if marked on the vehicle:.....
- 0.3.1. Location of that marking:.....
- 0.4. Category of vehicle:.....
- 0.5. Name and address of manufacturer:.....
- 0.8. Address(es) of assembly plant(s):.....

1. GENERAL CONSTRUCTION CHARACTERISTICS OF THE VEHICLE

- 1.1. Photographs and/or drawings of a representative vehicle:.....
- 1.6. Position and arrangement of the engine:.....

Thursday 3 July 2003

9. BODYWORK

9.1. Type of bodywork:.....

9.2. Materials used and methods of construction:.....

9.[23] Pedestrian protection

A detailed description, including photographs and/or drawings, of the vehicle with respect to the structure, the dimensions, the relevant reference lines and the constituent materials of the frontal part of the vehicle (interior and exterior) shall be provided. This description should include detail of any active protection system installed, where appropriate.

Appendix 2 to Annex II

MODEL

(maximum format: A4 (210 x 297 mm))

EC TYPE-APPROVAL CERTIFICATE

STAMP OF EC Type Approval Authority

Communication concerning the

- EC type-approval (1)
- extension of EC type-approval (1)
- refusal of EC type-approval (1)
- withdrawal of EC type-approval (1)

of a type of vehicle with regard to Directive .../.../EC, as last amended by Directive .../.../EC

Type-approval Number.....

Reason for extension.....

SECTION I

0.1. Make (trade name of manufacturer):.....

0.2. Type:.....

0.2.1. Commercial name(s) (if available)

0.3. Means of identification of type, if marked on the vehicle.....

0.3.1. Location of that marking:.....

0.4. Category of vehicle:.....

0.5. Name and address of manufacturer:.....

0.8. Names and address(es) of assembly plant(s):.....

(1) Delete where not applicable.

SECTION II

1. Additional information (where applicable) (see Addendum)
2. Technical service responsible for carrying out the tests:.....
3. Date of test report:.....
4. Number of test report:.....
5. Remarks (if any) (see Addendum)
6. Place:.....
7. Date:.....
8. Signature:.....
9. The index to the information package lodged with the approval authority, which may be obtained on request, is attached.

Addendum

to EC type-approval certificate no ...

concerning the type-approval of a vehicle with regard to

Directive .../.../EC.

1. Additional information
 - 1.1. Brief description of the vehicle type as regards its structure, dimensions, lines and constituent materials:.....
 - 1.2. Site of engine: forward/rear/central (!)
 - 1.3. Drive: front-wheel: rear-wheel (!)
 - 1.4. Mass of vehicle submitted for testing —
 - Front axle:.....
 - Rear axle:.....
 - Total:.....
 - 1.5. Test results according to Section 3.1/3.2 of Annex I (delete as appropriate):
 - 1.5.1. Annex I Section 3.1 tests

Test	Value recorded		Pass/Fail (!)
Lower legform to Bumper (where performed)	Bending angle	degrees	
	Shear displacement	mm	
	Acceleration at tibia	g	

(!) Delete where not applicable.

Thursday 3 July 2003

Test	Value recorded		Pass/Fail ⁽¹⁾
Upper legform to bonnet leading edge	Sum of impact forces	kN	___ ⁽²⁾
	Bending moment	Nm	___ ⁽²⁾
Upper legform to bumper. (where performed)	Sum of impact forces	kN	
	Bending moment	Nm	
Child/Small Adult headform (3,5 kg) to bonnet top	HPC values in Zone A (at least 12 values)		
	HPC values in Zone B (at least 6 values)		
Adult headform (4,8 kg) to wind-screen	HPC values (at least 5 values)		___ ⁽²⁾

⁽¹⁾ According to the values specified in Annex I, section 3.1, of Directive [...] EC relating to pedestrian protection.

⁽²⁾ For monitoring purposes only.

1.5.2. Annex I Section 3.2 tests

Test	Value recorded		Pass/Fail ⁽¹⁾
Lower legform to Bumper (where performed)	Bending angle	Degrees	
	Shear displacement	mm	
	Acceleration at tibia	g	
Upper legform to bonnet leading edge	Sum of impact forces	kN	
	Bending moment	Nm	
Upper legform to bumper (where performed)	Sum of impact forces	kN	
	Bending moment	Nm	

Thursday 3 July 2003

Test	Value recorded		Pass/Fail ⁽¹⁾
Child headform (2,5 kg) to bonnet top	HPC values (at least 9 values)		
Adult headform (4,8 kg) to bonnet top	HPC values (at least 9 values)		

⁽¹⁾ According to the values specified in Annex I, section 3.1, of Directive [...] EC relating to pedestrian protection.

1.6. Remarks (eg, valid for left-hand drive and right-hand drive vehicles):

P5_TA(2003)0332

2004 budget conciliation procedure

European Parliament resolution on the 2004 budget in view of the conciliation procedure before the Council's first reading (2003/2027(BUD))

The European Parliament,

- having regard to Article 272 of the EC Treaty and Article 177 of the Euratom Treaty,
 - having regard to the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission on budgetary discipline and improvement of the budgetary procedure ⁽¹⁾ and in particular Annex III thereof,
 - having regard to the preliminary draft budget of the Commission for 2004,
 - having regard to its resolution of 11 March 2003 on the guidelines for the 2004 budget procedure, Section III, Commission ⁽²⁾,
 - having regard to Article 92 and Annex IV of its Rules of Procedure,
 - having regard to the report of the Committee on Budgets and the opinions of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy, the Committee on Agriculture and Rural Development, and the Committee on Fisheries (A5-0240/2003),
- A. whereas the objective of the first reading conciliation between Parliament and Council is to evaluate the needs assessed by the Commission in the Preliminary Draft Budget (PDB) and to secure an agreement on the level of expenditure for agriculture, international fisheries agreements and the common foreign and security policy, but it is also an opportunity to prepare an agreement on Parliament's priorities, including the pilot projects and preparatory actions, and an appropriate level of payments,
- B. whereas the 2004 budget is essential for the successful integration of 10 new Member States in the financial system of the European Union and should thus contribute to the political aim of uniting Europe, and whereas it should promote economic, social and territorial cohesion, sustainable development, entrepreneurship and competitiveness and help improve the business climate and conditions for the creation of long term employment opportunities and sustainable economic growth, and strengthen the link between education and entrepreneurship,

⁽¹⁾ OJ C 172, 18.6.1999, p. 1.

⁽²⁾ P5_TA(2003)0079.

Thursday 3 July 2003

- C. whereas in Decision 2003/429/EC of the European Parliament and of the Council of 19 May 2003 on the adjustment of the financial perspective for enlargement ⁽¹⁾, the financial perspective has been revised and adjusted in order to cater for the accession of 10 new Member States,
- D. whereas the Commission has presented the preliminary draft budget as a budget for 25 Member States, thus following Parliament's position,
- E. whereas the 2004 PDB amounts to EUR 112,2 billion in appropriations for commitments and EUR 100,7 billion in appropriations for payments, which represents an increase of 12,6 % in commitments and 3,3 % in payments compared to the 2003 budget, which was adopted for an EU of 15 Member States, and whereas the increase for non-compulsory expenditure is 16,8 % in commitments and only 0,8 % in payments, while the increase for compulsory expenditure is 6,6 % in commitments and 6,5 % in payments,
- F. whereas the projected figures for the 15 current Member States in the 2004 PDB are EUR 100,4 billion in commitments and EUR 95,6 billion in payments, representing an increase of 0,7 % in commitments and a reduction of 2,0 % in payments, which are significantly lower than even the deflator of 1,7 % used by the Commission for the annual technical adjustment of the financial perspective for the 2004 financial year, and whereas for EU-15 non-compulsory expenditure is reduced by 0,5 % in commitments and by as much as 5,1 % in payments, while the appropriations for compulsory expenditure increase by 2,4 % in commitments and 2,3 % in payments,
- G. whereas appropriations for payments represent 0,99 % of the Gross National Income (GNI) of the 25 Member States compared to 1,04 % of GNI for the 2003 budget for 15 Member States, and representing the lowest share since 1987 (0,96 % of GNP),
- H. whereas the maximum rate of increase (MRI) for non-compulsory expenditure, established on the basis of Article 272(9) of the EC Treaty, is 8,0 %, which combines an MRI of 3,9 % for the current Member States and 4,7 % due to the increase in EU GNI as a result of the accession of 10 new Member States in 2004,

General framework

1. Welcomes the fact that the Commission has presented the PDB for 25 Member States in accordance with the budgetary principles deriving from the Treaty, in particular the principle of unity as stated by Article 4 of the Financial Regulation, which provides that the budget must forecast and authorise all revenue and expenditure necessary for the European Union; underlines the fact that no discrimination must exist in the budget between the current 15 Member States and the 10 states that will accede to the European Union on 1 May 2004;

2. Considers that the 15 current Member States between January and April 2004 must only transfer the own resources to the EU budget which correspond to a budget for 15 Member States; intends to reach a political agreement with the Council in December 2003 on a budget for 25 Member States which respects the budgetary principles of unity, annuality and transparency, although the President of Parliament may only sign a budget for 15 Member States to respect the legal situation on 1 January 2004; notes that the Accession Treaty provides for the presentation of an Amending Budget before 1 May 2004 in order to adjust the budget to cope with 25 Member States; insists that the procedure be complemented by a firm commitment by the two arms of the budgetary authority to respect the figures for 25 Member States decided in the 2004 budgetary procedure;

⁽¹⁾ OJ L 147, 14.6.2003, p. 25.

Thursday 3 July 2003

3. Stresses that, in parallel with the budgetary procedure, the multi-annual financial frameworks of the codecision programmes under heading 3 must be revised in order to include the needs of the new Member States from 1 May 2004 onwards, as agreed in the Declaration on Article 32 and Annex XV of the Accession Treaty of April 2003; stresses that it will undertake all efforts to reach an agreement with Council in the July conciliation;

4. Welcomes the introduction of Activity-Based Budgeting (ABB) in the 2004 budget nomenclature, in line with the entry into force of the new Financial Regulation; regrets that the Commission did not enter the human resources under each policy area and that the administrative costs entered in the PDB do not reflect the real costs by policy area; intends to evaluate, on the basis of ABB, the costs of the different policy areas in line with its political priorities;

5. Will examine the ratio between administrative and operational expenditure, and reaffirms its position that 'expenditure on administrative management' (former BA lines) has to be limited as far as possible in order to maintain the level of operational expenditure in the budget, without, however, neglecting the level of RAL;

6. Intends to further examine the level of payments, given that there is a significant imbalance between increases in commitments and in payments for EU-25, while payments for non-compulsory expenditure for EU-15 are reduced by EUR 2,9 billion compared to the 2003 budget;

7. Notes that the margin for payment appropriations left by the 2004 PDB amounts to EUR 10,9 billion;

Agriculture

8. Notes that the total amount of heading 1 for EU-25 (EUR 47,9 billion) increases by 6,9 % compared to the 2003 budget, corresponding to an increase of 39,1 %, or EUR 1,8 billion, for heading 1b (Rural development), and only 3,1 % (EUR 1,3 billion) for heading 1a (Common agricultural policy, not including rural development), because direct income payments will not have an impact on the budget until 2005;

9. Notes that the margin for heading 1a in the 2004 PDB is EUR 1,4 billion, while no margin is left under heading 1b, and that the estimated agricultural budget is based on a euro exchange rate of 1,07 to the US dollar;

10. Notes that the compulsory part of the common agricultural policy's total expenditure is cut from 40,2 % in the 2003 budget to 36,8 % in the 2004 PDB for EU-25 and that the share of non-compulsory expenditure is increased from 4,7 % in 2003 to 5,8 % in 2004;

11. Seeks clarification on the inclusion of the Commission proposal for the mid-term review in the PDB, given that no decision has yet been taken by the Council, and asks the Commission to detail and possibly adjust the budgetary impact in its Letter of Amendment, taking account of Parliament's position;

12. Welcomes the large increase of 31 % for health and consumer protection included under heading 1a (Food safety, animal health, animal welfare and plant health, Articles 17 04 01 to 17 04 05, former Chapter B1-33), which should allow sufficient funding to be set aside for the development of better vaccines and testing methods and for health checks to be carried out at the enlarged Union's borders;

13. Is considering creating a special item for insurance schemes for farmers in connection with emergencies and calamities such as foot-and-mouth disease, classical swine fever, avian influenza and other similar diseases;

14. Is considering providing extra resources for further development and implementation of environmental indicators and for the promotion of quality schemes in agriculture;

Thursday 3 July 2003

15. Expresses its concern about the 8,3 % and 6,4 % cuts in the 2004 PDB for promotion measures (05 08 05 01) and the audit of agriculture expenditure (Chapter 05 07) respectively;

16. Underlines the fact that the global increase of 29 % in appropriations for rural development (as defined in the ABB, Chapter 05 04; heading 1b and EAGGF Guidance Section under heading 2) reflects one of the calls made in Parliament's guidelines for 2004; notes that the increase for heading 1b is basically due to the impact of enlargement while the increase for EU-15 for this chapter amounts to 8.8 %;

Fisheries

17. Notes that the Commission has created under ABB nomenclature a policy area comprising all expenditure related to EU fisheries policy (Policy area 11: Fisheries), such as fishery markets (heading 1a), structural interventions for fisheries (heading 2), actions concerning control, conservation, data collection and research (heading 3), international fisheries agreements and organisations (heading 4), and — as in each policy area — administrative expenditure under heading 5 (internal and external staff, management support and buildings) and expenditure on administrative management (headings 2, 3 and 4);

18. Notes that, for the fisheries policy area in 2004, the Commission projects appropriations of EUR 972,1 million in commitments and EUR 983,3 million in payments, which is an increase of EUR 46,9 million (5,1 %) in commitments and a reduction of EUR 15,2 million (1,5 %) in payments, while of fisheries policy area appropriations EUR 73,0 million in commitments and EUR 34,7 million in payments are earmarked for the new Member States;

19. Intends to further examine the significant reductions made by the Commission for fisheries policy under heading 3, in particular in research and under the Structural Funds; considers that monitoring and control of the use of quotas must be improved and that better cooperation between the Commission's and Member States' activities is a priority in this respect;

20. Intends to examine the need for payment appropriations for the 'scrapping fund' (Article 11 06 10), given that the Council has not yet agreed on financing the fund under the 2003 budget; urges the Council to establish its position on the financing of the reform of the common fisheries policy;

21. Notes that the appropriations for international fisheries agreements (Article 11 03 01) have been slightly increased by EUR 1,6 million (0,9 %) in commitments and EUR 1,9 million (1,0 %) in payments; states that more detailed information is needed on the ongoing negotiations for renewal of agreements and protocols before Parliament's first reading in order to allocate the necessary resources; invites the Council to agree with Parliament to make a distinction within this article between the part that is related to the development of the third country's fisheries industry (the so-called targeted measures) and the Community's financial compensation in exchange for fishing rights so as to enhance transparency and control over implementation of the EU budget;

22. Takes note that the Commission has not included appropriations in the 2004 PDB for new fisheries agreements which are under negotiation without a clear indication about their conclusion during 2003 or 2004;

Common foreign and security policy

23. Recalls the agreement reached during the 2003 budgetary procedure on the provision of information to, and consultation of, Parliament on the common foreign and security policy (CFSP), including European security and defence policy (ESDP); deplores the fact that the Council did not respect this agreement as regards financial information and consultation of Parliament on the ESDP action in FYROM ('Mission Concordia'); therefore urges the Council to deliver this information, and henceforth to respect the agreement;

Thursday 3 July 2003

24. Notes the proposal in the PDB to increase the appropriations for CFSP by a further EUR 4 million (8.4 %) in commitments compared to the 2003 budget;

25. Expects further justification for the need to increase CFSP expenditure in 2004, following the increase by EUR 17,5 million (58,3 %) in the 2003 budget, on the basis of political dialogue and immediate and detailed information on financing and implementation in order to identify the real needs for CFSP Joint Actions, given the restrictions on funding for external actions; will in the meantime abstain from taking a final decision on the 2004 CFSP expenditure;

26. Is aware that the EU Police Mission (EUPM) to Bosnia and Herzegovina appears to be operating efficiently despite its late start; nevertheless draws attention to delays in providing essential equipment;

External actions

27. Notes that the deepening of relations with the neighbours of the enlarged Union currently under discussion (Wider Europe/New Neighbours Initiative) will entail additional budgetary needs; points to the need to ensure that adequate funds will be available in the TACIS, CARDS and MEDA programmes and possibly also in a new Neighbourhood Instrument; asks the Commission to look into the possibilities of using resources in the external action heading, complemented with resources from the revised pre-accession strategy heading, if and when appropriate;

28. Asks for further clarification of the announcement on funding for South Eastern Europe for 2004-2006 made by the Commission at the 4th Stability Pact Parliamentary Conference held at the European Parliament on 21-22 May 2003;

29. Underlines its support, in the light of the projected cuts, for measures to prevent and resolve conflicts and for actions on anti-personnel mines;

Pilot projects and preparatory actions

30. Notes that the margin of EUR 82,5 million left by the Commission under heading 3 for an EU with 25 Member States is not significantly higher than the margin left in previous years for an EU with 15 Member States; underlines the fact that the increase in other actions, including the codecision programmes, should leave sufficient scope for new programmes, pilot projects and preparatory actions;

31. Confirms the need to consider the continuation of existing pilot projects and preparatory actions based on their implementation; reminds the Council and Commission at this stage of the procedure of its intention to examine the introduction of new actions in the field of agriculture in heading 1a on an insurance scheme for farmers, the implementation of environmental indicators, and a quality scheme for food production; asks the Council to take a position on this issue; will consider the introduction of new actions in other policy areas at its first reading;

32. Considers that, given the recent adjustment of the financial perspective and the imminent arrival of new Member States, the annual amount earmarked for pilot projects and preparatory actions should be increased;

Structural operations

33. Expresses concern about the fact that the payment appropriations for the Structural Funds for the current 15 Member States have been reduced by EUR 4,2 billion, or 13,9 %, compared to the 2003 budget; stresses that their volume should be assessed on the basis of not just the Member States' forecasts, but also the level of outstanding commitments and payments for the current financial year, and that the closure of programmes from the previous period (1994-1999) does not in any way justify any cuts in appropriations; notes that the payment appropriations for the Structural Funds and the Cohesion Fund for the new Member States amount to EUR 1,8 billion compared to commitment appropriations of EUR 6,7 billion;

Thursday 3 July 2003

34. Calls on the Commission to submit an assessment of the implementation of the N+2 rule and its real impact and to include an analysis of the appropriations expected to be freed up and their impact over the year;

35. Asks the Commission to inform Parliament on Member States' forecasts for Structural Funds payments for 2004 in order to assess the appropriate level of payments;

Small and medium-sized enterprises

36. Stresses the importance of promoting SMEs at EU level, too; deplores the fact that, in spite of the priority given to promoting entrepreneurship and the challenges of enlargement, the commitment appropriations in the PDB for 2004 as regards some specific budget lines for SMEs either remain at the 2003 level (e.g. improving the financial environment for SMEs — Article 01 04 05) or even decrease (e.g. Chapter 02 02, Encouraging entrepreneurship, decreases by 21,7 % compared to the 2003 budget); intends to make additional resources available for developing an ambitious SME assistance policy in an enlarged Europe; takes the view that greater emphasis should be placed on the social dimension, employment and vocational training;

Subsidies

37. Takes note of the Commission communication (COM(2003) 274) containing the different legal bases for the activities financed under former Chapter A-30 and for which a legal basis is now needed as a result of the ABB nomenclature; urges the Council to cooperate closely with Parliament to adopt the legal basis before the end of the 2004 budgetary procedure; recalls that Parliament had expressed its preference for a framework regulation in order to avoid the rigidity of specific requirements imposed by various legal bases, depending on the Treaty article concerned; reminds the Commission that the legal aspects should not undermine the principles agreed in Article 107 of the Financial Regulation concerning the implementation of Parliament's priorities; will ensure that none of the European Parliament's political priorities are lost after the change in the system of subsidies; intends to examine all proposals together so as to ensure a coherent legislative framework for all activities under former Chapter A-30 in accordance with the new Financial Regulation;

Agencies

38. Notes that the amount given over to the agencies in the PDB for 2004 is EUR 212 million, under heading 3, as a result of the significant increase for the newly created agencies following adoption of their respective legal bases, the establishment of two new agencies and, lastly, what is required by all of them for enlargement; believes that, particularly given the increasing trend towards decentralisation of EU activities, the rigour imposed on the institutions should, similarly, apply to the agencies; points out that, according to the joint statement agreed in the context of the revision of the regulations establishing the agencies, the competent bodies should endeavour to settle the question of the agencies' final locations as early as possible;

*
* * *

39. Instructs its President to forward this resolution to the Council, the Commission, the Court of Auditors and the EU agencies.

P5_TA(2003)0333

Implementation of 2003 budget

European Parliament resolution on the 2003 budget: implementation profile, transfers of appropriations and supplementary and amending budgets (2003/2026(BUD))

The European Parliament,

- having regard to Articles 272 and 274 of the EC Treaty,
 - having regard to the general budget of the European Union for the financial year 2003 ⁽¹⁾,
 - having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽²⁾,
 - having regard to the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission on budgetary discipline and improvement of the budgetary procedure ⁽³⁾,
 - having regard to Rule 92 and Annex IV of its Rules of Procedure,
 - having regard to the report of the Committee on Budgets (A5-0233/2003),
- A. whereas it establishes, as one arm of the budgetary authority, the general budget of the European Union according to Article 272 of the Treaty,
- B. whereas the Commission implements the budget voted by the budgetary authority under its own responsibility and within the limits of the appropriations, according to Article 274 of the Treaty,
- C. whereas, in the context of the 2001 and 2002 budget procedures, it has already reinforced its monitoring over budget implementation in the course the budgetary year,
- D. whereas new tools and instruments to improve this follow-up have been set up at an interinstitutional level, such as weekly implementation tables and the Implementation Plan containing the implementation profile envisaged for various programmes,
- E. whereas the overall administrative reform of the Commission, ongoing since 2000, may have a major impact on the implementation of the budget and includes changes such as the introduction of Activity Based Management (ABM), Activity Based Budgeting (ABB), deconcentration of external delegations and a better matching of the tasks and resources at the Commission's disposal,
- F. whereas both qualitative and quantitative analysis of implementation are important means of ensuring that resources (tax-payers' money) are used effectively to achieve established goals and to provide a link with next year's budget in the allocation of scarce resources,
- G. whereas point 37 of the Interinstitutional Agreement allows for the possibility of entering in the budget appropriations without legal bases for pilot projects and preparatory actions,

⁽¹⁾ OJ L 54, 28.2.2003.

⁽²⁾ OJ L 248, 16.9.2002.

⁽³⁾ OJ C 172, 18.6.1999, p. 1.

Thursday 3 July 2003

H. whereas the new Financial Regulation entered into force on 1 January 2003.

RAL and Implementation Plan

1. Notes that, as at 30 April 2003, total outstanding commitments (RAL) had risen to EUR 126,1 billion from an amount of EUR 110,7 billion at the same date in 2002; notes that the breakdown is as follows:

(EUR million)				
Heading	RAL 30 April 2002	RAL 30 April 2003	Difference	%
Structural Funds (2)	82 898	93 906	11 008	+ 13 %
Internal Policies (3)	8 838	10 761	1 923	+ 22 %
External Actions (4)	12 370	12 916	546	+ 4 %
Pre-Accession (7)	6 562	8 496	1 934	+ 29 %
TOTAL	110 668	126 079	15 411	+ 14 %

2. Is concerned at this general increase, although final opinion must be reserved until new information on the abnormal part of these RALs is available;

3. Recalls the Commission's undertaking to submit, with the PDB for 2004, an action plan examining all potentially abnormal outstanding commitments and a timetable for their elimination by the end of 2003; also recalls that these documents will contain information, broken down per Member State, on items falling under the N+2 rule and indicate the measures to be taken;

4. Recalls that the Implementation Plan for 2003 should take into account and reflect the political priorities of the European Parliament as set out in the already adopted 2003 budget;

5. Believes that there is a problem with the general debate on RALs (outside purely budgetary circles) as the total figures are so often confused with what is the 'abnormal' part, even within the Institutions themselves, let alone by the general public; considers that the abnormal part of the RAL must be made more visible and, as a first step, that it should appear separately and regularly in documents produced by the Commission; in the medium term, new terminology and ways of presentation should be found to make the subject more accessible;

6. Notes with satisfaction that the Implementation Plan for 2003 will be broken down in greater detail, as agreed in the Joint Declaration on potentially abnormal RAL⁽¹⁾, which will allow for monitoring of specific programmes rather than aggregate budgetary headings; regrets that the Implementation Plan was not available with the PDB 2004 as had been agreed and urges the Commission to present it without delay;

7. Asks the Commission to provide an overview of the commitments that are not implemented, cancelled, de-committed and lapsed since 1999 (but that may refer to commitments from the previous programming period), so as to determine which percentage of the budget was not only delayed but not actually spent;

⁽¹⁾ P5_TA(2002)0624.

Thursday 3 July 2003

Preparation for enlargement

8. Welcomes the fact that selection procedures for the 500 enlargement posts provided for 2003 are on schedule and that the staff should be contracted as planned;

9. Recalls that the Commission received additional human resources also in 2001 (400 posts) and 2002 (317 posts) and asks the Commission to provide the breakdown of where these posts have been allocated; will pay particular attention to whether the Parliament's priorities have been taken into account in the allocation of these posts;

10. Asks the Commission to clarify the future plans for DG Enlargement, especially as concerns staffing resources (taking into account the needs for Bulgaria, Romania, Croatia, etc.) once this enlargement has taken place, and to what extent and where resources could be redeployed;

Surplus 2002

11. Deplores the fact that the surplus for 2002, to be presented by the Commission in Amending Budget No 3/2003, amounts to EUR 7,4 billion;

12. Reminds the Commission to take into consideration both the political priorities of the European Parliament and the implementation rates when proposing budgetary transfers in order to apply a more efficient budgetary policy;

13. Points out that this amount consists of approximately EUR 9 billion of under-implementation of EU programmes in 2002, EUR - 1,3 billion in lower than forecast revenues and EUR - 0,3 billion from exchange rate fluctuations;

14. Considers the 2002 surplus to be a step forward, taking into account the fact that the surplus for 2001, returned to Member States last year, amounted to more than the double at EUR 15 billion; considers, nevertheless, that EUR 9 billion of under-implementation is unacceptably high and draws particular attention to Structural Funds, internal policies, and pre-accession aid where implementation continues to fall short of expectations;

Impact of new Financial Regulation

15. Notes with great concern that overall implementation in the first four months of 2003 is at a lower level than for the same period in 2002 and that the Commission has advanced the explanation that delays due to new procedures (Financial Regulation) are to blame;

16. Questions whether adequate training and information, which might have allowed this trend to be avoided, has been provided to the Commission services;

17. Is most worried that inadequate information to partner countries in the external programmes, and to Authorising Officers in the external delegations, could have a negative effect on implementation and work against the efficiency gains expected from the reform process and deconcentration; fears that a lack of timely information to partner countries might jeopardise significant amounts of ongoing programmes, especially in connection with Article 77 of the Financial Regulation;

18. Calls on the Commission to take all relevant steps to correct this situation so that the new provisions contribute to better implementation rather than slowing it down;

Thursday 3 July 2003

Various headings

19. Notes with grave concern that, on 25 April 2003, the commitments implementation level for headings 3 and 4 is considerably lower than on the same date in 2002; notes with satisfaction that the situation for heading 7 is the opposite;

EUR million (Commitment appropriations)					
Heading	Implementation at 30 April 2003	%	Implementation at 30 April 2002	%	Difference
Structural Operations (2)	31 022,8	91 %	30 462,2	90 %	560,6
Internal Policies (3)	688,9	10 %	2 403,1	24 %	- 1 714,2
External Policies (4)	1 071,1	21 %	1 477,2	28 %	- 406,1
Pre-accession aid (7)	472,3	14 %	277,3	8 %	195

Agriculture and Fisheries

20. Continues to be critical of the current system of export subsidies for transport of live animals and expresses its dissatisfaction that the Council did not accept the change in nomenclature for the budget lines concerned which would, at least, have made the system more transparent; intends to reintroduce this proposed change in future budgets;

21. Notes that, according to the report from the Commission to the European Parliament and the Council on EAGGF Guarantee section expenditure — early warning system No 4/2003 ⁽¹⁾, the implementation of appropriations under subheading 1a (market support) was in line with the indicator in April 2003; is pleased that the implementation of subheading 1b (rural development) was EUR 216 million above the indicator;

22. Notes that the Council has not established its position on the financing of the reform of the Common Fisheries Policy and in particular has not yet agreed on financing the scrapping fund under the 2003 budget; expresses its readiness to provide for appropriations for the scrapping of fishing vessels in the context of the global evaluation of the implementation of the budget, ahead of the end-of-year transfer procedures, once the Member States have put forward their requests;

Structural Operations

23. Notes with concern that the rate of payment implementation in the first months of the year has deteriorated, standing at 10 % (EUR 3,77 billion) as at 30 April 2003 compared to 14 % (EUR 4,28 billion) at the same date in 2002; is alarmed at the rise in outstanding commitments to a total figure of EUR 93,9 billion, as at 30 April 2003, which represents an increase of EUR 11 billion compared to the same date in 2002;

24. Urges the Commission to effectively implement Article 31 ('N+2 rule') of Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽²⁾ and to abstain from any lenient approach towards the application of that rule; urges the Commission to ensure full application of the rule in addition to detailed and regular information (each quarter) on the risk of decommitment and to include an assessment of its impact;

⁽¹⁾ SEC(2003) 542.

⁽²⁾ OJ L 161, 26.6.1999, p. 1.

Thursday 3 July 2003

25. In this connection also asks the Commission to explain how it intends to apply Article 77 of the Financial Regulation and in which respect this differs from the N+2 and the N + 3 rules;

26. Welcomes the simplification process initiated by the Commission at the interministerial meeting of 7 October 2002; urges the Commission to take that process forward within a clear timetable to ensure better implementation; believes that, firstly, more ambitious proposals are indispensable within the current regulation and, secondly, takes the view that preparations to overhaul the rules must be initiated in view of the future regulation, enabling the new Parliament, which is to be elected next year, to start working on that regulation as soon as it has been constituted; calls on the Member States and the Commission to do their utmost in this respect;

Internal Policies

27. Notes with great concern that the commitment implementation under heading 3, as at 30 April 2003, has fallen to 10 % (EUR 688,9 million) compared to 24 % (EUR 2,403 million) at the same time in 2002;

28. Notes that payment implementation for the first four months is standing at 16 % compared to a rate of 15 % last year;

29. Underlines that a major cause for this downward trend is the poor implementation, so far, of title B6 (research and technological development), by far the largest section of heading 3, where the implementation rate for commitments (end-April) has fallen from 29 % in 2002 to 8 % in 2003;

30. Expresses great worry at the downward trend for titles B3-1 (Education and Youth), B3-3 (Information and Communication) and B3-4 (Social Dimension and Employment) where commitment implementation in the first four months has fallen by nearly half compared to 2002;

31. Notes, however, that payment implementation for the same titles is progressing significantly better than last year;

32. Welcomes the information supplied by the Commission on implementation of the budget headings given over to enterprise policy, in particular the launching of certain initiatives called for by Parliament to assist the craft trades, small businesses and microfirms;

Pilot Projects and Preparatory Actions

33. Welcomes the fact that pilot projects and preparatory actions will be included in the Implementation Plan for 2003 as agreed in the Joint declaration of 25 November 2002 concerning the implementation profile for the 2003 Budget ⁽¹⁾; intends to monitor closely the implementation of these;

34. Is concerned about the implementation rate at the end of April 2003 which, in the majority of cases, was extremely weak; recalls the positive dialogue with the Commission as to the 'executability' of projects and that certain modifications were made after first reading to ensure better implementation;

35. Calls on the Commission to:

- take the initiative to raise any implementation problems which might jeopardise the spending targets and communicate these to the Parliament according to an 'early-warning-procedure' and based on the Implementation Plan,

⁽¹⁾ P5_TA(2002)0624.

Thursday 3 July 2003

- provide a written evaluation of the pilot projects and preparatory actions before decisions are taken on whether to include them in future legal bases or to abandon them,
- confirm which service has been assigned responsibility for each pilot project/preparatory action and to provide information as to the state of preparations/implementation, such as calls for tender, selection procedures, etc;

36. Welcomes the constructive replies from the Commission regarding the pilot projects for SMEs, among others line B5-514 Enlargement Programmes for SMEs; notes with worry, however, that there is a question mark over how coordination and synergies (avoiding duplication) with existing external programmes can be achieved (CARDS, MEDA, PHARE and TACIS) and how to ensure true cross-border visibility; asks the Commission to clarify whether co-financing from these external programmes is only a problem of internal management or whether it creates legal/budgetary problems of implementation and, in the latter case, what can be done to ensure a good level of coordination and cross-border visibility;

External Policies

37. Is most concerned that implementation in the first four months of 2003, for a significant number of both geographical and sectoral cooperation programmes, is significantly lower than for the same period in 2002;

38. Considers the situation particularly worrying for:

- the Asia and Latin America programmes which stood at 2 % and 3 %, respectively, of commitment implementation as at 30 April 2003, compared to 28 % and 40 % last year; therefore calls on the Commission to ensure efficient implementation guaranteeing project continuity in both regions;
- CFSP implementation, which amounted to 4 % at 30 April 2003 compared to 56 % last year, despite the fact that additional appropriations were deemed necessary and finally granted by the budgetary authority for the 2003 budget;

39. Draws attention to the problem of the legal status for CFSP operations also in relation with budgetary implementation; considers it unacceptable that calls for tender and contracts, involving EU budgetary funds, are being issued with individual Heads of Mission as the CFSP party; asks the Commission to investigate whether a special provision needs to be inserted into the Financial Regulation to solve this problem;

40. Welcomes the rapid agreement on the mobilisation of EUR 79 million from the Emergency Aid Reserve as the main element of the Community's EUR 100 million aid package for Iraq; still underlines that the situation in Iraq and the possible consequences for the 2003 budget constitute elements of uncertainty that, in any case, should not be addressed at the expense of existing policies in heading 4;

41. Recalls its position that the budgetary authority should take action, using the most appropriate means available under the Interinstitutional Agreement, to reinforce the budget lines on food aid and humanitarian aid if this is deemed necessary following an assessment and a proposal from the Commission; points out that this would be done in light of the reduction made on these lines as part of the final package on heading 4 agreed at the Conciliation meeting of 25 November 2002;

Thursday 3 July 2003

42. Criticises the fact that the Commission had to cancel an amount of EUR 6,48 million of appropriations, that had been carried over from 2002, because the implementation deadline of 31 March was missed; is particularly disappointed that this deadline was missed by one single day for a number of projects, including EUR 2,7 million for uprooted people in Colombia; invites the Committee on Budgetary Control to examine how the Commission managed the carry-overs and why the deadline was missed on a number of occasions;

43. Welcomes the fact that commitment implementation for chapter B7-54 (Western Balkans) has improved over the first four months of the year compared to 2002 (22 % compared to 6 %) but is equally worried that payment implementation is falling behind (8 % compared to 19 %);

44. Takes note of the second annual report on the Stabilisation and Association Process for South-East Europe (COM(2003) 139) and is extremely worried at the assessment that the pace of reform is slow and that the internal capacity of the countries to take the lead in the reform process and in 'ownership' of programmes is limited; underlines therefore the importance of capacity building and the strengthening of Institutions as part of the CARDS programme;

45. Takes the view, in light of the current situation, that a certain level of conditionality should be maintained in order to link the disbursement of EU funds with sufficient progress and genuine involvement by the Balkan countries themselves;

46. Asks the Commission to initiate a reflection/debate on the budgetary aspects of the post-CARDS situation in the Balkans, considering the fact that a 'down-scaling' of CARDS has already begun and that other forms of support, including association processes with the EU, will be forthcoming;

47. Welcomes the Commission's intention to replace its current direct budgetary assistance programme to the Palestinian Authority by more targeted support to the private sector and social services, as well as support for specific projects; asks its Working Group on Direct Budgetary Assistance to Palestine to look further into this new strategy and evaluate the consequences for the 2003 budget;

Administration

48. Is satisfied that the front-loading operation in the 2003 budget procedure, between and within the Institutions, safeguarded preparations for enlargement; considers however that front-loading of administrative expenditure should be used only when no other options are available and if it does not lead to an excessive administrative and procedural burden or to legal problems as regards the annuality principle.

49. Welcomes the fact that, thanks to the front-loading operation, there is a sufficient margin under heading 5 in 2003 instead of a deficit of EUR 66 million as was the case when the PDB 2003 was presented;

50. Considers that the optimal use of appropriations should not be hindered by excessive rigidity of the budgetary system, or by administrative problems between Institutions, and still considers that proposals to lessen the rigidity of the budget are necessary; considers that, as a result of the inflexibility of the current system, it may be necessary to use front-loading operations also in the future;

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

Thursday 3 July 2003

P5_TA(2003)0334

Trafficking in children and child soldiers

European Parliament resolution on trafficking in children and child soldiers

The European Parliament,

- having regard to the UN Convention on the Rights of the Child, which was adopted in 1989, entered into force in 1990, and has been ratified by all the Member States and accession countries,
 - having regard to the Council conclusions of 10 December 2002, endorsing the report of the Council Working Group on Human Rights (COHOM) on 'Implementation of the follow-up to the General Affairs Council conclusions of 25 June 2001',
 - having regard to UN Security Council Resolutions 1379 of 20 November 2001 and 1460 of 30 January 2003 on children and armed conflict,
 - having regard to the new international standards and instruments enhancing child protection, such as the Convention on the Rights of the Child and its protocols, the Ottawa Treaty banning anti-personnel mines, the Rome Statute of the International Criminal Court and ILO Convention 182 on the prohibition and immediate action for the elimination of the worst forms of child labour,
 - having regard to the UN Millennium Declaration (2000) and the Millennium Development Goals, subscribed to by all UN Member States,
 - having regard to the World Education Forum in Dakar and its outcome document, Education for All: Meeting our Collective Commitments (2000),
 - having regard to its previous resolutions on children's rights and on child soldiers, and in particular those of 17 December 1998 on child soldiers ⁽¹⁾, 28 January 1999 on the protection of families and children ⁽²⁾, 18 November 1999 on the tenth anniversary of the UN Convention on the Rights of the Child ⁽³⁾, 6 July 2000 on child soldiers in Uganda ⁽⁴⁾, 17 May 2001 on child trafficking in Africa ⁽⁵⁾, 6 September 2001 on the Special Session on Children of the UN General Assembly ⁽⁶⁾ and 11 April 2002 on the EU position in the Special Session on Children of the UN General Assembly ⁽⁷⁾,
 - having regard to the resolutions of the EU-ACP Joint Parliamentary Assembly of 1 April 1999 ⁽⁸⁾ and 23 March 2000 ⁽⁹⁾ on child soldiers and of 21 March 2002 ⁽¹⁰⁾ on health issues,
- A. whereas the scale of trafficking in children and the enrolment of children in fighting units is on the increase; whereas certain categories of children are particularly vulnerable, in particular children not attending school, young girls, ethnic minorities, street children and children orphaned by Aids,
- B. whereas, at international level, the number of children who are victims of trafficking each year is put at more than 1,2 million, a figure ten times higher than the numbers involved when the slave trade with the United States was at its peak,

⁽¹⁾ OJ C 98, 9.4.1999, p. 297.

⁽²⁾ OJ C 128, 7.5.1999, p. 79.

⁽³⁾ OJ C 189, 7.7.2000, p. 241.

⁽⁴⁾ OJ C 121, 24.4.2001, p. 401.

⁽⁵⁾ OJ C 34 E, 7.2.2002, p. 383.

⁽⁶⁾ OJ C 72 E, 21.3.2002, p. 360.

⁽⁷⁾ OJ C 127 E, 29.5.2003, p. 691.

⁽⁸⁾ OJ C 271, 24.9.1999, p. 46.

⁽⁹⁾ OJ C 263, 13.9.2000, p. 42.

⁽¹⁰⁾ OJ C 231, 27.9.2002, pp. 55 and 57.

Thursday 3 July 2003

- C. whereas there is a link between poverty and the emergence of trafficking in children; whereas the focus must be on combating poverty if trafficking in children is to be eliminated,
- D. whereas this scourge takes on its most tragic proportions in West Africa where, according to UNICEF, 200 000 children are trafficked each year,
- E. whereas the term trafficking in children covers the recruitment, transport, displacement, housing or reception of a child with a view to its sexual exploitation, the exploitation of its labour, forced labour or slavery,
- F. whereas more than 300 000 children aged under 18, both boys and girls, are currently enrolled in units fighting on behalf of government forces and/or the armed opposition in more than 30 countries, including northern Uganda, Liberia, the Democratic Republic of the Congo, Burundi, Angola, Iraq, Afghanistan and Chechnya,
- G. whereas this issue has been the focus of international concern, marked, in particular, by the Special Session on Children of the UN General Assembly and its outcome document, 'A World Fit for Children' (10 May 2002), the entry into force on 18 January 2002 of the optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and the entry into force on 12 February 2002 of the optional protocol to the Convention on the Rights of the Child on children in armed conflict,
- H. whereas some of the worst abuses of child soldiers exist in the Great Lakes region, with more than 20 000 children having been abducted and forced into battle by the Lord's Resistance Army in northern Uganda and an estimated 17 000 children fighting in the Ituri region in eastern Congo,
- I. whereas the 'Libreville Declaration', adopted in 2002 by 21 African countries, demonstrates that the states worst affected by trafficking are aware of the problem, and are determined to combat it together,
- J. whereas European Union measures in this area are completely inadequate, and no longer have budgetary priority, as shown by the decreasing number of projects funded (10 in 1999 and two in 2002),
1. Calls on all the Member States to sign, ratify and immediately implement the international legal instruments which guarantee protection of children's rights, such as the United Nations Convention on the Rights of the Child and its protocols, the Ottawa Treaty banning anti-personnel mines, the Statutes of the International Criminal Court, ILO Convention 182 and the additional protocol to the United Nations Convention on international organised crime which seeks to prevent, repress and punish trafficking in persons, in particular women and children;
 2. Calls on the Commission and the Council to work to secure the universal ratification of these instruments — and the implementation of the UN Convention of the Rights of the Child — in the context of their political dialogue with third countries, in particular the ACP countries under the Cotonou Agreement; calls for the situation of children to form an express part of the political agreement, in the same way as the development of democratic institutions, in all partnership agreements to be negotiated by the European Union;
 3. Calls on the Commission to draw up a strategy for combating poverty in order to combat trafficking in children;
 4. Emphasises that the fight against trafficking in children and the use of child soldiers must be a political priority for the European Union, a priority which must be reflected in budgetary decisions involving the allocation of sufficient resources to a specific heading to be created with a view to improving the effectiveness and raising the profile of Union action in this area, and in measures under the EDF, in particular its regional funding programmes;

Thursday 3 July 2003

5. Calls on the Commission and the Council to implement their commitment to integrate children's rights into development cooperation instruments by adopting a twin-track approach involving both mainstreaming and measures which specifically target children's rights; to issue strategic implementation guidelines without delay; and to inform Parliament about the progress made in this area;
6. Calls on the Commission to ensure that all EU legislation and policies are fully consistent with the Convention on the Rights of the Child and urges that all relevant proposals for EU directives, policies and programmes should undergo a child impact analysis in order to assess their implications for children;
7. Calls on the European Union and its Member States to tailor their development aid towards the provision of high-quality basic education accessible to all children free of charge; calls for a programme highlighting the risks of trafficking and violence against children to be organised in schools and local communities with the support of the European Union;
8. Calls on the Commission and Council to implement a wide-ranging partnership with international and regional organisations, including the African Union, with a view to combating effectively trafficking in children, child slavery and the enrolment of children in fighting units;
9. Urges that, on the basis of this partnership, consideration should be given to establishing free population registers in all the countries concerned with a view to protecting children against the risk of being sold, trafficked or recruited by force onto the labour market or into the armed forces, facilitating their access to medical care, welfare services and schooling and fostering transparency and democracy, in particular when elections are called;
10. Welcomes the move made by the countries of West Africa to step up and coordinate their efforts under the 'Libreville Declaration' and urges them, in keeping with the spirit of that declaration, to implement close regional cooperation with a view to drawing up a regional agreement against trafficking which must incorporate a regional protocol providing for the return, repatriation and reintegration into society of children who have been victims of trafficking, on the basis of cooperation with the countries of 'origin', 'destination' and 'transit', local NGOs and multilateral organisations, such as UNICEF and the ILO;
11. Reiterates the importance it attaches to the EU paying closer attention to the issue of the education and schooling of children, the most effective means of combating trafficking in children and their enrolment in armed forces, and, with that aim in view, urges that greater attention should be paid to educational and training opportunities for the most vulnerable groups, i.e. young girls and orphans or children affected by Aids; calls for a specific chapter dealing with the situation of children to be included in agreements concluded with third countries on generalised systems of preference (GSP) so that an assessment can be made of whether those agreements are respected;
12. Calls on the Commission to draw up a common EU policy on trafficking in children, focusing on legal frameworks and the implementation of legislation, preventive measures, enforcement of criminal law and punishment of the perpetrators, as well as protection and support for the victims;
13. Calls on the Commission and the Council each to appoint a high-level representative for children's rights in order to ensure overall coordination, monitoring of results and a specific focus on children's rights, and to incorporate a stronger child dimension into all EU policy areas; suggests to the governments of African countries that they too might create such a high-level post;
14. Calls on the European Union and its Member States to take measures to protect the victims of trafficking, in particular by issuing short-stay visas, and to provide victims with all the assistance they require;

Thursday 3 July 2003

15. Calls on the Commission to consider the scope for simplifying the procedures by means of which local NGOs involved in development and the defence of human rights can apply for European subsidies within a framework of transparency and accountability;
16. Calls on the Commission and the Council to fully implement the 'Brussels Declaration on Preventing and Combating Trafficking in Human Beings', approved by the Council on 8 May 2003, as part of their efforts to develop a comprehensive European policy on trafficking in human beings; welcomes the Commission's current moves to set up an EU Experts Group on Trafficking in Human Beings and urges that it should be focused and efficient in developing solutions to all aspects of this criminal activity;
17. Reiterates its call for international arrest warrants to be issued against the organisers of and participants in the networks specialising in child trafficking;
18. Calls for increased cooperation on the subject of trafficking in children between its own committees with a view to assessing all aspects of this phenomenon and putting forward practical recommendations as to how it can be combated effectively;
19. Calls on the Commission to draw up or support prevention programmes, involving, in particular, information campaigns aimed at community or religious leaders and all those working for and with children, and children themselves;
20. Calls on the Commission to support and promote activities and aid programmes developed and implemented by NGOs working with child soldiers to provide psychiatric and physical care and facilitate the social and educational reintegration of former child soldiers;
21. Calls on the Council to begin drafting forthwith the common strategy on children in armed conflicts, which was adopted in principle by the Council on 10 December 2002, and to consult it formally when preparing that joint strategy and to report to it regularly on the progress achieved;
22. Strongly condemns governments and armed opposition forces which continue to recruit child soldiers or which provide weapons and military aid to rebel movements that recruit child soldiers, in particular in the Great Lakes region, and calls on the Commission, the Council and the Member States to consider the recruitment and use of child soldiers as serious violations of the essential elements of the Cotonou Agreement;
23. Calls on the Commission delegations, as part of the decentralisation process, to devote a specific chapter to issues relating to children's rights in the strategy documents they draw up for each country;
24. Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States and the various United Nations bodies concerned.
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P5_TA(2003)0335**Chechnya****European Parliament resolution on Chechnya***The European Parliament,*

— having regard to the findings of its ad hoc delegation to Chechnya of 15 to 17 June 2003,

Thursday 3 July 2003

- having regard to its previous resolutions on Russia,
- having regard to the Partnership and Cooperation Agreement between the EU and Russia which entered into force on 1 December 1997,
- having regard to the Common Strategy of the EU on Russia dating from June 1999 and valid for a period of four years,
- having regard to its resolutions of 10 April 2002 ⁽¹⁾ and 16 January 2003 ⁽²⁾ on Chechnya,
- having regard to its resolution of 21 November 2002 on the outcome of the EU-Russia summit of 11 November 2002 ⁽³⁾,
- having regard to the Commission Communication to the Council and Parliament entitled 'Wider Europe — Neighbourhood: a new framework for relations with our eastern and southern neighbours' (COM(2003) 104),
- having regard to the sixth meeting of the Cooperation Council between the EU and Russia on 15 April 2003,
- having regard to the 2003 tercentenary celebrations in St Petersburg and the EU's representation,
 - A. whereas the Chechen Republic has been experiencing, for more than a decade, a situation of armed conflict, insecurity and instability in all spheres of life,
 - B. whereas a referendum took place in the Chechen Republic on 23 March 2003, which should be regarded as a step towards stabilising the situation but which was flawed by widespread irregularities and did not help to bring peace to Chechnyan society,
 - C. whereas the people of Chechnya, regardless of their ethnic background, are suffering the daily consequences of this conflict,
 - D. whereas, as in all armed conflict, the vulnerable sections of the population are those who suffer most and who will bear the long-term repercussions,
 - E. whereas living conditions in Chechnya and in particular in Grozny are disastrous, the water supply, sewage system and electricity grid are severely damaged, the employment situation is apparently shattered and security standards are obviously very low,
 - F. highly concerned at the plight of the more than 110 000 Chechen refugees sheltered in the camps in the bordering republics,
 - G. whereas humanitarian organisations are being hindered in their work by lack of access to Chechnya and lack of support from the Russian side, particularly in the form of permission to import necessary technical and security equipment,
 - H. whereas the European Union and other international donors have repeatedly offered their assistance to alleviate the humanitarian situation,
 - I. whereas the OSCE mission's original 1995 mandates in Chechnya covered alleged human rights violations, relief aid, help for refugees, conflict resolution and supporting mechanisms for maintaining law and order,

⁽¹⁾ OJ C 127 E, 29.5.2003, p. 585.

⁽²⁾ P5_TA(2003)0025.

⁽³⁾ P5_TA(2002)0563.

Thursday 3 July 2003

- J. stressing that a genuine EU-Russia partnership must be based on the sharing of common values and that the present appalling human rights situation in Chechnya is an obstacle to its full development,
1. Endorses the conclusions of its ad hoc delegation to Chechnya;
 2. Welcomes the Russian Duma's invitation to the ad hoc delegation to Chechnya and thanks the Russian authorities for organising the visit; welcomes this as a sign of openness;
 3. Is convinced that the EU should not neglect this remote area of the continent as the values the EU cherishes are at stake there as well;
 4. Is of the opinion that there are several causes for this war: the struggle for independence, a deterioration in the rule of law leading to mounting crime, the emergence of a 'failed state', obscure economic activities, terrorism and violent repression;
 5. Notes that all political, diplomatic, security and civilian means should be applied in order to regain the confidence of the population, and that there cannot be a military solution to the conflict;
 6. Notes that for some months the Government of the Russian Federation has been shifting towards a political solution, and invites both sides to make full use of this opportunity, in particular in the run-up to the December 2003 and March 2004 elections; calls upon all parties to work towards a ceasefire;
 7. Welcomes in this context the start of the work on an autonomy agreement between Chechen officials and Russian government representatives on 30 June, giving Chechnya a maximum of autonomy while remaining a full part of the Russian Federation;
 8. Calls on the Russian Government to reform the 'rules of engagement' on the spot, taking into account the necessity to improve the relationship with Chechen citizens;
 9. Calls upon the Russian Federation to involve as many Chechen leaders as possible in a peace process which might lead to the establishment of an autonomous republic, as part of the Russian Federation, where the rule of law is respected;
 10. Notes the absence of full reconciliation and physical reconstruction after the first Chechen war, which caused hostilities between Chechens and Russians and provided the ideal ground for a wide range of criminal activities; urges the Russian central government, therefore, to continue and intensify its efforts to reconstruct Grozny and other parts of Chechnya in order to provide the basic requirements for political and social reconciliation; points out that, during its visit, it was able to witness the first signs of reconstruction in Grozny;
 11. Calls on the Commission and the Council to offer their services as intermediaries and to support any other diplomatic activity with a view to putting an end to the violence;
 12. Condemns all terrorist attacks in Chechnya and considers that the total eradication of terrorism in the province is also part of the international fight against terrorism;
 13. Reiterates its concern at, and firm condemnation of, the persistent and recurring mass violations of humanitarian law and human rights committed against the civilian population by Russian forces, which constitute war crimes and crimes against humanity that must be investigated and prosecuted, as well as the attacks, the violations and the kidnappings of paramilitary and guerrilla groups;

Thursday 3 July 2003

14. Urges the Russian Federation to agree to the renewal of the full OSCE mandate, which should not be restricted to focusing on coordinating humanitarian assistance in the region but should also include all former tasks of the OSCE missions;
15. Calls on the Russian Government to facilitate access to the region for international humanitarian organisations such as ECHO and UNICEF, the personnel of the Council of Europe, the OSCE, the UN, NGOs and, in particular, humanitarian health organisations, providing security and giving permission for the import of necessary technical and security equipment;
16. Calls on the Russian authorities to step up their efforts to find and free Arjan Erkel, the head of the MSF mission in Dagestan, who was abducted in August 2002;
17. Stresses that the return of internally displaced people should be an objective, but that this return must be voluntary and based on a real improvement in living conditions in Chechnya, in particular as regards security;
18. Recalls that the reconstruction of Chechnya is conditional on achieving long-lasting peace in the region and starting full reconciliation; states that, while the primary responsibility lies with Russia, the EU is ready to assist the Russian Government and the Chechen authorities in this process;
19. Welcomes the decision by the Commission to commit further funds to humanitarian aid for Chechen refugees;
20. Regards the referendum as a first step towards normalisation in the region, but calls for an ongoing political process involving all parts of Chechen society, with a view to holding truly democratic and fully representative elections by the end of the year;
21. Calls on the Commission to prepare as of now a possible programme of rehabilitation in Chechnya, including in particular educational programmes such as professional training and support for higher education, which will be needed urgently for the rehabilitation of an entire generation of young people deeply endangered by the decade of armed conflict;
22. Invites the Council to put in place long-term election monitoring in order to support the preparation of free and fair elections;
23. Calls on the Council and the Member States to raise the issue of Chechnya at their meetings with the Russian Federation in order to make sure that this area does not escape international attention and care;
24. Calls on the Council and the Member States to remind the Russian leadership of the universal values to which Russia has subscribed as a member of the Council of Europe and the UN; calls on the Council, the Member States and the Russian Federation to refrain from seeking to avoid mutual criticism at this level;
25. Calls on the Council to prepare, in cooperation with the European Parliament, a conference on Chechnya to which the Russian authorities, representatives of all parts of Chechen society, the OSCE and the Council of Europe will be invited;
26. Reiterates its call on the Council to appoint a special envoy for the Caucasus in order to enhance the profile of the EU in the region and contribute more effectively to the solution of the ongoing problems;

Thursday 3 July 2003

27. Instructs its President to forward this resolution to the Council, the Commission and the government and parliament of Russia.

P5_TA(2003)0336

Preparation for the WTO Ministerial Conference

European Parliament resolution on preparations for the 5th World Trade Organization Ministerial Conference (Cancun, Mexico, 10-14 September 2003)

The European Parliament,

- having regard to its resolution of 18 November 1999 on the communication from the Commission to the Council and the European Parliament on the EU approach to the WTO Millennium Round ⁽¹⁾, its resolution of 15 December 1999 on the Third Ministerial Conference of the World Trade Organisation in Seattle ⁽²⁾ and its resolution of 13 March 2001 containing the European Parliament's recommendations to the Commission on the WTO Built-in Agenda negotiations ⁽³⁾,
- having regard to the results of the 4th WTO Ministerial Conference Declaration adopted on 14 November 2001 in Doha, and to its resolution of 25 October 2001 on the Fourth WTO Ministerial Conference ⁽⁴⁾,
- having regard to its resolution of 12 March 2003 on the General Agreement on Trade in Services (GATS) within the WTO, including cultural diversity ⁽⁵⁾, its resolution of 12 February 2003 on the WTO agricultural trade negotiations ⁽⁶⁾, its resolution of 4 July 2002 on the Commission Communication entitled 'Promoting core labour standards and imposing social governance in the context of globalisation' ⁽⁷⁾ and its resolution of 25 October 2001 on openness and democracy in international trade ⁽⁸⁾,

1. Underlines that the successful outcome of the Doha Development Round negotiations remains an important factor in bolstering economic growth worldwide and strengthening multilateralism and global governance; reiterates its commitment to the objective of reforming the world trade system in the interests of fairness, democracy, sustainable development and the fight against poverty; endorses the general negotiating approach as laid down in the Council mandate for the 3rd WTO Ministerial Conference in Seattle, and calls on all WTO members to take the necessary substantive decisions in Cancun to conclude the Single Undertaking within the agreed deadlines;

2. Calls on the Commission, therefore, to help ensure that the negotiations prior to, and in, Cancun are inclusive, transparent and conducted with the highest level of fairness and respect for all parties;

⁽¹⁾ OJ C 189, 7.7.2000, p. 213.

⁽²⁾ OJ C 296, 18.10.2000, p. 121.

⁽³⁾ OJ C 343, 5.12.2001, p. 96.

⁽⁴⁾ OJ C 112 E, 9.5.2002, p. 321.

⁽⁵⁾ P5_TA(2003)0087.

⁽⁶⁾ P5_TA(2003)0053.

⁽⁷⁾ P5_TA(2002)0374.

⁽⁸⁾ OJ C 112 E, 9.5.2002, p. 326.

Thursday 3 July 2003

Development

3. Believes that the Doha Development Round represents a supreme test of the WTO's capacity to correct the imbalances in the world trade system, ensure a fairer distribution of the gains from trade and support sustainable development; to that end, considers that it is essential that the industrialised countries make very substantial offers to developing countries as regards eliminating gradually all export subsidies for agricultural products, in the areas of industrial and agricultural market access and implementation issues, including ambitious, effective, special and differential treatment, providing effective preferences to the most vulnerable developing countries and giving them the opportunity to protect their domestic markets and ensure the security of their food supplies until they have attained a satisfactory level of development;

4. Recalls that the WTO negotiations are to be conducted with a view to promoting the economic growth of all trading partners and the development of the developing and least developed countries, and that the WTO negotiations should be measured against that overriding goal;

5. Remains concerned that many developing countries have not shared fully in the benefits derived from the previous round, and are often unable to muster the necessary resources to participate fully in the WTO negotiations and to defend their own rights within the WTO;

6. Supports, in the light of its commitment to the Doha Development Agenda, the call of the African countries for a balanced and fair outcome to the negotiations, which should also include appropriate measures towards the application of the principles of free and fair trade to primary products in particular;

7. Believes that the European Union should ally itself more closely with the developing countries and defend their right to non-reciprocal relations with it under regional agreements such as the ACP-EU partnership agreement, which is essential for the development of these countries;

8. Stresses the need to reinforce capacity building by means of appropriate technical assistance designed not only to improve knowledge of the rules in force in the recipient countries but also, above all, to help them develop their commercial and exporting capacity and to diversify their production bases as well as to replace customs resources by other fiscal resources;

9. Emphasises that a solution to the access to medicines issue which does not limit WTO members to protecting their own public health must be found as a matter of urgency; recalls that imposing new constraints by limiting either the categories of public health problems or the categories of country to which the compulsory import licence mechanism applies, or, similarly, any move to quantify and arbitrate on the adequacy of local manufacturing capacity would violate the spirit of that declaration; stresses that all necessary measures should be taken to prevent the export of cheap medicines back to Europe;

10. Recalls its condemnation of the blocking by the United States of the text of an agreement on TRIPS and medicines which was accepted by all other WTO members and is in line with their commitments made at Doha; opposes the recent US moves to pressurise certain developing countries into renouncing their rights to import generic medicines;

Thursday 3 July 2003

Market access for agricultural products

11. Believes it necessary to reduce substantially, with a view to their elimination, export subsidies and domestic support by all WTO members, with the exception of domestic support linked to non-trade concerns; in view of the reform of the Common Agricultural Policy, calls on all industrialised countries, especially the United States, to match the EU's commitments;

12. Calls for enhanced recognition of non-trade aspects of agricultural policy by strengthening non-trade-distorting agricultural support measures through the 'green box', to ensure that well-targeted and transparent support measures to promote environmental and rural development, employment and animal welfare goals are exempted from reduction commitments; also calls for a clarification of the green, blue and amber box classifications;

13. Underlines that a successful conclusion of the negotiations on market access for agricultural products is one of the most important parts of the Single Undertaking; urges all major players, including the USA and the Cairns Group, to show greater flexibility; believes that all industrialised countries must accept substantial and early reductions in agricultural tariffs and quantitative restrictions on agricultural imports from developing and least developed countries, and allow developing and least developed countries the flexibility they need, in respect of market access and domestic support commitments, in the interest of their subsistence farming sector and their development and food security requirements; welcomes the proposal to introduce a so-called food security box;

14. Expresses its concern at the collapse in the prices of products that are vital to development, such as coffee; believes that the EU must defend the right to establish guaranteed-price mechanisms for products that are vital to development;

15. Considers that the EU and all developed countries should make further efforts to improve the income of the poorest developing countries through assistance with diversifying production and increasing the export of locally processed high-value products to their markets;

Precautionary principle

16. Emphasises the need to clarify, within GATT, the meaning of 'precautionary principle', in order to avoid misunderstandings or differences in interpretation; recommends the formula agreed at the Conference on the Environment and Development in Rio and calls for the recognition of this definition within the WTO; considers that there should be no increased scope for protectionist measures, but greater clarity about what is, and what is not, WTO-compatible;

Industrial market access

17. Stresses the need for agreements on market access arrangements for industrial goods which reflect the high level of ambition of the Doha mandate; considers that tariff peaks, high tariffs and tariff escalation should be reduced or eliminated and that tariff cuts should affect all sectors without sheltering specific sectors; asks the WTO members to respect the non-reciprocity principle agreed in Doha;

Thursday 3 July 2003

18. Underlines that industry continues to face pervasive behind-the-border trade obstacles, thus frustrating enhanced market access; calls for a clear distinction between legitimate regulatory measures and the use of measures to establish unjustified barriers to trade; suggests a WTO register for all WTO members import regulations and an obligation to notify modifications to the WTO in order to facilitate exports by small and medium-sized enterprises;

19. Recalls that the EU has already substantially reduced its tariffs for textiles and clothing; calls on all WTO members to improve the conditions of market access for this sector by means of tariff harmonisation and the elimination of all non-tariff barriers; calls on the Commission to develop measures and commit resources to help the least developed countries take advantage of trade preferences;

TRIPS

20. Underlines, within TRIPs, the importance of implementing, within the agreed timetable, rules concerning trademarks for producers and consumers, requests the reinforcement of these rules and that special attention be devoted to the issue of designs and models and to the question of the international exhaustion of trade marks, as well as action against counterfeiting and piracy;

21. Believes that the application of geographical indications to protect quality foodstuffs from the regions of the EU will contribute greatly to rural development, and urges the Commission to continue to press hard for the establishment of a system of notification and registration of such products in addition to that for wines and spirits;

22. Notes that the latter proposal, in particular, enjoys strong support from developing countries which see names traditionally associated with their products being pirated by western producers; welcomes also the lead taken by the EU in setting out useful proposals for clarifying the relationship of TRIPs with the Convention on Biodiversity, traditional knowledge and folklore, and for strengthening farmers rights, and regrets that discussions on all these issues seem to be deadlocked;

23. Regrets that there is little sign of steps towards a wider review of the impact of TRIPs on developing countries, which should be the principal focus of the ongoing Article 71.1 review of the implementation of TRIPs; insists that at Cancun this wider issue must be given a more central role in the DDA, if the latter is to be genuinely a development round;

Singapore issues

24. Recognising the economic interest for EU operators, as well as the potential development benefits, of multilateral agreements in areas such as competition, investment, trade facilitation and government procurement, supports the formal launch of negotiations on the so-called Singapore issues, based only on the explicit consent of all WTO members;

25. Considers, however, that for these benefits to materialise, the legitimate concerns of developing countries regarding the complexity and scope of negotiations in these areas need to be urgently addressed; takes the view that this should include reassurances that developing countries will be able to impose reasonable restrictions and qualifications where their national economic interest is clearly at stake; believes that substantial technical assistance must also be guaranteed to allow developing country negotiators to participate fully and effectively in these negotiations;

Thursday 3 July 2003

Rules

26. Underlines that a satisfactory result on trade defence instruments is a precondition for the successful termination of the round and expects a more rules-based approach as much from industrialised countries as from developing countries; considers that procedural rules, rules on transparency and rules on circumvention should be improved and that a swifter mechanism for the initiation of panels should be established;

27. Calls for enhanced transparency with regard to general subsidies by enforcing the notification obligation and the inclusion of disciplines such as disguised R&D subsidies, state-controlled entities and local content subsidies;

28. With regard to fisheries subsidies, stresses the importance of restoring sustainable fisheries; takes the view that subsidies to alleviate the social consequences of capacity reductions or help to reduce capacities should therefore be allowed; believes that subsidies which encourage production or capacity should be prohibited;

Environment

29. Takes the view that this should end with, inter alia, the inclusion of provisions aimed at safeguarding environmental sustainability: full incorporation of the precautionary principle into WTO rules; the insulation of Multilateral Environment Agreements (MEAs) from unwarranted challenges within the WTO; a closer relationship between the WTO and international environmental bodies, notably UNEP; the strengthening of the MEAs and their own dispute settlement mechanisms; and further reflection on the way WTO rules apply to process and production methods (PPMs), as well as the way in which the burden of proof on environment and public safety matters falls upon importing countries;

30. Believes that WTO rules and decisions must support and not interfere with the objectives and effectiveness of the MEAs; considers the scope of the negotiations under paragraph 31(i) of the Doha Ministerial Declaration too narrow and tightly prescribed; would therefore support an independent initiative to discuss the WTO-MEAs relationship;

GATS

31. While noting that negotiations on the initial offers under the GATS negotiations are ongoing and not intended to be the subject of decisions in Cancun, calls nonetheless for substantive agreement to initiate the full assessment of trade in services, which is provided for in Article XIX of the GATS but not yet activated;

32. Reaffirms the principles set out in its abovementioned resolution of 12 March 2003; welcomes the fact that no EU offers are proposed in the health, education and audio-visual sectors, and calls on the Commission to maintain this position throughout the GATS negotiations and to ensure that no circumvention of this right can take place; stresses, however, that this should not be used as precedent to exclude additional sectors from GATS;

Core labour standards

33. Recalls the reaffirmation in Doha of the commitment by Ministers in Singapore on labour rights; believes, however, that further progress is essential; calls therefore on the Cancun Conference to demonstrate the WTO members commitment to core labour standards and to agree on the inclusion of core labour standards in WTO trade policy reviews;

Thursday 3 July 2003

34. Calls on the Commission, in and after Cancun, to continue its efforts to ensure that the trade system is supportive of core labour standards, in particular by pressing for the following steps to be taken:

- a first-ever meeting of Trade and Labour Ministers should be organised, with the participation of social partners;
- to enable a full examination of the relationship between trade and core labour standards, the WTO, with the full and equal participation of the ILO, should establish a formal structure to address trade and core labour standards;
- the WTO General Council should undertake to give serious consideration to the recommendations, once they are published, of the ILO World Commission on the social dimensions of globalisation;
- a WTO clarifying statement should make clear that the weakening of internationally recognised core labour standards in order to increase exports, as in export processing zones, is a trade-distorting export incentive that is not permissible under WTO rules;

Dispute settlement understanding

35. Suggests that a permanent panel body be established; that recourse to compensatory measures, in the event of non-compliance with Dispute Settlement Body rulings, should be facilitated, that transparency and openness should be enhanced, without jeopardising the necessary confidentiality, and that access to the dispute settlement system should become cheaper and easier for developing countries;

Democracy and global governance

36. Further believes that public confidence depends upon the capacity of the WTO to demonstrate that the trade system serves, rather than subordinates, our citizens aspirations to environmental and social progress, human rights, food safety, good public services, core labour standards and a wide range of non-trade public goods;

37. Believes that such issues can only be adequately addressed through a wider reform of global governance, establishing a more balanced and better-articulated relationship between the WTO and other international organisations such as the World Bank, IMF ILO and MEA secretariats; calls on the Commission to insist in Cancun that the issues of democracy, transparency and openness be put firmly back on the WTO's negotiating agenda;

38. Calls on the Ministerial Conference to enhance the democratic accountability and openness of the WTO, both at the level of WTO members and through the creation of a WTO Parliamentary Assembly;

39. Reiterates its call for a consultative WTO Parliamentary Assembly composed of representatives of the WTO members parliaments and competent for trade; calls on the parliamentarians who are going to meet at the 5th Ministerial Conference to continue the work started at Seattle and continued ever since by joint efforts of WTO members parliaments;

40. Calls on WTO members and the WTO to provide sufficient support to their parliamentarians to take part in the development of the parliamentary dimension of the WTO; urges the Commission and the Member States to press for this proposal's inclusion in the Ministerial Declaration;

Thursday 3 July 2003

Internal institutional aspects

41. Calls on the Commission to keep it fully informed, before and during the Ministerial Conference in Cancun and throughout the negotiations, and to discuss with it regularly, on the basis of the resolutions adopted by Parliament, the essential elements of the EU's negotiating strategy; recalls the right secured at the close of the Uruguay Round to subject the conclusion of the results of the New Round to a vote of assent;

42. In this context, welcomes the fact that the draft Constitution produced by the European Convention grants the European Parliament the power of assent on all international trade agreements, while regretting that it does not propose a formal parliamentary role in the opening of negotiations; calls on the IGC to confirm the power of assent and to include in the Constitution a requirement that Parliament be involved in defining negotiating mandates for international trade agreements;

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43. Instructs its President to forward this resolution to the Council, Commission, the governments and parliaments of the Member States and the Director-General of the WTO.

P5_TA(2003)0337

ECB 2002 annual report**European Parliament resolution on the 2002 Annual Report of the European Central Bank (15-0012/2003 — C5-0238/2003 — 2003/2102(INI))**

The European Parliament,

- having regard to the 2002 Annual Report of the European Central Bank (15-0012/2003 — C5-0238/2003),
- having regard to Article 113 of the Treaty,
- having regard to Article 15 of the Statute of the European System of Central Banks and of the European Central Bank,
- having regard to its resolution of 2 April 1998 on democratic accountability in the third stage of EMU ⁽¹⁾,
- having regard to its resolution of 3 July 2002 on the 2001 Annual Report of the European Central Bank ⁽²⁾,
- having regard to its resolution of 12 March 2003 on the state of the European economy — preparatory report with a view to the Commission recommendation on the broad economic policy guidelines ⁽³⁾,

⁽¹⁾ OJ C 138, 4.5.1998, p. 177.

⁽²⁾ P5_TA(2002)0358.

⁽³⁾ P5_TA(2003)0089.

Thursday 3 July 2003

- having regard to its position of 13 March 2003 on the recommendation of the European Central Bank on the proposal for a Council decision on an amendment to Article 10.2 of the Statute of the European System of Central Banks and of the European Central Bank (6163/2003 — C5-0038/2003 — 2003/0803(CNS)) ⁽¹⁾,
 - having regard to its resolution of 15 May 2003 on the Commission recommendation on the Broad Guidelines of the Economic Policies of the Member States and the Community (for the 2003-2005 period) ⁽²⁾,
 - having regard to the report by the Court of Auditors of 12 September 2002 on the audit of the operational efficiency of the management of the European Central Bank for the financial year 2001, together with the European Central Bank's replies ⁽³⁾,
 - having regard to the Annual Report on the activities of the Anti-Fraud Committee of the European Central Bank, covering the period March 2002 to January 2003 ⁽⁴⁾,
 - having regard to the European Commission's 2003 Spring economic forecasts,
 - having regard to Rules 40 and 47(1) of its Rules of Procedure,
 - having regard to the report of the Committee on Economic and Monetary Affairs (A5-0237/2003),
- A. whereas the role of the European Central Bank (ECB) and of the European System of Central Banks (ESCB), according to the Treaties, is to maintain price stability, without harming the general economic policies of the European Union (EU),
- B. whereas 2002 was characterised by a volatile economic and political global environment, with the spectre of world-wide recession looming on the horizon,
- C. whereas 2002 saw the physical introduction in the euro zone of euro coins and banknotes, the latter being under the responsibility of the ECB; whereas the effect of the changeover on average inflation was estimated to be 0,2 %,
- D. whereas the decision to enlarge the EU to include ten new countries will pose important challenges for EMU and the structure and functioning of the ECB, which will have to be addressed in the new Constitutional Treaty,
- E. whereas the key economic indicators for the euro zone in 2002 were: 2,2 % average inflation (2,4 % in 2001), the ECB's target being 2 %; 7 % average growth rate of M3 (5,5 % in 2001), the ECB's reference value being 4,5 %; 0,8 % real GDP growth (1,4 % in 2001); 2,2 % of GDP average budget deficit (1,6 % in 2001); 6,5 % appreciation of the euro's nominal effective exchange rate,
- F. whereas Article 10 of the Protocol on the Statute of the European System of Central Banks and the European Central Bank requires the Governing Council to vote and to act by a simple majority,
- G. whereas 2002 saw: strong monetary growth producing excessive liquidity; high volatility in financial markets; lower average inflation due to the euro's strength but persistence of stark inflation differences between Member States, with some retaining high inflation levels; moderate growth of credit and strong real wage growth; whereas the ECB cut its main refinancing rate by 0,5 % in late 2002 and by 0,25 % and 0,5 % in 2003, resulting in the current rate of 2 %,

⁽¹⁾ P5_TA(2003)0094.

⁽²⁾ P5_TA(2003)0222.

⁽³⁾ OJ C 259, 25.10.2002, p. 1.

⁽⁴⁾ Published in May 2003.

Thursday 3 July 2003

- H. whereas the latest Spring forecasts of the Commission estimate that inflation will reach 2,1 % in 2003 and 1,7 % in 2004, and that real GDP growth will be 1 % for 2003 and 2,3 % for 2004,

Assessment of key developments in 2002

1. Congratulates the ECB once again on a successful introduction of euro banknotes and coins but regrets some associated inflationary effects, especially in the service sector, and calls for an investigation into any malpractices and into ways of preventing similar problems for future euro zone members; considers, however, that the physical existence of euro notes and coins will help keep prices low in the medium term; notes with satisfaction that the changeover has reduced banknote forgery, but expresses its concern regarding recent cases of forged 200 euro notes; expresses its doubts about the issue of the 500 euro note and the link to money laundering; calls for a working party on the use of the euro, set up by the Commission and the ECB, to address the need for a 1 euro note; believes that Member States should remain free to decide whether or not to distribute 1 euro cent coins, which consumers and retailers in some areas seem to agree are a nuisance;
2. Believes the ECB has reacted correctly to economic and financial developments, but should be alert to the speed with which markets respond to and discount its monetary policy decisions;
3. Deplores the breaches of the Stability and Growth Pact (SGP) by some Member States in 2002, which threaten to undermine the credibility of the euro area and thus the effectiveness of monetary policy; calls on the Commission to continue to apply the SGP in an intelligent and flexible way;
4. Welcomes the appreciation of the euro against the US dollar during 2002, but points out that further strengthening should not endanger exports; calls on the ECB to produce a comprehensive study on the causes of the increase in the euro's value since 1999, as no credible, scientific explanation has yet been put forward;
5. Emphasises the need to avoid calling into question the independent status of the ECB and the System of European Central Banks;

Challenges for 2003 and onwards

6. Calls on the ECB to keep up its vigilant watch over prices in 2003, but in doing so to continue to focus on the significance of an ECB strategy for sustainable growth and higher employment in the euro area;
7. Congratulates the Central Bank on what has been achieved; stresses the importance of price stability for sustainable growth, and recalls the long-term link between money growth and price developments; welcomes the evaluation of its monetary policy strategy in the light of the experience so far acquired and the conclusions drawn; believes that the clarifications will strengthen the appropriateness of the policy strategy for the years to come;
8. Supports the ECB's repeated calls on Member States to speed up the pace of structural reforms, which introduce higher flexibility in goods and labour markets and thereby facilitate non-inflationary growth; calls on the ECB to emphasise in its publications the remaining weak points in this regard;
9. Stresses the need for the ECB to be vigilant regarding geopolitical uncertainties; calls for a feasibility study to evaluate whether invoicing commodities and energy supplies in euros — in order to avoid the double price/exchange rate volatility —, is beneficial to the euro zone, and if so, for measures to be taken to promote this;

Thursday 3 July 2003

10. Asks the ECB to produce more frequent economic forecasts and to adapt its statistical instruments in order to take into account the structural changes that have occurred in the global economy in the past decade;
11. Continues to support the ECB in its vigilance regarding the poor implementation by Member States of the Broad Economic Policy Guidelines and the effects thereof on monetary policy;
12. Welcomes the fact that the first structural macroeconomic model for the euro area, denoted the area-wide model (AWM), has been put to use, and calls for greater openness regarding the use of the model and any developments in its application;
13. Supports the introduction of the euro by the future new Member States but stresses that this will require transition to successful participation in the exchange rate mechanism and strict compliance with the convergence criteria; underlines the importance of central bank independence in the accession countries, the western Balkans, Turkey, Russia and the southern Mediterranean, as these countries are becoming increasingly dependent on ECB monetary policy and the value of the euro; calls on the ECB to include the subject in its annual report;
14. Deplores the recently adopted reform of the ECB's voting system; instead, requests the Commission and any interested Member States to submit to the Intergovernmental Conference new proposals reflecting a better balance between equity and efficiency; denounces the total disregard by the Council of Parliament's decision to reject the ECB recommendation; urges the Convention to enlarge the Governing Council from 6 to 9 members and to delegate the day-to-day decision-making, i.e. decisions concerning interest rates, to this enlarged Governing Council, so as to simplify the voting procedures and increase the transparency as well as the predictability of monetary decisions;
15. Urges the Governing Council to take its decisions by vote, as provided for in Article 10 of the Protocol, as this may on occasion accelerate the ECB's response to economic developments, whether inflationary or deflationary, and reiterates its own long-standing view that the ECB should publish summary minutes of each Governing Council meeting; proposes that a such a summary should include the stance of both the approving and dissenting parties, including the balance of votes and the dissenting opinion;
16. Repeats its call for the annual publication not only of a country-by-country but also of a regional and cross-border review of trends similar to the US Federal Reserve's 'beige book', which would give the ECB the chance to influence the discussion of productivity trends and price and wage expectations;
17. Asks the ECB to produce regular official reports on financial stability and to provide its assessment on current or potential serious threats to it;
18. Calls on the ECB to state its position on financial prudential supervision in Europe and the possible creation of a single authority; believes that a dual supervisory arrangement with the appropriate balance between home and host supervision should be set up, with small domestic-based financial institutions being still supervised at the national level and large pan-European entities being directly supervised by the ECB;
19. Supports an enhanced international role and representation of the euro area and its currency in international financial institutions;
20. Deplores the still high costs of cross-border retail payments in euros and asks the ECB to push for full implementation of the regulation thereof; supports the creation of a Single European Payments Area to replace the current 12 different national systems;

Thursday 3 July 2003

21. Considers that the ECB has appropriately and efficiently managed its budget — particularly in light of the challenge of the changeover — and supports the conclusions of the Court of Auditors 2001 audit;

22. Recalls its wish to be more involved in the nomination of ECB Executive Board members, and calls for the capability to confirm their appointment to be included in the new Treaty; moreover, considers that it is important to ensure diversity with regard to these nominations;

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23. Instructs its President to forward this resolution to the Council, the Commission, the President of the European Convention and the ECB.

P5_TA(2003)0338

Euro-zone

European Parliament resolution on the international role of the euro zone and the first assessment of the introduction of banknotes and coins (COM(2002) 332 — 2002/2259(INI))

The European Parliament,

- having regard to the Communication from the Commission on the euro area in the world economy — developments in the first three years (COM(2002) 332),
- having regard to the Communication from the Commission on the euro — the introduction of banknotes and coins one year after ⁽¹⁾,
- having regard to the motion for a resolution by Ilda Figueiredo on the effects of the introduction of the euro (B5-0640/2002),
- having regard to the motion for a resolution by Franz Turchi on the EUR 1 and 2 banknotes (B5-0016/2003),
- having regard to the European Central Bank report entitled 'Review of the international role of the euro' (December 2002) ⁽²⁾,
- having regard to its resolution of 4 July 2001 on means to assist economic actors in switching to the euro ⁽³⁾,
- having regard to its resolution of 12 March 2003 on the state of the European economy — preparatory report with a view to the Commission recommendation on broad economic policy guidelines ⁽⁴⁾,
- having regard to the Final report of 21 October 2002 of Working Group VI on Economic Governance of the Convention on the future of Europe ⁽⁵⁾,
- having regard to Rules 47(2) and 163 of the Rules of Procedure,
- having regard to the report of the Committee on Economic and Monetary Affairs (A5-0169/2003),

⁽¹⁾ OJ C 36, 15.2.2003, p. 2.

⁽²⁾ ISSN 1725-2210.

⁽³⁾ OJ C 65 E, 14.3.2002, p. 162.

⁽⁴⁾ P5_TA(2003)0089.

⁽⁵⁾ CONV 357/2002.

Thursday 3 July 2003

- A. whereas the creation of the euro is a major success story of European integration leading to greater prosperity and a European identity; whereas the benefits of the single currency clearly outweigh any disadvantages,
- B. whereas the euro zone's recovery from the economic downturn is slow, and growth prospects remain unclear in a climate of geopolitical uncertainty,
- C. whereas the credibility of the euro zone is based on a sound institutional framework comprising an independent monetary authority pursuing a policy of price stability and coordination of macro-economic policies by participant Member States; whereas, however, the growing interdependence of the euro zone and the global challenges posed to its economy have highlighted the deficiencies of the current coordination mechanisms,
- D. whereas the current international representation of the euro zone and its representation in international policy-making institutions is insufficient, given that the euro area is the second largest economic area in the world,
- E. whereas the euro zone's attractiveness to investors will be significantly boosted by the full implementation of the Financial Services Action Plan and the implementation of the Broad Economic Policy Guidelines by Member States; whereas this effect will be enhanced in the medium term when new Member States join the EU and hopefully introduce the euro,
- F. whereas public and business confidence in the new currency has been greatly helped on the one hand by the fact that the ECB has largely achieved its stability target and, secondly, by the fact that the physical introduction of euro cash was successfully completed in 2002,
- G. whereas the euro changeover has been used to bring about a limited increase in the prices of goods and services for everyday use (albeit smaller than that psychologically perceived by consumers), which was compounded at the same time by other factors; whereas there are other complaints by consumers, namely excessive price increases in some basic goods, the issue of euro cent coins and the need for smaller denomination bank notes,

The international role of the euro zone

1. Calls for an enhanced representation of the euro zone in international policy-making institutions, given the euro zone's importance in the world, its leading position as development aid donor and the involvement of the EU in international financial and economic initiatives;
2. Calls for the designation of a single representative of the euro area to ensure that the eurogroup can work efficiently to achieve better coordination of economic and employment policies; calls for a proposal on how to reach the best formulation for this institutional role, one possibility being to formalise it in the person of a vice-president of the Commission who would also need to be the Commissioner responsible for Economic and Monetary Affairs, entrusted with the power to act as euro area representative; considers that a provision to this effect should be incorporated in the future Constitutional Treaty;
3. Believes that this representative should be given broad powers to speak and act on behalf of euro zone countries in all important multilateral financial and economic fora, particularly in the G7 group of finance ministers, the IMF and the World Bank; calls on those institutions to eventually give this representative appropriate decision-making powers; considers that, in this case, the interests of euro zone Member States already represented would be better served by a single voice;

Thursday 3 July 2003

4. Stresses the importance of continuous dialogue on exchange rates amongst economic currency-area representatives in multilateral fora; believes that the single representative could faithfully act as the necessary link between Council positions and multilateral economic policy guidelines, while at the same time presenting a single voice on behalf of the euro zone economies which is consistent with the euro area countries' common stance in the European Financial Committee;
5. Considers that the ECB, despite its policy of neutrality with regard to the international use of the euro, should closely monitor developments in this field and take the necessary measures if the financial and monetary stability of the euro zone is threatened; in particular, believes that attention should be paid to the official use of the euro by the public and financial sectors of non-euro zone countries;
6. Calls for a feasibility study to evaluate whether invoicing commodities and energy supplies in euros — in order to avoid the double price/exchange rate volatility — is beneficial to the euro zone, and, if so, for measures to promote this; therefore, also calls for active measures aimed at increasing international trade invoicing in euros so as to benefit euro zone exporters and importers, by giving more certainty to commercial transactions and simplifying administrative procedures;
7. Stresses the need to monitor the use of euro cash as a parallel currency in some third countries and regions; believes this to be necessary, as out-of-area use of euro cash could affect the currency's value and produce misleading statistical signals in terms of the growth of monetary aggregates;
8. Calls on new Member States to comply with their commitments related to the euro area and to continue with their efforts to reform their economies and to fulfil the Copenhagen criteria;

The economy of the euro zone

9. Urges Member States increasingly to regard their economic policies as a matter of common concern as established in the current Treaty, and to realise that in an enlarged euro area there will thus be a need for greater emphasis on coordination of economic policies and a consistent implementation of the Broad Economic Policy Guidelines; welcomes the streamlining process introduced by the Commission with a view to consolidating and synchronising the time frames of economic and employment policy guidelines;
10. Calls on Member States to maintain budgetary positions of close to balance or in surplus throughout the economic cycle, and as long as this has not yet been achieved, to take all necessary steps to ensure an annual improvement in the cyclically-adjusted budget position of at least 0,5 % of GDP; asks for budgetary positions to be evaluated in a flexible way in accordance with the guidelines set by the Commission in its Communication of 27 November 2002 to the Council and the European Parliament on strengthening the coordination of budgetary policies⁽¹⁾;
11. Calls for compliance with the previous commitments made in Spring Councils in order to stress the need to reach the Lisbon strategy's competitiveness goals; calls for the promotion of a culture of entrepreneurship that takes into account the importance of SMEs for the euro zone economy as employment creators; calls for greater private and public investment aimed at increasing productivity levels by the rapid adoption of technological discoveries, particularly in areas such as human capital and R&D; believes this will ultimately create a level playing field that will enable the ECB to react more quickly to shocks;
12. Calls for action to facilitate labour mobility, both geographical and occupational, especially by implementing the Skills and Mobility Action Plan, by promoting the recognition of qualifications and the transfer of social security and pension rights, by eliminating tax obstacles to the cross-border provision of occupational pensions, by reducing bureaucracy, by removing obstacles to mobility, and by promoting lifelong learning and on-the-job-training, especially in language skills;

⁽¹⁾ COM(2002) 668.

Thursday 3 July 2003

13. Expects that the overall review of the ECB's policies in its fifth year of operations will successfully balance the concerns regarding its first-pillar strategy and thus make the management of monetary policy more effective; considers that liberalisation of markets and structural reforms will help to reduce the inflationary pressures if, and only if, they are accompanied by other measures; calls for a debate on the reasons for the important inflation differentials between euro zone Member States;

14. Calls for the completion of both the Financial Services Action Plan (FSAP) and the Risk Capital Action Plan (RCAP); notes that there are still differences in the costs of cross-border banking transactions in the euro zone which — despite the steps that have been taken — play a part in distorting citizens' perception of the single market;

15. Expresses its disquiet at the trend in payments for services and bank commissions in the euro zone and at the implementation of the regulation on cross-border payments; calls on the Commission to make a complete assessment of the trend in bank commissions and charges, identifying cases in which increases, especially in domestic payments, have been excessive and charges levied illegally on cross-border payments;

Initial assessment of the introduction of banknotes and coins

16. Congratulates Member States on the successful physical introduction of euro notes and coins; expresses, however, its disappointment about the inflationary pressures produced by the changeover, and the trouble caused to euro zone consumers, particularly in the services sector; calls for an investigation into these malpractices and for the appropriate legal action through independent studies if misuse is proven; calls for action to find ways of preventing these problems for future euro zone members;

17. Considers that more small denomination notes (5 and 10 euro) are needed when withdrawals are made from ATMs (automatic teller machines); expresses its doubts about the issue of the 500 euro note and the link to money laundering; calls for a working party on the use of the euro, set up by the Commission and the ECB, to address the need for a 1 euro bank note; believes that Member States should remain free to decide whether or not to distribute 1 euro cent coins, which consumers and retailers in some areas seem to agree are a nuisance; finally, calls for the progressive elimination of dual price display as soon as possible, in order to accelerate the mental changeover of citizens to the euro;

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18. Instructs its President to forward this resolution to the Commission and the Council and to the governments and parliaments of the Member States.

P5_TA(2003)0339

Cambodia

European Parliament resolution on Cambodia

The European Parliament,

— having regard to its previous resolutions on Cambodia, especially the resolution of 13 March 2003 ⁽¹⁾,

⁽¹⁾ P5_TA(2003)0103.

Thursday 3 July 2003

- having regard to the EC-Cambodia Framework Cooperation Agreement of 1 November 1999,
 - having regard to the Commission communication on EU election assistance and observation (COM(2000) 191),
 - having regard to the EC-Cambodia Strategy Paper 2000-2003,
 - having regard to the report of the UN Secretary-General's Special Representative for Human Rights in Cambodia,
 - having regard to the statement of the EU High Representative for the Common Foreign and Security Policy on a Cambodia Tribunal,
 - having regard to the UN General Assembly endorsement on 13 May of the plan to establish a special Cambodia war crimes tribunal in order to put the perpetrators of crimes against humanity under the Khmer Rouge regime of 1975 to 1979 on trial, which awaits endorsement by Cambodia's parliament after the 27 July elections,
 - having regard to the joint guideline issued on 27 May 2003 by the Cambodian National Electoral Commission (NEC) and the Ministry of Interior,
- A. whereas around twenty political parties will take part in the general elections of 27 July 2003, marking another important step in the democratisation process of the country,
 - B. expressing appreciation of all the rules and standards established by the National Electoral Commission (NEC) with a view to the 27 July elections which, if applied consistently by the authorities, can ensure that elections are free and democratic,
 - C. having regard to the violent incidents which marred the previous elections,
 - D. alarmed at the continuing violence perpetrated against people who are involved in political parties, with two members of the opposition being murdered in the first week of June 2003,
 - E. concerned about the collection of voters' identification cards and thumbprints by village chiefs, commune officials, and other local political activists who serve as local extensions of the Cambodian People's Party (CPP),
 - F. whereas the office of the High Commissioner for Human Rights in Cambodia describes the situation as 'significantly less serious than in the past' and ANFREL (Asian Network for Free Elections) noted 'a significant decrease of violence compared with past elections',
 - G. whereas the omnipotence of the Cambodian People's Party raises the problem of the impartiality of the institutions,
 - H. whereas most of the violations of election laws have been allegedly perpetrated by village chiefs, and commune officials,
 - I. whereas the authorities can prosecute those who allegedly violate the election laws and regulations, but nobody has been subjected to such punitive measures, and such violations have become a prominent feature of the election process,
 - J. whereas during the past year human rights defenders, opposition journalists and the independent media have been subjected to intimidation, arrests and killings, the perpetrators of which have never been brought to justice,
 - K. whereas the electronic media remain under the control of persons and companies affiliated to Prime Minister Hun Sen's Cambodian People's Party,

Thursday 3 July 2003

- L. whereas new electoral regulations limit the ability of political parties to meet, while Cambodian voters continue to be denied access to the information needed to make meaningful choices at the ballot box as a direct result of the government's persistent refusal to open up the media to parties not aligned with the ruling Cambodian People's Party,
- M. whereas good governance and support for the strengthening of the rule of law and respect for human rights are important aspects of the EC Strategy Document for Cambodia and the EC's 2002/2004 National Indicative Programme,
- N. whereas action to strengthen national unity must include genuine plans for the trials of the former Khmer Rouge leaders,
- O. whereas Cambodia has ratified the Statute of the International Criminal Court and has signed the agreement with the United Nations (UN) concerning the prosecution of crimes committed during the period of Democratic Kampuchea,
- P. whereas the achieved compromise for the special tribunal on the basis of a mixed competence of a majority of Cambodian judges joined by international judges puts high expectations on the Cambodian judiciary to live up to international standards of prosecution,
- Q. concerned about the government's decision in January 2003 to bar Christian groups from disseminating religious literature in public, and noting the difficulties in registering experienced by Buddhist monks,
- R. drawing attention, furthermore, to the expulsion of at least 28 foreign Islamic teachers from Cambodia,
- S. whereas Vietnamese Montagnard refugees continue to be routinely sent back to Vietnam, facing ill-treatment and unfair trials,
1. Condemns the continuing violence and the intimidation of voters in the run-up to the general elections, and urges the Royal Government of Cambodia to guarantee free and fair elections without intimidation and harassment;
 2. Calls on the Cambodian authorities to fully respect the right to freedom of assembly, association and expression during and after the election period;
 3. Calls on the Cambodian police, prosecutors, and government authorities to prosecute any suspects, including government officials and village chiefs, who violate the electoral law, and also to deter them from further violations;
 4. Calls on the Government of Cambodia to ensure that the electoral campaign and the ballot take place in a peaceful atmosphere;
 5. Calls on the public and private broadcasting media to give all political parties taking part in the elections a fair and balanced access to the media;
 6. Calls for scrupulous respect by the NEC for its rules during the 30-day election campaign to be considered as the essential means of ensuring the credibility of the electoral process and of the electoral results;
 7. Calls on the authorities to ensure scrupulous respect for the 'Code of Conduct for members of the armed forces and national police' issued by the NEC and the Government Directive reminding officials of their obligation to act impartially;
 8. Calls on the Cambodian government authorities to fully cooperate with the local and international election observers and guarantee their safety; asks the EU Election Observation Mission to give a full and detailed account of the findings of the mission and offer recommendations for possible improvement;

Thursday 3 July 2003

9. Urges, in particular, the National Electoral Commission to play a full neutral role and to exert strong pressure to prevent and sanction all kinds of discrimination;
 10. Calls on the Cambodian Government to assign to the Ministry of Interior (MOI) and the National Electoral Commission the task of promptly investigating, prosecuting and stopping all acts of political violence and other electoral violations according to Article 124 of the National Assembly Election Law and Cambodian criminal law;
 11. Calls on the Cambodian authorities to immediately repeal the NEC-MOI Joint Directive of 27 May which places arbitrary and unnecessary restrictions on political party meetings;
 12. Calls on the Secretary-General of the UN and the Government of Cambodia to ensure that the agreement between the UN and Cambodia concerning the prosecution of crimes committed during the period of Democratic Kampuchea will be implemented as soon as possible;
 13. Calls on the future Cambodian parliament to make sure that international standards of fairness will be applied by the future Tribunal to try senior members of the Khmer Rouge and that this project of national reconciliation will not succumb to the serious deficiencies of the Cambodian judiciary;
 14. Calls on the Government of Cambodia to respect freedom of expression and of religion and to abolish the decree of 14 January 2003 for the prevention of conflicts between individual religious groupings;
 15. Stresses that before, during and after the campaign period, all parties must respect the laws governing their activities and refrain from violence, racist rhetoric and vote-buying;
 16. Calls on the Cambodian authorities to immediately end the 'refoulement' of Montagnard asylum-seekers as a matter of the utmost urgency;
 17. Reminds the Cambodian authorities that free and fair elections and full respect for the rights of the opposition are an essential element for the maintenance of full EU cooperation with Cambodia;
 18. Regrets that, in spite of large amounts of European aid to Cambodia, living conditions in the country have worsened;
 19. Urges the European Commission to focus its aid on civil society and local NGOs and to channel the aid through government or government bodies and make it conditional upon respect of pluralism and human rights;
 20. Calls on the EU and Member States' representatives in Phnom Penh to underline the need for:
 - guarantees of free, fair and democratic elections;
 - an impartial committee within the NEC charged with hearing and solving complaints;
 - a clear guideline to be implemented by Commune Election Committees (CECs) before refusing any complaint lodged by political parties or electoral observers;
 21. Instructs its President to forward this resolution to the Council, the Commission, the Secretary-General of the UN, the governments of the ASEAN member states, and the government and parliament of Cambodia.
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Thursday 3 July 2003

P5_TA(2003)0340

Laos

European Parliament resolution on the arrest of a group of journalists and their American interpreter and Laotian escorts

The European Parliament,

- having regard to its previous resolutions of 15 February 2001 on the human rights situation in the Lao People's Democratic Republic ⁽¹⁾, and of 15 November 2001 on the arbitrary arrests and the political situation in Laos ⁽²⁾,
 - having regard to the EC-Laos Framework Cooperation Agreement of 29 April 1997,
 - having regard to the EU Presidency Declaration on Laos of 22 December 2000,
 - having regard to the EC-Laos Strategy Paper 2002-2006,
- A. having regard to the arrest and detention, since 4 June 2003, of the European journalists Vincent Reynaud and Thierry Falise, an interpreter, Naw Karl Mua, and their Laotian escorts,
 - B. whereas this team was in process of producing a report on the Hmong, who were allied to the US during the Vietnam war and have a long history of resistance and aspirations to independence vis-à-vis the Laotian government,
 - C. whereas the journalists and the interpreter have not been allowed any visits of diplomats for more than ten days and have been held in an undisclosed location for more than a week,
 - D. deeply concerned over the physical and mental wellbeing of the detained journalists, the interpreter and the four Lao nationals, whose names and whereabouts have not been made public,
 - E. having regard to their sentencing to fifteen years in prison on Monday, 30 June 2003, in a trial which failed to respect the defendants' rights, on charges of 'obstructing an official in the performance of his duties',
 - F. deeply concerned at the general political, human rights and social situation in Laos under the ruling single party, the Lao People's Revolutionary Party (LPRP), and at the plight of the Laotian population, whose civil and political rights are not respected,
 - G. welcoming the Commission's statement to the effect that, should the situation of political rights and human rights in Laos degenerate to the point where the Community's permanent cooperation with that country would be endangered, it would be willing to take the necessary action with a view to reaching an agreement on the ad hoc measures to be adopted,
1. Calls for the immediate release of the European journalists and their escorts;
 2. Calls on the Council and the Member State governments to use all means at their disposal to secure the release of these journalists who have been imprisoned without cause;

⁽¹⁾ OJ C 276, 1.10.2001, p. 281.

⁽²⁾ OJ C 140 E, 13.6.2002, p. 577.

Thursday 3 July 2003

3. Calls on the authorities of the Lao People's Democratic Republic to put an immediate end to the violations of the civil, political and human rights of the Laotian people and to act immediately to introduce root-and-branch reforms to guarantee the fundamental freedoms and rights of all the citizens of Laos, in a spirit of tolerance and national reconciliation;
4. Calls on the Laotian government to undertake the changes necessary for a move towards democracy and to allow the expression of political dissent;
5. Calls on the government of Laos to respect press freedom and freedom of expression and to allow independent journalists to work freely in the country;
6. Calls on the permanent representatives of the EU in Vientiane to press for democracy and an improvement of the human rights situation in Laos;
7. Calls on the Laotian authorities to ensure respect for the Constitution of Laos, which guarantees freedom for and of religion;
8. Calls on the Laotian authorities to put an immediate end to all persecution and repression of the Hmong people, as well as the other minorities in Laos and the country's Christian communities;
9. Calls on the Laotian authorities to give all groups of Hmong fighters access to UN specialist agencies and others to provide them with desperately needed medical attention and sufficient food and other basic services in line with Laos's obligations under international humanitarian law;
10. Calls on the Laotian authorities to authorise the Red Cross to visit the political prisoners in order to ensure that their physical integrity is being respected;
11. Believes that the Commission should examine the issue of continued permanent cooperation with the Laotian authorities and report on the matter to Parliament;
12. Calls for the arrest of the journalists to be included on the agenda of the next ASEAN/ANASE meeting should they have not been freed by then;
13. Instructs its President to forward this resolution to the Council, the Commission, the Government of Laos and all the ASEAN member states.

P5_TA(2003)0341

Uganda

European Parliament resolution on human rights violations in northern Uganda

The European Parliament,

- having regard to its previous resolutions on human rights abuses, with specific reference to the abduction of children and forced conscription of child soldiers in northern Uganda,
- having regard, in particular, to its resolution of 6 July 2000 on the abduction of children by the Lord's Resistance Army (LRA) ⁽¹⁾, and to the report of the ACP-EU Joint Parliamentary Assembly mission to Sudan of June-July 2001,

⁽¹⁾ OJ C 121, 24.4.2001, p. 401.

Thursday 3 July 2003

- having regard to the UN Conventions on the protection of the rights of children,
 - having regard to previous peace initiatives in northern Uganda by the Acholi Religious Leaders Peace Initiative (ARLPI) and others,
 - having regard to the number of children abducted by the LRA to make them combatants or sexual slaves, which is estimated at 26 000, of whom 5 000 were abducted in the last year and 10 000 are still held by the rebels,
- A. whereas the LRA, led by Joseph Kony, took root in the early 1990s after a series of armed rebellions in northern Uganda, growing into a long-running insurgency with a complex political agenda that is pursued through brutality against civilians,
- B. deeply concerned by the disastrous consequences of this conflict, resulting in the abduction of more than 20 000 children and causing immense human suffering, particularly among civilians, as well as gross human rights violations, massive displacement of populations and a breakdown of social and economic structures,
- C. whereas the conflict, originally confined to the northern districts of Gulu, Kitgum and Pader, has now spread further southwards to cover a wider geographical area including the districts of Lira, Apac and Katakwi, thus displacing an unprecedented number of people,
- D. whereas the violence has caused an estimated 800 000 people to flee their homes, living in internally displaced camps, and tens of thousands of children to sleep in urban centres every night for protection,
- E. whereas the LRA is largely responsible for the gross human rights violations in northern Uganda, even though this insurgency also has a regional dimension, because the LRA for many years based its operations in southern Sudan and received military and logistical support from that country's government,
- F. considering the allegations that Joseph Kony is still hiding in southern Sudan and that the LRA has received fresh military supplies from elements of the Sudanese armed forces as recently as March 2003, according to a report of the Acholi Religious Leaders,
- G. whereas the Ugandan army is also recruiting child soldiers from the age of 12,
- H. whereas the Ugandan Government has made several attempts to end this conflict militarily — most recently through 'Operation Iron Fist' in March 2002 following an agreement between the governments of Sudan and Uganda — which resulted in a worsened humanitarian crisis, and whereas civilians remain largely unprotected in northern Uganda and peace talks are virtually non-existent,
- I. whereas the continuation of the conflict has led to a 23 % increase in the army's budget this year, to the detriment of the education and health budgets, and to the maintenance of the anti-terrorism law limiting freedom of association and expression,
- J. pointing out the urgent need for an international response to the deteriorating humanitarian situation in northern Uganda, where food and medicine are not sufficiently available, notwithstanding the full solidarity of the missionaries towards all those in need of help and protection,
- K. whereas ECHO is providing EUR 460 000 of support for a project to help reintegrate child soldier survivors,

Thursday 3 July 2003

- L. whereas health indicators for northern Uganda are among the worst in Africa and whereas the humanitarian and health crisis is growing in that part of the country, with an increase in malaria and respiratory and digestive infections,
- M. whereas ECHO doubled its funding for Uganda in 2003, bringing it up to EUR 4 million,
- N. deploring that nine Catholic missions were attacked during the last few weeks, one of which was burnt down, and horrified by the recent order given by the LRA leader to his men to 'destroy Catholic missions, kill priests and missionaries in cold blood and beat nuns black and blue',
1. Strongly condemns the continued serious human rights violations by all parties to the conflict in northern Uganda, and calls for an immediate end to atrocities such as enslavement, torture, rape, killings and other abuses, and for the parties to engage constructively in the current peace initiatives;
 2. Strongly condemns, in particular, the actions of the LRA for its continuous violence against the civilian populations of northern Uganda and for the continuing abductions of children with the intention of using them as soldiers or for sexual exploitation; calls on both sides to stop their abuses and the use of children for war purposes or sexual exploitation;
 3. Further condemns the increasing number of attacks perpetrated against Catholic missions as well as the recent order of the LRA leader to destroy Catholic missions, and to kill all priests and missionaries;
 4. Encourages the Ugandan Government and military to take immediate steps to secure the protection of all civilians and humanitarian workers from abduction and other human rights abuses as well as to create a secure environment in which humanitarian agencies can deliver life-saving assistance;
 5. Calls on the Ugandan Government to introduce good governance and political pluralism in order to remove all reasons for resorting to armed combat; calls on it also to punish abuses committed by its forces, in particular those recently committed by the Violent Crime Crack Unit (VCCU) against civilians;
 6. Calls on the Government of Uganda to continue its efforts with a view to the publication and implementation of the Amnesty Act;
 7. Notes Sudan's commitment to no longer supply aid to the LRA and calls on Sudan to honour this commitment and ensure that it is enforced on its territory;
 8. Calls on the African Union to examine all possible ways of contributing to the protection of the civilian populations in northern Uganda, which includes taking measures against African states which supply the LRA with weapons;
 9. Calls for a rapid response from the international community, and in particular from ECHO, to deal with the looming humanitarian crisis, through increased emergency support for displaced persons, especially food and medical assistance, as well as support programmes for freed captives to ensure their successful reintegration into society;
 10. Calls on the United Nations Security Council to look into ways in which the international community could intervene to protect the civilian populations in northern Uganda, including the possible use of Chapter VII of the UN Charter whenever a request to this effect is submitted by its Secretary-General, Kofi Annan;

Thursday 3 July 2003

11. Calls on the EU Council to look into ways in which the EU could intervene in the CFSP framework so as to guarantee the security of populations eligible for the humanitarian aid distributed by ECHO;

12. Further calls on the EU to consider appointing a special representative to assist the peace efforts currently being made, such as the Acholi Religious Leaders Peace Initiative (ARLPI), and to closely monitor the situation of children affected by armed conflict in this region;

13. Instructs its President to forward this resolution to the ACP-EU Council and Joint Parliamentary Assembly, the Commission, the Secretaries-General of the United Nations and the African Union, the Government of Uganda and the Government of Sudan.

P5_TA(2003)0342

Women in rural areas of EU

European Parliament resolution on women in rural areas of the European Union in the light of the mid-term review of the common agricultural policy (2002/2241(INI))

The European Parliament,

- having regard to Articles 2, 3(2), and 141(4) of the EC Treaty,
- having regard to Article 13 of the EC Treaty,
- having regard to Articles 33(1)(a) and (b), 33(2)(a) and 35(a) of the EC Treaty,
- having regard to the Presidency Conclusions of the European Council meeting held in Berlin on 24 and 25 March 1999 (Agenda 2000),
- having regard to the Platform for Action adopted at the Fourth World Conference on Women in Beijing on 15 September 1995,
- having regard to the conclusions of the Council of Agriculture Ministers of 27 May 2002 (8959/02),
- having regard to the conclusions of the Third World Congress of Rural Women held in Madrid on 2-4 October 2002,
- having regard to Council Regulation (EC) No 1257/1999 of 17 May 1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and amending and repealing certain Regulations ⁽¹⁾,
- having regard to Council Regulation (EC) No 1258/1999 of 17 May 1999 on the financing of the common agricultural policy ⁽²⁾,
- having regard to Council Regulation (EC) No 1259/1999 of 17 May 1999 establishing common rules for direct support schemes under the common agricultural policy ⁽³⁾,
- having regard to Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds ⁽⁴⁾,

⁽¹⁾ OJ L 160, 26.6.1999, p. 80.

⁽²⁾ OJ L 160, 26.6.1999, p. 103.

⁽³⁾ OJ L 160, 26.6.1999, p. 113.

⁽⁴⁾ OJ L 161, 26.6.1999, p. 1.

Thursday 3 July 2003

- having regard to Council Regulation (EC) No 1783/1999 of the European Parliament and of the Council of 12 July 1999 on the European Regional Development Fund ⁽¹⁾,
- having regard to Commission Regulation (EC) No 1750/1999 of 23 July 1999 laying down detailed rules for the application of Council Regulation (EC) No 1257/1999 ⁽²⁾,
- having regard to Commission Regulation (EC) No 2603/1999 of 9 December 1999 laying down rules for the transition to the rural development support provided for by Council Regulation (EC) No 1257/1999 ⁽³⁾,
- having regard to Commission Regulation (EC) No 445/2002 ⁽⁴⁾ of 26 February 2002 laying down detailed rules for the application of Council Regulation (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF),
- having regard to Council Directive 86/613/EEC ⁽⁵⁾ of 11 December 1986 on the application of the principle of equal treatment between men and women engaged in an activity, including agriculture, in a self-employed capacity, and on the protection of self-employed women during pregnancy and motherhood,
- having regard to Council Directive 86/378/EEC of 24 July 1986 on the implementation of the principle of equal treatment for men and women in occupational social security schemes ⁽⁶⁾,
- having regard to the Commission report on the implementation of the abovementioned Council Directive 86/613/EEC (COM(1994) 163),
- having regard to the guidelines for the evaluation of the Leader+ Commission programmes (January 2002),
- having regard to the Commission communication of 10 July 2002 to the Council and the European Parliament on the midterm review of the common agricultural policy (COM(2002) 394),
- having regard to the Commission proposal for a Council Regulation establishing common rules for direct support schemes under the common agricultural policy and support schemes for producers of certain crops (COM(2003) 23),
- having regard to the Commission proposal for a Council Regulation amending Regulation (EC) No 1257/1999 on support for rural development from the European Agricultural Guidance and Guarantee Fund (EAGGF) and repealing Regulation (EC) No 2826/2000 (COM(2003) 23),
- having regard to the communication from the Commission to the Member States of 14 April 2000 laying down guidelines for the Community initiative for rural development (Leader+) ⁽⁷⁾,
- having regard to the Council Resolution of 2 December 1996 on mainstreaming equal opportunities for men and women under the European Structural Funds ⁽⁸⁾,
- having regard to Council Decision 2001/51/EC of 20 December 2000 establishing a programme relating to the Community framework strategy on gender equality (2001-2005) ⁽⁹⁾,

⁽¹⁾ OJ L 213, 13.8.1999, p. 1.

⁽²⁾ OJ L 214, 13.8.1999, p. 31.

⁽³⁾ OJ L 316, 10.12.1999, p. 26.

⁽⁴⁾ OJ L 74, 15.3.2002, p. 1.

⁽⁵⁾ OJ L 359, 19.12.1986, p. 56.

⁽⁶⁾ OJ L 225, 12.8.1986, p. 40.

⁽⁷⁾ OJ C 139, 18.5.2000, p. 5.

⁽⁸⁾ OJ C 386, 20.12.1996, p. 1.

⁽⁹⁾ OJ L 17, 19.1.2001, p. 22.

Thursday 3 July 2003

- having regard to technical document 3 incorporating the policy of equal opportunities between women and men in structural fund programmes and projects of the Commission, March 2000,
- having regard to its resolution of 13 March 2003 on the objectives of equality of opportunities between women and men in the use of the structural funds ⁽¹⁾,
- having regard to its resolution of 5 June 2003 on the proposal for a Council Regulation establishing common rules for direct support schemes under the common agricultural policy and support schemes for producers of certain crops ⁽²⁾,
- having regard to its resolution of 7 November 2002 on the mid-term review of the common agricultural policy ⁽³⁾,
- having regard to its position of 5 June 2003 on the proposal for a Council Regulation amending Regulation (EC) No 1257/1999 and repealing Regulation (EC) No 2826/2000 ⁽⁴⁾,
- having regard to its resolution of 6 September 2001 on 25 years of implementing the Community regulation to promote farming in mountain areas ⁽⁵⁾,
- having regard to its resolution of 30 May 2002 on the mid-term review of the reform of the common organisation of the market in the framework of Agenda 2000 ⁽⁶⁾,
- having regard to its resolution of 30 May 2002 on rural development in the framework of Agenda 2000 — interim balance in the EU and the applicant countries ⁽⁷⁾,
- having regard to its resolution of 17 January 2001 on the situation of and prospects for young farmers in the European Union ⁽⁸⁾,
- having regard to its resolution of 15 February 2000 on the Commission's draft communication to the Member States laying down general guidelines for the Community initiative on rural development (Leader+) ⁽⁹⁾,
- having regard to its position of 15 November 2000 on the proposal for a Council Decision on the Programme relating to the Community framework strategy on gender equality (2001-2005) ⁽¹⁰⁾ and its resolution of 3 July 2001 on the Commission Communication to the Council and the European Framework Strategy on Gender Equality — Work Programme for 2001 ⁽¹¹⁾; whereas the gender mainstreaming principle must be consistently applied in the agricultural sector,
- having regard to its resolution of 21 February 1997 on the situation of the assisting spouses of the self-employed ⁽¹²⁾,
- having regard to Rule 163 of its Rules of Procedure,
- having regard to the report of the Committee on Women's Rights and Equal Opportunities (A5-0230/2003),

⁽¹⁾ P5_TA(2003)0093.

⁽²⁾ P5_TA-(2003)0256.

⁽³⁾ P5_TA (2002)0532.

⁽⁴⁾ P5_TA(2003)0257.

⁽⁵⁾ OJ C 72, 21.3.2002, p. 354.

⁽⁶⁾ P5_TA(2002)0274.

⁽⁷⁾ P5_TA(2002)0275.

⁽⁸⁾ OJ C 262, 18.9.2001, p. 153.

⁽⁹⁾ OJ C 339, 29.11.2000, p. 52.

⁽¹⁰⁾ OJ C 223, 8.8.2001, p. 153.

⁽¹¹⁾ OJ C 65 E, 14.3.2002, p. 43.

⁽¹²⁾ OJ C 85, 17.3.1997, p. 186.

Thursday 3 July 2003

- A. whereas the Council of Agriculture Ministers meeting on 27 May 2002, referred to equal opportunities for men and women in rural areas as an integral part of the Community's policy on agriculture,
- B. whereas improving equal opportunities for women in the agricultural and fisheries sectors and the rural environment was not taken seriously into account in the Common Agricultural Policy (CAP) and CFP reform proposals, either in terms of the support schemes or support for agricultural development,
- C. whereas, following the mid-term review of the CAP, the provisions of Agenda 2000 concerning the strengthening of the second pillar (rural development) have become more pressing, while the female rural population has acquired an extremely important role in that context for the development of the European agricultural model and general EU development policy,
- D. whereas providing equal opportunities for women in rural areas is a prerequisite for the full exploitation of the sustainable development potential which exists in the rural areas of Europe; whereas CAP prosperity and multifunctionality, agricultural diversification and the progress of rural development depend directly upon the areas of work in which women are engaged,
- E. whereas eliminating disparities and promoting equal opportunities for men and women is a main objective of the regulation on the structural funds and, in particular, the EAGGF (European Agricultural Guidance and Guarantee Fund),
- F. whereas, under the Leader+ initiative, women in rural areas are supported by means of strategies which aim to improve their job opportunities or activities and whereas a mid-term assessment of that programme is due to take place at the end of 2003,
- G. whereas, from a strictly legal point of view, Directive 86/613/EEC has clearly been implemented in the Member States; whereas, however, the practical results are not satisfactory in comparison with the original objectives of the directive; whereas, moreover, the wording of the directive is extremely vague and, in regard to social security, it leaves to the discretion of the Member States to decide whether assisting spouses should have personal rights or derived rights,
- H. whereas, although 37 % of the agricultural workforce in the European Union consists of women who play a major role in overall production and in rural development, and form a significant link between production and consumption: (a) the female rural population is ageing, (b) one in two women farmers falls into the 'spouse or partner' category, thus facing a difficult position in terms of pay, social security, healthcare, pensions, and professional development, (c) the percentage of women farmers managing farms is exceptionally low, (d) the education and training of women farmers remains at extremely low levels, (e) the participation of women in agricultural co-operatives and agricultural organisations is not satisfactory, (f) illiteracy and unemployment in rural areas affect women most (in some areas the percentage is twice that of men),
- I. having regard to European Parliament and Council Directive 2002/73/EC amending Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions⁽¹⁾,

⁽¹⁾ OJ L 269, 5.10.2002, p. 15.

Thursday 3 July 2003

J. whereas, with the accession of new Member States, the number of women farmers will increase significantly, given the high proportion of women among the agricultural work force,

1. Welcomes the conclusions of the Council of Agriculture Ministers of 27 May 2002, the object of which was to incorporate the gender dimension and the implementation of the principle of mainstreaming consistently and, in particular, to establish specific priorities and goals for putting equal opportunities for men and women into practice in agricultural policy and rural development policy;

2. Calls on the Member States to implement the necessary policies to support women farmers, in particular on the basis of the guidelines laid down by the latest Council of Agriculture Ministers, incorporating the gender dimension in general, and the implementation of the principle of gender mainstreaming, in particular, promoting them in the context of the second pillar —the provisions on rural development aid; requests that Member States inform the European Commission by the end of 2004 on the progress made;

3. Stresses that the elimination of disparities and the promotion of equal opportunities are amongst the main objectives of the regulations concerning the application of the structural funds and in the programmes and initiatives concerning rural development; notes, however, that in practice, women farmers and women working in the fisheries sector in rural areas play a minimal role in planning and developing the opportunities offered; requests the Commission to ensure that, in the approval procedures for the relevant projects of the Structural Funds, due attention is paid to enhancing the role of women farmers and women working in the fisheries sector in rural areas;

4. To ensure that the levelling-off approach and that of distributing aid under the second pillar are effective, account should be taken of the number of people working on farms in the context of all programmes and funding; calls consequently, on Member States to reform the current method of calculation, which only takes account of farms, and not of the number of people working, with the effect that all women working as part of a couple are penalised;

5. Calls on the Commission, in the light of the mid-term review of the common agricultural policy and with a view to offering an important role for women in the rural development strategy, to make a proper analysis of the likely impact of the future programmes on equal opportunities for men and women before they are implemented, taking into account the distribution of funds in accordance with the principle of gender mainstreaming and covering the needs of rural women; in addition, calls on the Commission to ensure, as a matter of priority, that resources obtained through the modulation of direct aid are reallocated to programmes that include measures in favour of those groups in society with the greatest needs, but also with development potential, such as women in rural areas of Member States or new Member States;

6. Calls on the Commission, in the context of strengthening the programmes and actions of the second pillar of the common agricultural policy for rural development, to promote:

- measures to set up and strengthen social infrastructure for women farmers and, in broader terms, for the inhabitants of rural areas, particularly in the fields of health, education and training, and culture,
- integrated action to develop entrepreneurship, innovation, vocational training, including acquisition of knowledge, acquisition of farm management skills, rural tourism, organic farming, new technologies (and in particular Internet access), new forms of energy, cooperative working, combating illiteracy, and life-long learning;

Thursday 3 July 2003

7. Calls on Member States — in the light of the fact that unemployment in rural areas affects women most — to promote, within the context of the structural funds, quality employment and the spirit of enterprise among women; considers, moreover, that Member States should set up or, where they already exist, strengthen reliable and accredited systems of agricultural and integrated vocational training for women farmers, and life-long learning;

8. Invites the Commission, in view of the limited impact on equal opportunities in rural areas of programmes and initiatives in the framework of rural development, to provide for a specific programme devoted to 'women' in the future structural funds programme and rural development (2007-2012);

9. Calls on the Member States — in the light of the fact that unemployment in rural areas affects mostly women — to promote, within the context of the structural funds, quality employment, entrepreneurship among women and a cooperativist culture; considers, moreover, that Member States should set up or, where they already exist, strengthen reliable and accredited systems of agricultural and integrated vocational training for women farmers, and life-long learning;

10. Urges the Member States, in collaboration with local government, and with the aim of gradually eliminating social exclusion in the rural areas, of creating incentives for the participation of women in work and agricultural production in order to ensure that this participation is more balanced, to implement policies to improve the general living conditions of women in rural areas and to set up an appropriate network of rural services (postal services, libraries) establishing or improving public transport facilities and schools as well as permanent and seasonal facilities for childcare, care of the elderly and of disabled people, health services and family planning services in general;

11. Urges the Member States, in cooperation with local bodies, to promote rural-loan policies which will encourage synergies between public and private funds, so as to allow access to microloans and soft loans intended to facilitate women's entrepreneurial initiatives;

12. Calls on the Member States to develop indicators which would enable them to collect comparable data so that, in the context of the mid-term evaluation of the Leader+ programme, which is to be submitted by the end of 2003, data can be included on the quantitative and qualitative participation of women farmers and the impact of those measures on women's lives;

13. Calls on the Member States, in the context of the Leader+ initiative and, in particular, the activities of the Local Action Groups (LAGs), to make the gender dimension a matter of priority and to guarantee a minimum level of women's participation in the LAG partnerships; considers that in this context, financial assistance and advisory support for women must be promoted to enable them to take part in sustainable rural development programmes either as individuals or within cooperative organisations;

14. Regrets the fact that the vague wording of Directive 86/613/EEC on the equal treatment of men and women engaged in an activity, including activities in the agricultural and fisheries sectors in a self-employed capacity, has resulted in limited progress being made in recognising the work and giving adequate protection to spouses assisting the self-employed in agriculture or the fisheries sector in the Member States;

Thursday 3 July 2003

15. Regrets that the Commission did not provide for a specific follow-up to previous European Parliament resolutions on assisting spouses of the self-employed, which included calls for:

- compulsory registration of assisting spouses so that they are no longer invisible workers;
- the obligation on Member States to take the necessary measures to ensure that assisting spouses are able to take out insurance cover for health care, retirement pensions, maternity benefit and replacement services and invalidity benefit;

16. In order to raise the status of women farmers by drawing up a 'European statute for women farmers who are full partners in their business', which will provide a foundation for basic social rights, calls on the Commission to begin this reform by preparing for a further revision of the directive and to strengthen Article 6 in particular, so as to cover all the risks faced by the assisting spouse of a farmer, particularly in relation to social security, health care, old age pension, maternity benefit and replacement services, disability and incapacity benefit; considers that the directive must be more binding in all its aspects on Member States, as it is the only way to ensure that women assisting on agricultural holdings acquire the vocational status to enable them to have not only derived rights but social entitlements in their own right; calls on the Commission to evaluate the current situation for the present and new Member States and to present a revised directive by the end of 2004;

17. Calls on those Member States which have not already done so, to take the necessary measures to recognise the work of women assisting on agricultural holdings so that their work is recognised and safeguarded in terms of social security and retirement pension, without their having to pay contributions which impose an excessive burden on family farms;

18. Calls on the Commission and Member States to pay particular attention to ensuring equal treatment and opportunities for men and women in this regard, including the integration into the agricultural industry of the principle of equal pay for work of equal value;

19. Calls on the Member States to encourage the balanced representation of women farmers (at local and European level) in the various decision-making bodies at both occupational and government level (professional agricultural organisations, sectoral organisations, agricultural cooperatives, rural women NGOs, Chambers of Agriculture, trade-unions, Ministries of Agriculture etc.) and to cooperate with local government bodies to encourage and support the cultural and social life of women in the countryside (establishment of associations — encouragement of initiatives);

20. Calls on the Member States to raise the status of the profession, which can be achieved, inter alia, by recognising professional experience and the various skills used on farms. Genuine recognition of equivalence between training in other areas and agricultural training would lighten the training load for women farmers, particularly those who enter the profession later in life after working in other areas. Qualifications acquired while working as a farmer should, for these reasons, be eligible for recognition by the competent authorities;

21. Calls on the Commission to set up a unit within DG Agriculture responsible for all gender and agriculture policies, whose main task should be to add gender mainstreaming instruments to all relevant legislation and policies;

22. Calls on the Commission and the Member States to take effective steps to counteract domestic violence, which is particularly prevalent in rural areas, through measures to supplement the existing DAPHNE programme;

Thursday 3 July 2003

23. Calls on the current and new Member States to undertake an in-depth study of the situation of women farmers and, in more general terms, women in the countryside, with a view to planning the necessary policies, the relevant legislation and a development strategy geared to their actual needs as well as a systematic collecting and publishing data, quantitative and qualitative indicators and statistics concerning women farmers; requests the Commission to coordinate and set up the framework of such studies and ensure that these studies will be submitted to Parliament by the end of 2004;

24. Welcomes the significant measures taken by the European Leader Observatory, in terms of information, data collection and evaluation in rural areas; calls on the Commission to speed up the launch of the Leader+ Observatory and calls for the systematic recording, evaluation and publication of data, quantitative and qualitative indicators and statistics concerning women in rural areas with the support of Eurostat;

- a) eliminating the current serious gaps in agricultural statistics as regards differing treatment of men and women, and ensuring that the discriminatory distortions operated when data and indicators are collected are removed,
- b) collection, codification and dissemination of statistics, indicators and information by gender (demographic issues, family issues, multiple jobs, income levels, education and training, health, politics, violence, social exclusion) and social policies and programmes and their impact on rural development,
- c) collection and dissemination of best practices and of benchmarks for the incorporation and participation of women farmers in local development and the rural economy and society,
- d) drawing up reports on the implementation and progress of the Leader+ initiative, monitoring and assessing its impact on the lives of women in rural areas;

25. Calls on the Commission, in the light of the review of the common agricultural policy and the accession of new Member States, to take account of the particular characteristics of the applicant countries (major structural differences with the Member States of the EU), bearing in mind the situation of women in the rural economies of the new Member States and the role that they may play in the process of rural development, so that the Leader+ programme can be extended and adapted as necessary to the new circumstances;

26. Instructs its President to forward this resolution to the Council and the Commission as well as the Governments and National Parliaments of the current and new Member States.

P5_TA(2003)0343

Safety of coaches

European Parliament resolution on safety of coaches

The European Parliament,

- having regard to its position at first reading of 14 January 2003 on the proposal for a European Parliament and Council regulation on the harmonisation of certain social legislation relating to road transport ⁽¹⁾,

⁽¹⁾ P5_TA(2003)0008.

Thursday 3 July 2003

- having regard to Council Regulation (EC) No 2135/98 of 24 September 1998 ⁽¹⁾ on the introduction of the digital tachograph,
 - having regard to its resolution of 12 February 2003 on the Commission White Paper on European transport policy for 2010: time to decide ⁽²⁾,
 - having regard to the Commission's Communication on a European Road Safety Action Programme — Halving the number of road accident victims in the European Union by 2010: A shared responsibility (COM(2003) 311),
- A. whereas, according to statistics, more than 42 000 people are killed each year on EU roads,
- B. whereas a comprehensive road safety strategy, guided by numerical targets, is needed to address this major public health and safety problem; whereas reducing injuries that result from driver impairment, especially driver fatigue, is an important part of that activity,
- C. whereas the recent tragic bus accidents in Siofok, Hungary, on 8 May 2003, with 33 tourists killed, and near Lyons in France, on 18 May 2003, with 28 tourists killed, and other recent accidents show that the human factor considerably influences road safety,
- D. whereas the Commission proposed a general revision of Regulation (EEC) No 3820/85 on the harmonisation of certain social legislation relating to road transport and driving time ⁽³⁾, replacing it with a new one; whereas, subject to substantial amendment, Parliament was prepared to accept this action and concluded its first reading on 14 January 2003; whereas the Council has not yet adopted a common position on this subject,
- E. whereas the use of the digital tachograph will improve surveillance and control of drivers' driving hours and rest periods,
- F. regretting that up to now the installation of seat belts has not been made compulsory on all new coaches, and that the mandatory wearing of safety belts in coaches so equipped has yet to become general throughout the EU,
- G. whereas Community guidelines covering areas such as railway crossings at major roads, and more generally concerning suitable road conditions and appropriate road design, do not exist,
1. Expresses its firm solidarity with the victims of these accidents and stresses the need to take effective measures as soon as possible in order that such tragic events are avoided in the future;
 2. Demands that the Council take full account of Parliament's position at first reading when adopting its common position on the driving time regulation;
 3. Calls on the Council to accept, in the framework of the draft driving time regulation, the demand of Parliament concerning the introduction of a minimum number of roadside checks to be carried out in the Member States (2 % of the total number of days worked);
 4. Urges the Member States to accelerate the transposition of the provisions of Directive 2002/85/EC ⁽⁴⁾ on speed limitation devices into their national legislation, given the importance of such measures for road safety;

⁽¹⁾ OJ L 274, 9.10.1998, p. 1.

⁽²⁾ P5_TA(2003)0054.

⁽³⁾ OJ L 370, 31.12.1985, p. 1.

⁽⁴⁾ OJ L 327, 4.12.2002, p. 8.

Thursday 3 July 2003

5. Calls on the Commission to present a legislative proposal on the obligation for coach passengers to wear seat belts and, more generally, on appropriate coach construction as soon as possible;
6. Calls on the Commission to present legislative proposals amending Council Directives 77/541/EEC relating to safety belts and restraint systems of motor vehicles ⁽¹⁾, 74/408/EEC relating to the interior fittings of motor vehicles (strength of seats and of their anchorages) ⁽²⁾, and 76/115/EEC relating to anchorages for motor vehicle safety belts in order to render mandatory the installation of safety belts in new touring coaches ⁽³⁾;
7. Calls on the Commission to speed up transposition of Directive 2003/20/EC of 8 April 2003 ⁽⁴⁾ on the approximation of laws of the Member States relating to the compulsory use of safety belts in vehicles of less than 3,5 tonnes, by which the mandatory wearing of safety belts in touring coaches thus equipped is introduced for passengers whilst seated;
8. Stresses the importance of proper implementation of the Commission's recent proposal on the training of professional drivers ⁽⁵⁾, which should contribute significantly to the quality of driving of professional coach drivers throughout the EU;
9. Asks the Commission to present proposals to facilitate exchanges in best practice between Member States regarding areas such as railway level crossings at major roads and, more generally, concerning suitable road conditions and appropriate road design;
10. Welcomes the Commission Action Programme on European Road Safety and calls on the Commission to support the demand to put special emphasis on intensified and accelerated measures for the greater safety of coaches;
11. Instructs its President to forward this resolution to the Council, the Commission and the governments of the Member States.

⁽¹⁾ OJ L 220, 29.8.1977, p. 95.

⁽²⁾ OJ L 221, 12.8.1974, p. 1.

⁽³⁾ OJ L 24, 30.1.1976, p. 6.

⁽⁴⁾ OJ L 115, 9.5.2003, p. 63.

⁽⁵⁾ OJ C 154 E, 29.5.2001, p. 258.
